January 2
1998

THE AREA PLAN COMMISSION
of Tippecanoe County, Indiana

City of Lafayette
City of West Lafayette
Unincorporated Tippecanoe County
Town of Battle Ground
Town of Clarks Hill
Town of Dayton

Second Edition

The Unified Zoning Ordinance

$20.00

This Edition Includes Amendments 1 - 53

THE NEW UNIFIED ZONING ORDINANCE
OF THE AREA PLAN COMMISSION OF TIPPECANOE COUNTY AND ITS MEMBER JURISDICTIONS

DATES OF PRE-HEARING LEGAL ADVERTISEMENTS:

The Lafayette Journal and Courier (Tippecanoe County): October 1, 1997
The Lafayette Leader (Tippecanoe County): October 3, 1997

The Journal Review (Montgomery County): September 30, 1997
The Carroll County Comet (Carroll County): October 1, 1997
The Times (Clinton County) October 1, 1997
The Commercial News (Fountain County): October 2, 1997
The Review-Republican (Warren County): October 2, 1997
The Benton Review (Benton County): October 3, 1997
The Herald Journal (White County): October 3, 1997

DATES OF AREA PLAN COMMISSION PUBLIC HEARINGS:

October 15, 1997
November 17, 1997
Recommended for approval by the Area Plan Commission by a vote of 13-1
Certified to member jurisdictions on November 20, 1997

MEMBER JURISDICTIONS' DATES OF HEARING AND ADOPTION, ORDINANCE NUMBERS, AND VOTES:

Unincorporated Tippecanoe County heard and adopted:
November 24, 1997 Ordinance No. 97-51CM vote of 2-1
City of Lafayette heard and adopted:
December 1, 1997 Ordinance No. 97-51 vote of 8-0
City of West Lafayette heard and adopted:
December 1, 1997 Ordinance No. 32-97 vote of 7-0
Town of Battle Ground heard and adopted:
December 1, 1997 Ordinance No. 349-97 vote of 5-0
Town of Dayton heard and adopted:
December 1, 1997 Ordinance No. 97-11 vote of 5-0
Town of Clarks Hill heard and adopted:
December 2, 1997 Ordinance No. 97-5 vote of 3-0

DATES OF LEGAL ADVERTISEMENTS OF EFFECTIVE DATE:

The Lafayette Journal and Courier: December 18, 1997
The Lafayette Leader: December 18, 1997
2 copies filed in all clerks' offices on December 18, 1997

EFFECTIVE DATE: JANUARY 2, 1998

AMENDMENT HISTORY

Amendment 1:

Sections 2-8-11, 2-9-12, 3-2-6 (3 places), 4-2-2 (format only), D-2-B (2 places)
Adopted 2-24-98 by Clarks Hill; 3-2-98 by Lafayette, West Lafayette, Tippecanoe County, Battle Ground and Dayton

Amendment 2:

Sections 1-10-2 (**confined feeding operation setback**), 4-4-9-a, 4-4-9-b, 4-4-9-c (new), 4-8-10-b, 6-2-6-a, 6-2-6-c
Adopted 3-24-98 by Clarks Hill; 4-6-98 by Lafayette, West Lafayette, Tippecanoe County, Battle Ground and Dayton

Amendment 3:

Sections 3-2-6 and 3-2-11
Adopted 7-6-98 by Lafayette, West Lafayette, Tippecanoe County, Battle Ground and Clarks Hill; 7-9-98 by Dayton

Amendment 4:

Sections 3-2-10, 4-8-4 (2 places) and 4-8-10
Adopted 9-8-98 by West Lafayette, Battle Ground and Dayton; 9-14-98 by Lafayette; 9-21-98 by Tippecanoe County; 10-12-98 by Clarks Hill

Amendment 5:

Sections 1-10-2 (**banner, event oriented sign)**, 2-12-13, 2-13-1, 2-13-4, 2-13-10, 2-13-11, 2-19-6, 2-19-11, 2-26-2-a, 3-2-2, 3-2-6, 3-2-10 (2 places), 4-1-c, 4-2-1, 4-2-2, 4-4-6-e, 4-4-8-a-1, 4-6-11-a, 4-8-9 (2 places), 4-8-15, 4-9-3-a, 4-9-7-d, 4-11-1, 4-11-2-d, 4-11-4-c, 5-5-3-a, 5-5-5-g, 5-5-6-a, D-1-2-a and D2
Adopted 9-8-98 by West Lafayette, Battle Ground and Dayton; 9-14-98 by Lafayette; 9-21-98 by Tippecanoe County; 10-12-98 by Clarks Hill

Amendment 6:

Sections 3-2-1 (2 places) and Footnotes to 3-2 (footnote 52), and 4-11-1
Adopted 10-26-98 by Clarks Hill; 11-2-98 by Tippecanoe County, Battle Ground and Dayton; 11-4-98 by West Lafayette; 11-9-98 by Lafayette

Amendment 7:

Sections 1-10-2 (**freestanding sign**), 3-2-2, 3-2-10, 4-6-3, 4-6-14, 4-8-4, 5-1-6-a, 5-1-9-a-2 and 6-2-4-a
Adopted 10-26-98 Clarks Hill; 11-2-98 by Tippecanoe County, Battle Ground and Dayton; 11-4-98 by West Lafayette; 11-9-98 by Lafayette

Amendment 8:

Sections 1-10-2 (**integrated center, office building, outdoor advertising sign**), 2-1-7, 2-2-7, 2-3-7, 2-4-7, 2-5-7, 2-6-7, 2-7-7, 2-8-7, 2-9-8, 2-10-8, 2-11-8, 2-13-11, 2-15-7, 2-15-11, 2-23-7, 2-24-8, 2-25-5, 2-26-9, 3-2-9, 4-2-2, 4-4-6-a, 4-4-7-a, 4-6-18, 4-8-4, and 4-8-9
Adopted 3-1-99 by Lafayette, West Lafayette, Tippecanoe County, Battle Ground, Clarks Hill and Dayton

Amendment 9:

Section 3-2-10
Adopted 3-1-99 by Lafayette, West Lafayette, Tippecanoe County, Battle Ground, Clarks Hill and Dayton

Amendment 10:

Sections 2-1-10, 2-2-10, 2-3-10, 2-4-10, 2-6-10, 2-7-10, 2-8-10, 2-9-11, 2-13-1, 2-13-4, 2-13-5, 2-13-6, 2-13-8, 2-13-9, 2-13-10, 3-2 (Footnote 52), 4-2-1, 4-2-2, 5-5-3-a, 5-5-6-a
Adopted 4-5-99 by Lafayette, West Lafayette, Tippecanoe County, Battle Ground, Clarks Hill and Dayton

Amendment 11:

Sections 1-10-2 (**historic building**), 6-2-1, 6-2-4
Adopted 5-24-99 by Clarks Hill; 6-7-99 by Lafayette, West Lafayette, Tippecanoe County, Battle Ground and Dayton

Amendment 12:

Sections 1-10-2 (**courthouse proximate area**), 3-2 (Footnote 52)
Adopted 6-21-99 by Clarks Hill; 7-6-99 by County Commissioners, Battle Ground, West Lafayette and Lafayette; 7-12-99 by Dayton

Amendment 13:

Sections 3-2-8, 3-2-10 3-2 (Footnote 54), 4-6-14-a, 4-5-15, 4-6-18, 4-8-8, 4-8-10, 4-9-2, 4-9-5
Adopted 9-27-99 by Clarks Hill; 10-4-99 by Lafayette, West Lafayette, Tippecanoe County, Battle Ground and Dayton

Amendment 14:

Sections 1-10-2 (**subdivision development sign)**, 4-8-4 (Footnote 6), 4-8-11, 4-8-12, 4-8-13, 4-8-14, 4-8-15, 4-8-16, 4-8-17, 4-8-18
Adopted 10-25-99 by Clarks Hill; 11-1-99 by Tippecanoe County, Battle Ground and Dayton; 11-08-99 by Lafayette, West Lafayette

Amendment 15:

Sections 1-10-2 (**manufactured home**), 2-14-11, 2-27-4-b, 2-27-4-d, 2-27-5-c, 2-27-10-a, 2-27-10-c-3, 2-27-12-a-2, 3-2-1, 4-11-1, 5-1-7-b-2, 5-4-6-d, 6-4-4-e, 6-4-4-h, 6-4-5-b-1, 6-4-6-c
Adopted 12-20-99 by Clarks Hill; 1-3-00 by Tippecanoe County; 1-4-00 by, West Lafayette; 1-10-00 by Lafayette and Dayton; and 2-7-00 by Battle Ground

AMENDMENT 16:

Sections 1-10-2 (**accessory structure**), 1-10-2 (**kennel**, **breeding kennel**), 3-2-2, 4-1, 4-2-2, 4-4-4
Adopted 4-3-00 by Lafayette, West Lafayette and Dayton; 4-10-00 by Clarks Hill; **Adopted by taking no action** 4-13-00 by Battle Ground; **Rejected** 4-3-00 by Tippecanoe County

AMENDMENT 16A:

Sections 1-10-2 (**accessory structure**), 4-1, 4-2-2, 4-4-4
Adopted 6-5-00 by Tippecanoe County

AMENDMENT 17:

Section 3-2-8 (and Footnotes 24 and 55)
Adopted 6-05-00 by Tippecanoe County, Lafayette, West Lafayette, Battle Ground and Dayton; 6-12-00 by Clarks Hill

AMENDMENT 18:

Sections 1-10-2 (**banner**, **nonconforming lot**, **use variance**), 2-9-4, 2-10-4, 2-19-5, 3-2-1 (and Footnote 56), 4-2-1, 4-3-2-d, 4-5-1-c, 4-8-4, 4-8-9-e-6, 4-8-9-f, 5-1-5-a, 5-1-5-b, 6-4-5-b, B-2-1, B-2-2-j, B-2-2-k,
Adopted 8-7-00 by Tippecanoe County, Lafayette, West Lafayette and Dayton; 8-14-00 by Clarks Hill; **Adopted by taking no action** 10-17-00 by Battle Ground

AMENDMENT 19:

Sections 1-10-2 (**breeding kennel**, **kennel**), 3-22
Adopted 9-05-00 by West Lafayette and Battle Ground; 9-06-00 by Tippecanoe County; 9-11-00 by Lafayette and Clarks Hill; 9-18-00 by Dayton

AMENDMENT 20:

Sections 1-10-2 (**sign-lot**), 4-8-2-b, 4-8-3-b-3, 4-8-3-b-4, 4-8-4 (and Footnote 10), 4-8-5 (and Footnotes 1, 3 and 4), 4-8-6 (and Footnotes 1-3), 4-8-7 (and Footnote 1), 4-8-8 (and Footnotes 1-3), 4-8-9-b, 4-8-9-c, 4-8-10-f, 4-8-10-i, 4-11-9-e, D-1-2-d, D-1-2-j, D-2
Adopted 2-05-01 by Tippecanoe County, Lafayette, West Lafayette and Dayton; 3-12-01 by Clarks Hill; **Adopted by taking no action** 4-18-01 by Battle Ground

AMENDMENT 21:

Sections 3-2-8, 3-2-10
Tabled by APC 1-17-01, no further action taken

AMENDMENT 22:

Sections 1-10-2 (**administrative officer**), 6-1
Adopted 7-02-01 by Tippecanoe County, Lafayette, West Lafayette and Dayton, 7-09-01 by Battle Ground and Clarks Hill

AMENDMENT 23:

Sections 1-10-2 (**gross floor area**), 4-4-10
Separated by APC 9-19-01 into 23A and 23B

AMENDMENT 23A:

Section 1-10-2 (**gross floor area**)
Adopted 9-10-01 by Battle Ground; 10-01-01 by Tippecanoe County; 11-05-01 by West Lafayette and Dayton; 10-16-01 by Clarks Hill; **Rejected** 9-10-01 by Lafayette

AMENDMENT 23B:

Sections 3-2-8, 4-4-10, 4-8-8 (and Footnote 3)
Adopted 9-04-01 by West Lafayette; 9-05-01 by Tippecanoe County; 9-10-01 by Lafayette and Dayton; 10-08-01 by Battle Ground; 10-16-01 by Clarks Hill

AMENDMENT 24:

Section 3-2 (Footnote 30)
Adopted 10-01-01 by West Lafayette, Tippecanoe County and Dayton; 10-08-01 by Lafayette and Battle Ground; 10-16-01 by Clarks Hill

AMENDMENT 25:

Sections 3-2-8, 4-8-12-b-2
Adopted 12-03-01 by Tippecanoe County and Dayton; 12-10-01 by Battle Ground and Clarks Hill; 1-07-02 by Lafayette; **Rejected** 1-06-02 by West Lafayette

AMENDMENT 26:

Section 3-2 (Footnote 19)
Adopted 2-04-02 by Lafayette, West Lafayette, Tippecanoe County and Dayton; 2-11-02 by Clarks Hill; 2-19-02 by Battle Ground

AMENDMENT 27:

Sections Table of Contents; 1-4-4; 1-10-2 (**flag lot**, **home occupation**, **non-tillable**, **perimeter lot**, **primary use building**, **rural estate road**, **rural estate subdivision**, **rural estate zone**, **rural home occupation**, **rural zone**, **subdivision**, **zonal base rate)**; 2-28; 3-2; 4-2-1; 4-2-2; 4-4-6-c; 4-4-8-a; 4-6-15-a; 4-8-4; 4-8-5; 4-8-6; 4-8-8; 4-9-3-a; 4-10-4-b; 4-11-6-e-2; 4-11-6-f; 5-2-1-a; 5-2-1-c, 5-5-1-b; 5-5-5; 6-4-5-b; D-2-*A*
Adopted 7-01-02 by Lafayette, West Lafayette, Tippecanoe County, Dayton; 7-02-02 by Battle Ground; 08-02 by Clarks Hill

AMENDMENT 28:

Sections 1-10-2 (**integrated center**, **office building**)
Adopted 3-04-02 Lafayette, Tippecanoe County, Dayton; 3-11-02 Clarks Hill; 4-01-02 West Lafayette; in effect on 5-21-02 in Battle Ground for lack of action

AMENDMENT 29:

Sections Table of Contents, 1-10-2 (**federal-aid primary highway**, **national highway system**, **rural outdoor sign**, **urban area**); 4-8-3; 4-8-12; 4-8-13 thru 4-8-19 renumbered; 6-2
Adopted 6-03-02 Lafayette, West Lafayette, Tippecanoe County, Dayton; 6-10-02 Battle Ground, Clarks Hill

AMENDMENT 30:

Sections 2-4-7; 2-4-8; 2-7-7; 2-7-8; 2-9-8; 2-9-9; 4-2-2
Adopted 7-01-02 Lafayette, West Lafayette, Tippecanoe County, Dayton; 7-08-02 Clarks Hill; 9-09-02 Battle Ground

AMENDMENT 31:

Sections 1-10-2 (**Indiana Residential Code**, **manufactured home**, **One and Two Family Dwelling Code, Indiana**, **permanent perimeter enclosure**); 2-1-4; 2-2-4; 2-3-4; 2-6-4; 2-23-4; 2-24-5; 2-25-4; 3-2-2; 3-2-10; 4-2-1 (footnote 1); 4-3-1-b; 4-6-11-d; 4-6-13-b; 4-11-3; 6-2-4-a-2
Adopted 9-03-02 West Lafayette; 9-04-02 Tippecanoe County; 9-09-02 Lafayette, Dayton; 10-07-02 Clarks Hill; 11-18-02 Battle Ground

AMENDMENT 32:

Section B-3-1 **(digitized plat submission standards)**

AMENDMENT 33:

Sections 1-10 and 3-2 **(downtown Main Street residential uses)**
Withdrawn at the request of the City of Lafayette. Motion to withdraw passed by voice vote of the Area Plan Commission 2-19-03

AMENDMENT 34:

Sections 4-1-b-17; **(seasonal roadside stands)** 4-1-b-21; 4-1-c-10; 4-1-c-24; 5-5-5-d; and 5-5-5-g
Adopted 2-03-03 West Lafayette, Lafayette, Dayton; 3-02-03 Tippecanoe County; 3-19-03 Battle Ground; 4-21-03 Clarks Hill

AMENDMENT 35:

Section 4-8-4; **(rural outdoor signs, revising Amendment 29)**
Adopted 7-07-03 Tippecanoe County, Lafayette, West Lafayette, Dayton; 7-14-03 Battle Ground; 8-11-03 Clarks Hill

AMENDMENT 36:

Sections 3-2-4; **(excavating and building contractors)** 4-4-11; 4-9-9
Adopted 5-05-03 Tippecanoe County, Lafayette, West Lafayette, Dayton; 5-12-03 Battle Ground; in effect on 7-15-03 in Clarks Hill for lack of action

AMENDMENT 37:

Sections 4-2-2 and 4-4-1(a) **(setback averaging in the R3W zone)**
Adopted 6-02-03 Tippecanoe County, Lafayette, West Lafayette, Dayton; 6-09-03 Clarks Hill; 7-07-03 Lafayette; 7-14-03 Battle Ground

AMENDMENT 38:

Sections 1-10-2 **(Indiana Scenic Byway, River Road Scenic Byway, rural outdoor sign and incidental sign)**; 5-4-4; and **Appendix** F-2
Adopted 8-4-03 Tippecanoe County, Lafayette, West Lafayette, Dayton; 8-11-03 Battle Ground and Clarks Hill

AMENDMENT 39:

Sections 3-2-2 **(lab animal farms)** 6-3-1(d) **(penalties based on violations of the ordinance)**
Adopted 8-4-03 Tippecanoe County, Lafayette, West Lafayette, Dayton; 8-11-03 Battle Ground and Clarks Hill

AMENDMENT 40:

Sections 3-2-2 **(job training & vocational rehab. services; residential care)** 4-8-8 **(changeable copy signs)** 4-8-3 (e) **(gateway signs)** 5-5-6 **(rural home occupations)**
Adopted 9-3-03 Tippecanoe County; 9-16-03 Lafayette; 10-7-03 West Lafayette; 11-8-03 Dayton; 11-10-03 Battle Ground; and 9-15-03 Clarks Hill

AMENDMENT 41:

Sections 2-13-5 and 4-2-1**(NBU minimum lot width)** 2-26-18 **(FP compaction tests)** 2-27-4 **(PD pre-submission conference)** 4-8-11 **(subdivision development signs typographical error)**
Adopted 2-2-04 Tippecanoe County; 2-2-04 Lafayette; 3-1-04 West Lafayette; 2-2-04 Dayton; 2-9-04 Battle Ground; and 2-2-04 Clarks Hill

AMENDMENT 42:

Section 3-2-2 **(Veterinary services in the OR zone)**
Adopted 4-5-04 Tippecanoe County; 4-12-04 Lafayette; 4-7-04 West Lafayette; 5-3-04 Dayton; 4-12-04 Battle Ground; and 4-12-04 Clarks Hill

AMENDMENT 43:

Sections 1-10-2, 3-2-5, 4-6-3, 4-4-12**(Winery Amendment)** and Chapters 2 & 4 **(setbacks for business & industrial districts when adjacent to residential use)**
Adopted 5-3-04 Tippecanoe County; 5-3-04 Lafayette; 5-3-04 West Lafayette; 5-3-04 Dayton; 5-10-04 Battle Ground; and 5-10-04 Clarks Hill

AMENDMENT 44:

Sections 2-1, 2-2, 2-3, 2-4, 4-2-1, 4-2-2, 4-4-5**(Single-family residential zone changes and structural projections amendment)**
Adopted 10-4-04 Tippecanoe County; 10-4-04 Lafayette; 10-4-04 West Lafayette; 10-12-04 Battle Ground; and in effect on 12-15-04 in Clarks Hill and Dayton for lack of action

AMENDMENT 45:

Sections 1-10-2**(Flag lot definition)**, 2-26-17**(FP boundaries)**, 1-10-2**(Family vehicle definition)**, 1-3-2**(Geographic jurisdiction & exclusion)**, 2-13**(NBU intent statement and lot widths)**, 5-3-4**(Air space control, height requirements)**
Adopted 9-7-04 Tippecanoe County; 9-13-04 Lafayette; 9-15-04 West Lafayette; in effect on 11-17-04 in Dayton by lack of action; 10-12-04 Battle Ground; and 11-8-04 Clarks Hill

AMENDMENT 46:

Sections 4-11-2, and 3-2**(Boarding and/or training horses)** and 3-2 **(prepared feed manufacturing)**
Adopted 11-1-04 Tippecanoe County; 11-8-04 Lafayette; 11-1-04 West Lafayette; in effect on 2-17-05 in Dayton for lack of action; 11-15-04 Battle Ground; and 11-8-04 Clarks Hill

AMENDMENT 47:

Sections 4-11-9 (new) **(Dumpster enclosures),** 3-2 **(Unpackaged mulch Amendment – footnote 54),** 4-9-1 **(Bufferyards),** 4-4-4 **(Setbacks for porches, decks and patios),** 5-5-5 and 5-5-6 **(Rural home occupations),** 6-2-9 **(Rural outdoor signs)** Appendix B **(correct reference numbers)**
Adopted 2-7-05 Tippecanoe County; 2-7-05 Lafayette; 2-7-05 West Lafayette; 2-7-05 Dayton; 2-15-05 Battle Ground; and in effect on 4-19-05 in Clarks Hill for lack of action

AMENDMENT 48:

Sections 4-4-3, **(North River Road special setback)** 3-2, 4-6-3 **(Parking for crematories)**
Adopted 7-5-05 Tippecanoe County; 7-11-05 Lafayette; 7-5-05 West Lafayette; in effect on 9-15-05 in Dayton for lack of action; in effect on 9-15-05 in Battle Ground for lack of action; and 7-11-05 Clarks Hill

AMENDMENT 49:

Sections 3-2, **(trash transfer stations)**(incomplete) and 1-10-2, **(buffering residential components of PD's)**(See Amendment 52)

AMENDMENT 50:
Sections 3-2 **(crematories),** and 6-4-3 **(typographical error in the Indiana Code reference)**
Adopted 3-6-06 Tippecanoe County; 3-6-06 Lafayette; 3-6-06 West Lafayette; 3-13-06 Battle Ground and in effect on 5-15-06 in Clarks Hill and Dayton for lack of action

AMENDMENT 51:

Section 2-27-7 **(planned development section)**
Adopted 8-7-06 Tippecanoe County; 8-7-06 Lafayette; 8-7-06 West Lafayette; 8-14-06 Battle Ground; 8-7-06 Dayton; and in effect on 10-19-06 in Clarks Hill for lack of action

AMENDMENT 52:

Sections 3-2 **(additions to "special conditions" column)**, 4-9-2 **(Bufferyard clarification)**, 4-4-5 **(structural projections setback)**, 1-10-2 **(primary communications tower)**, 2-28-14 and Appendix G **(Rural Estate additional requirements)**, 6-2-4 **(improvement location permits)**, 5-1-4 **(nonconforming mobile home parks/manufactured home communities)**, and 1-10-2 **(adding PD's to residential zone definition)**
Adopted 10-2-06 Tippecanoe County; 10-9-06 Lafayette; 10-2-06 West Lafayette; 10-2-06 Clarks Hill; 10-2-06 Dayton; and in effect on 12-20-06 in Battle Ground for lack of action

AMENDMENT 53:

Sections 3-2 **(to add SIC 3273 Ready-mixed concrete)**, 1-10-2 and 4-11-6 **(bed and breakfast)**
Adopted 1-2-07 Tippecanoe County; 1-8-07 Lafayette; 1-8-07 West Lafayette; and in effect on 3-20-07 in Battle Ground, Clarks Hill and Dayton for lack of action

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1 GENERAL PROVISIONS

1-1 TITLE

This ordinance may be cited as the *Unified Zoning Ordinance of Tippecanoe County, Indiana*.

1-2 ORDINANCE NO. _____

AN ORDINANCE PROVIDING FOR CONTINUING COMPREHENSIVE AND UNIFIED ZONING REGULATIONS FOR THE UNINCORPORATED AREAS OF TIPPECANOE COUNTY, THE CITIES OF LAFAYETTE AND WEST LAFAYETTE, THE TOWNS OF BATTLE GROUND, CLARKS HILL AND DAYTON AND PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT, AND FOR THE REPEAL AND SUPERSEDING OF ORDINANCE NUMBER 65-6 IN LAFAYETTE, 8-65 IN WEST LAFAYETTE, 65-200 IN TIPPECANOE COUNTY, 70-4 IN DAYTON, 169-A IN BATTLE GROUND AND 96-4 IN CLARKS HILL, ALL IN ACCORDANCE WITH INDIANA CODE *I.C. 36-7-4-600, ET SEQ*

WHEREAS, The County of Tippecanoe, the Cities of Lafayette and West Lafayette, the Towns of Battle Ground, Clarks Hill and Dayton have heretofore adopted a zoning ordinance; and

WHEREAS, Indiana Code *I.C. 36-7-4-602(a), 604,* and *605(a)* empower the participating county, cities and towns to enact a replacement ordinance and to repeal and supersede an existing zoning ordinance; and

WHEREAS, The Area Plan Commission of Tippecanoe County, the Board of County Commissioners of Tippecanoe County, the Common Councils of the Cities of Lafayette and West Lafayette, and the Town Councils of the Towns of Battle Ground, Clarks Hill and Dayton, Indiana, deem it necessary for the purpose of promoting the health, safety, convenience, and general welfare of the community to enact a replacement zoning ordinance and repeal and supersede the existing zoning ordinance; and

WHEREAS, *I.C. 36-7-4-900 et seq.*, has created a Board of Zoning Appeals to carry out its powers and duties under said *I.C. 36-7-4-900 et seq.*; and

WHEREAS, the Area Plan Commission of Tippecanoe County has divided all unincorporated areas of Tippecanoe County and the incorporated areas of the Cities of Lafayette, West Lafayette, and the Towns of Battle Ground, Clarks Hill and Dayton into districts and has prepared regulations pertaining to such districts in accordance with the comprehensive plan, designed to lessen congestion in public streets, to secure safety from fire, flood and other dangers, to promote health and general welfare, to provide

adequate light and air, to prevent the overcrowding of land, to avoid undue concentration of population, to facilitate the adequate provision of transportation, water, sewage, schools, parks and other public requirements; and

WHEREAS, the Area Plan Commission of Tippecanoe County has given reasonable consideration, among other things, to the present characters of the districts and their peculiar suitability for particular uses, with a view of conserving the value of buildings and lands and encouraging the most appropriate use of land throughout the participating county cities and towns; and

WHEREAS, the Area Plan Commission of Tippecanoe County has made studies and held public hearings on a replacement zoning ordinance, pursuant to law, including a public hearing under *I.C. 36-7-4-604*, and has certified the proposal replacement zoning ordinance to the respective legislative bodies, and

WHEREAS, all requirements of *I.C. 36-7-4-600 et seq.*, with regard to the preparation of the replacement zoning ordinance, the notices and hearing, the report and certification by the Area Plan Commission of Tippecanoe County to the participating legislative bodies and all action necessary for the enactment of the replacement ordinance by the participating legislative bodies have been met; and;

WHEREAS, *I.C. 36-7-4-600 et seq.* requires the repeal of any existing zoning ordinance before the adoption of a replacement ordinance.

NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COMMISSIONERS OF THE COUNTY OF TIPPECANOE, THE COMMON COUNCILS OF THE CITIES OF LAFAYETTE AND WEST LAFAYETTE, AND THE TOWN COUNCILS OF BATTLE GROUND, CLARKS HILL AND DAYTON, INDIANA, AS FOLLOWS:

1-3 JURISDICTION

1-3-1 CERTIFICATE OF ADOPTION BY MEMBER GOVERNMENTS:

The following is a record of the adoption procedure of the initial Unified Zoning Ordinance for Tippecanoe County, Indiana, conducted by the Area Plan Commission of Tippecanoe County, and the communities of Lafayette, West Lafayette, Tippecanoe County, Dayton, Battle Ground, and Clarks Hill:

Public Hearings:

October 15, 1964, November 19, 1964

Adoption by Governmental Units:

City of Lafayette: April 28, 1965
City of West Lafayette: April 26, 1965
County of Tippecanoe: April 26, 1965
Town of Dayton: October 15, 1970
Town of Battle Ground: August 6, 1979
Town of Clarks Hill: April 1, 1996

Review and final adoption by Area Plan Commission: May 24, 1965
Date recorded with Tippecanoe County Recorder: June 8, 1965
Effective date of ordinance: June 8, 1965

1-3-2 GEOGRAPHIC JURISDICTION AND EXCLUSION:

(a) The geographic area in which the various legislative bodies have jurisdiction, except where otherwise herein excluded, is as follows:
   (1) Tippecanoe County Commissioners – the unincorporated areas of Tippecanoe County, Indiana;
   (2) City Council of City of Lafayette – the incorporated area of the City of Lafayette, Indiana
   (3) City Council of City of West Lafayette – the incorporated area of the City of West Lafayette, Indiana;
   (4) Town Council of the Town of Battle Ground – the incorporated area of the Town of Battle Ground, Indiana;
   (5) Town Council of the Town of Clarks Hill – the incorporated area of the Town of Clarks Hill, Indiana; and
   (6) Town Council of the Town of Dayton – the incorporated area of the Town of Dayton, Indiana.

(b) Nothing in this ordinance or in any rules, regulations or orders issued pursuant to this ordinance shall be deemed to restrict or regulate or to authorize any unit of government, legislative body, plan commission or board of zoning appeals now or hereafter established, to restrict or regulate the exercise of the power of eminent domain by the State of Indiana, or by any state agency, or by any body having the authority by statute to exercise the power of eminent domain, or the use of property owned or occupied by the State of Indiana or any state agency. "State agency" means and includes all boards, commissions, departments, and institutions, including Purdue University, IVY Tech State College and other state educational institutions of the State of Indiana created pursuant to legislative acts.

(c) This ordinance cannot restrict any member jurisdiction to regulate where that jurisdiction is otherwise authorized to adopt and enforce building and housing codes, drainage, sewage, septic and landscape regulations.

(d) Regulatory standards of this ordinance do not supersede or amend more restrictive requirements of other ordinances adopted by member jurisdictions, including building and housing codes, drainage, sewage, septic and landscape regulations or other similar requirements. When not in conflict, this ordinance shall be construed as being in addition to or supplemental to such other ordinances.

(e) The regulatory standards of this ordinance do not supersede more restrictive requirements, which may be contained in the Indiana Code, the Indiana Administrative Code, the United States Code, or the Code of Federal Regulations. To the extent that the regulatory standards of this ordinance are more restrictive than the

requirements contained in the Indiana Code, the Indiana Administrative Code, the United States Code, or the Code of Federal Regulations and such regulatory standards are not otherwise specifically prohibited by the Indiana Code, the Indiana Administrative Code, the United States Code, or the Code of Federal Regulations, such regulatory standards shall be applicable and enforceable. (Amend 45)

1-3-3 UNIFORMITY:

Those portions of the text which include the name or names of one or several of the adopting jurisdictions (in capital letters and within parentheses) are effective in those specific jurisdictions only. All other portions of the text are effective in all jurisdictions.

1-4 ESTABLISHMENT OF ZONES

All land within the jurisdiction of this ordinance is divided into the following kinds of ***zones***:

1-4-1 *RESIDENTIAL ZONES*:

R1: Single-family residential
R1A: Single-family residential
R1B: Single-family residential
R1U: Single-family residential
R1Z: Zero-lot-line single-family residential
R2: Single- and two-family residential
R2U: Single- and two-family residential
R3: Single-, two- and multi-family residential
R3U: Single-, two- and multi-family residential
R3W: Single-, two- and multi-family residential
R4W: Single-, two- and multi-family residential

1-4-2 *COMMERCIAL ZONES*:

NB: Neighborhood business
NBU: Neighborhood business
OR: Office/research
MR: Medical related
GB: General business
HB: Highway business
CB: Central business
CBW: Central business

1-4-3 *INDUSTRIAL ZONES*:

I1: Industrial **I2:** Industrial **I3:** Industrial

1-4-4 *RURAL ZONES*:

A: Agricultural
AA: Select agricultural
AW: Agricultural and Wooded
RE: Rural Estate (Amend 27)

1-4-5 *FLOOD PLAIN ZONES*:

FP: Flood plain

1-4-6 PLANNED DEVELOPMENT *ZONES*:

PDRS: Residential planned development
PDNR: Nonresidential planned development
PDMX: Mixed-use planned development
PDCC: Condominium conversion planned development

1-5 OFFICIAL ZONING MAPS

1-5-1 ESTABLISHMENT:

Boundaries of the ***zones*** established in 1-4 above are as shown on the zoning maps which are attached hereto, and made a part of this ordinance. These zoning maps are entitled and are to be known as the Official Zoning Maps for:

The City of Lafayette	Randolph Township
The City of West Lafayette	Sheffield Township
The Town of Dayton	Shelby Township
The Town of Battle Ground	Tippecanoe Township
The Town of Clarks Hill	unincorporated Union Township
Fairfield Township	Wabash Township
Jackson Township	Washington Township
Lauramie Township	Wayne Township
Perry Township	Wea Township

including any map representing a part of the above (Americus, Buck Creek, Colburn, Montmorenci, Romney, Stockwell and West Point/Glenhall). These Official Zoning Maps shall be kept in the custody of the ***Executive Director*** of the ***APC***.

1-5-2 *ZONE* BOUNDARIES:

On current and future Official Zoning Maps, all ***zones*** (except FP ***zones***) depicted adjacent to the edge of road or railroad ***rights-of-way***, shall be extended laterally to the centerlines of those ***rights-of way***. ***Zones*** may be depicted on Official Zoning Maps either by pattern or letter designation, as determined by the ***Executive Director***.

1-5-3 UNCERTAIN BOUNDARIES:

The scale of an Official Zoning Map shall be used when the exact boundaries of a ***zone*** are uncertain.

1-5-4 LOTS DIVIDED BY BOUNDARIES:

If the boundary line of a ***zone*** divides a ***lot*** having ***frontage*** on a ***street*** so that the front part of the ***lot*** lies in one ***zone*** and part of the ***lot*** lies in another, a restriction that applies to the front part of the ***lot*** applies to the entire ***lot***.

1-6 CHANGE BY AMENDMENT

1-6-1 CHANGES TO THE TEXT OF THE ORDINANCE:

Amendments to the text of this ordinance may be initiated by the ***APC*** or by the legislative body of any member jurisdiction. Filing procedures and public notice requirements for amending the text of this ordinance are as provided in the ***APC*** bylaws and in state statute at *I.C. 36-7-4*.

1-6-2 CHANGES TO THE OFFICIAL ZONING MAPS:

(a) Except as provided in 2-26 and 2-27 below, ***zone*** boundaries on Official Zoning Maps shall only be changed by an amendment to this ordinance.

(b) A request to amend an Official Zoning Map may be initiated by any of the following groups or persons:
   (1) the ***APC***;
   (2) the legislative body of any member jurisdiction; or
   (3) the owner(s) of more than 50% of the land involved or their notarized consent.

(c) Filing procedures and public notice requirements for initiating a request to amend an Official Zoning Map are found in the ***APC*** bylaws and in state statute at *I.C. 36-7-4*.

(d) When the ***APC*** is to consider a request for rezoning, in addition to all other notices, the petitioner shall post a sign in a conspicuous place on the real estate not more than 25' from the ***front lot line***. For properties adjoining more than one ***street***, the petitioner shall erect a separate sign for each **frontage***.* The sign(s) shall be made of durable material, and measure no less than 2'x3'. The words **NOTICE OF REQUEST FOR REZONING** shall appear on the sign in bold face letters at least 4" high. This is to be followed, in at least 1" letters, by a statement that a public hearing on the request will be held before the ***APC***, noting the date, time and place of the meeting. The sign shall further state in at least 1" letters that the request will then be referred to the appropriate, named legislative body for its action. Date, time and place of the legislative body's meeting at which the request is scheduled to be considered, shall follow. The petitioner shall post the sign(s) at least 10 days before the ***APC's*** public hearing. The sign(s) shall remain in place until final action has been taken by the appropriate legislative body. The petitioner shall prove this sign posting by an affidavit filed with the ***APC*** before it takes action on the request. Petitioners may purchase signs with the appropriate wording at the ***APC*** offices.

(e) Final action on a request to amend an Official Zoning Map, except as provided in 2-26 and 2-27 below, shall only be made by the legislative body of the appropriate ***APC*** member jurisdiction. The

legislative body's action shall follow a public hearing by the ***APC*** at which ***APC*** has acted to recommend either approval or disapproval, or has acted to make no recommendation.

(f) Within 5 days of its passage by the legislative body, a copy of the duly adopted amendment to the Official Zoning Map shall be certified to the **Executive Director** by the member jurisdiction. Upon receiving the amendment, the **Executive Director** shall make an immediate change to the Official Zoning Map in accordance with the amendment, and shall have its ordinance number and date of adoption added to the map as well. Any change to an Official Zoning Map resulting from an amendment shall be drawn to the center of all abutting ***rights-of-way***.

1-7 SAVING PROVISION

Except as expressly provided for herein, this ordinance shall not be construed as either:

(a) abating any action now pending under or by virtue of any preexisting ordinance; or

(b) discontinuing, abating, modifying or altering any penalty accruing or about to accrue; or

(c) affecting the liability of any person, firm or corporation; or

(d) waiving any right of a participating jurisdiction under any section or provision existing at the time of the effective date of this ordinance; or

(e) vacating or annulling any rights obtained by any person, firm or corporation, by lawful action of the participating jurisdictions or administrative bodies thereof.

1-8 SEVERABILITY

If a part of this ordinance is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this ordinance is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

1-9 REPEAL AND EFFECTIVE DATE

1-9-1 REPEAL OF INITIAL ZONING ORDINANCE:

The initial Unified Zoning Ordinance of Tippecanoe County being Ordinance Number 65-6 in Lafayette, 8-65 in West Lafayette, 65-200 in Tippecanoe County, 70-4 in Dayton, 169-A in Battle Ground and 96-4 in Clarks Hill, is by this ordinance repealed. Said repeal shall become effective, subject to the provisions of *I.C. 36-7-4-612(b)*, 14 days after the

notice of the adoption of this ordinance is published pursuant to *I.C. 36-7-4-610(a)* and *(b)*.

1-9-2 EFFECTIVE DATE OF THIS ORDINANCE:
This ordinance shall take effect 14 days after the notice of the adoption is published pursuant to *I.C. 36-7-4-610(a)* and *(e)*.

1-9-3 RECORDATION OF AFFIDAVIT:
The Commission shall cause to be recorded in the Tippecanoe County Recorder's Office an affidavit following publication of the notice of adoption setting forth the dates of such publication, and file a copy thereof with the City Clerk, Clerk-Treasurer and Town Clerk-Treasurers.

1-10 DEFINITIONS

1-10-1 USAGE:

(a) Words and terms appearing in this ordinance in ***bold italics*** are to be used, defined and interpreted as set forth in this section. (In the Permitted ***Use*** Table, 3-2 below, ***primary uses*** in quotes are as defined in this section.)

(b) Unless the context clearly indicates otherwise:
  (1) words used in the present tense include the future tense;
  (2) words used in the plural number include the singular;
  (3) the masculine and feminine pronouns are used to mean any individual, male or female;
  (4) the words "**Executive Director**" and "***Administrative Officer***" also imply "or his/her designee;" and
  (5) the ***Area Plan Commission*** is also referred to as the Commission.

(c) A "person" means either an individual, a corporation, a firm, a partnership, an association, an organization, a club, or any other group that acts as a unit.

(d) An "owner" means an ownership entity, whether consisting of one individual or of more than one individual acting as a unit.

1-10-2 WORDS AND TERMS DEFINED:

A-WEIGHTING SCALE. A scale for sound measurement that is meant to simulate the subjective response of the human ear.

ABZA. The Area Board of Zoning Appeals of Tippecanoe County.

ABZA-LD. The Lafayette Division of the Area Board of Zoning Appeals of Tippecanoe County.

APC. The Area Plan Commission of Tippecanoe County.

ABANDONED. Regarding ***nonconforming uses***, ***nonconforming mobile homes*** and ***nonconforming signs***, a situation where there has been a cessation of the ***use*** with a voluntary act or failure to act on the part of the owner that signifies an intent to relinquish the right to continue the ***nonconforming use, nonconforming mobile home,*** or ***nonconforming sign.*** The discontinuance of the ***use*** must be for a period of one year and may be a factor in determining the intent to relinquish the right to continue the ***use***.

ABANDONED. Regarding PDRS, PDNR and PDMX-zoned properties, a situation in which either 2 years have passed and no Final Detailed Plans have been approved and recorded, or 10 years have passed and Final Detailed Plans for all parts have not been approved and recorded.

ACCESS AISLE. An ***accessible*** pedestrian space in a parking facility, between elements such as ***parking spaces***, that provides clearances appropriate for use of the elements.

ACCESSIBLE. Describes a parking facility that can be used by all people including individuals with disabilities.

ACCESSIBLE ROUTE. A continuous unobstructed path connecting all ***accessible*** elements and spaces in a parking facility that can be used by all people including individuals with disabilities. Exterior **ACCESSIBLE ROUTES** may include ***maneuvering aisles***, curb ramps, walks, ramps, and lifts.

ACCESSORY BUILDING. A subordinate, detached and roofed ***structure***, not designed or used for human habitation (other than as an on-site ***caretaker's residence***), which serves a function incidental to and associated with that of the ***primary use*** on the same ***lot***.

ACCESSORY CHILD CARE. An occupant's ***use*** of a ***dwelling*** to provide ***child care*** for 5 or fewer children at any time, for less than 24 hours a day. The State exempts this ***use*** from licensing requirements.

ACCESSORY COMMUNICATIONS TOWER. The ***structure***, accessory to a ***primary use***, on which transmitting or receiving ***antennas*** are located.

ACCESSORY STRUCTURE. A subordinate attached or detached ***structure***, not designed or used for human habitation, which serves a

function incidental to and associated with that of the ***primary use*** on the same ***lot***. (Amends 16, 16A)

ACCESSORY USE. An ***accessory building*** or other subordinate ***use***, not designed or used for human habitation (other than as an on-site ***caretaker's residence***), which serves a function incidental to and associated with that of the ***primary use*** on the same ***lot***. Regarding nonresidential ***uses***, that ***ACCESSORY USE*** is only incidental if the income it produces accounts for less than 50% of all income arising from the **use** of that ***lot***.

ACTIVE BURNING. A rate of combustion described by a substance that has a low ignition temperature, burns with a high degree of activity, and is consumed rapidly.

ADMINISTRATIVE OFFICER. The person or persons within each member jurisdiction with the responsibility for enforcing this ordinance within that jurisdiction. (Amend 22)

ADULT BOOKSTORE. An establishment having as a preponderance of its stock in trade or its dollar volume in trade, books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, slides, tapes, records or other forms of visual or audio representations which are distinguished or characterized by their emphasis on matter depicting, describing or relating to ***specified sexual activities*** or ***specified anatomical areas***.

ADULT CABARET. A nightclub, bar, theatre, restaurant or similar establishment which frequently features live performances by topless and/or bottomless dancers, go-go dancers, exotic dancers, strippers, or similar entertainers, where such performances are distinguished or characterized by an emphasis on ***specified sexual activities*** or by exposure of ***specified anatomical areas*** and/or which regularly feature films, motion pictures, video cassettes, slides or other photographic reproductions which are distinguished or characterized by an emphasis upon the depiction or description of ***specified sexual activities*** or ***specified anatomical areas*** for observation by patrons.

ADULT DRIVE-IN THEATER. An open lot or part thereof, with appurtenant facilities, devoted primarily to the presentation of motion pictures, films, theatrical productions and other forms of visual productions, for any form of consideration, to persons in motor vehicles or on outdoor seats in which a preponderance of the total presentation time is devoted to the showing of materials distinguished or characterized by an emphasis on matter depicting, describing or relating to ***specified***

sexual activities or ***specified anatomical areas*** for observation by patrons.

ADULT ENTERTAINMENT BUSINESS. An ***adult bookstore***, ***adult motion picture theatre***, ***adult mini motion picture theatre***, ***adult motion picture arcade***, ***adult cabaret***, ***adult drive-in theater***, ***adult live entertainment arcade*** or ***adult service establishment***.

ADULT LIVE ENTERTAINMENT ARCADE. Any ***building*** or ***structure*** which contains or is used for commercial entertainment where the patron directly or indirectly is charged a fee to view from an enclosed or screened area or booth a series of live dance routines, strip performances or other gyrational choreography which performances are distinguished or characterized by an emphasis on ***specified sexual activities*** or by exposure of ***specified anatomical areas***.

ADULT MINI MOTION PICTURE THEATER. Any ***building*** or ***structure*** which contains or is used for commercial entertainment where the patron directly or indirectly is charged a fee, with a capacity of more than 5 but less than 50 persons, used for presenting films, motion pictures, video cassettes, slides or similar photographic reproductions in which a preponderance of the total presentation time is devoted to the showing of materials which are distinguished or characterized by an emphasis on matter depicting, describing, or relating to ***specified sexual activities*** or ***specified anatomical areas*** for observation by patrons therein.

ADULT MOTION PICTURE ARCADE. Any place to which the public is permitted or invited wherein coin or slug-operated or electronically, electrically or mechanically controlled still or motion picture machines, projectors or other image-producing devices are maintained to show images to 5 or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by an emphasis on depicting or describing ***specified sexual activities*** or ***specified anatomical areas***.

ADULT MOTION PICTURE THEATER. Any ***building*** or ***structure*** which contains or is used for commercial entertainment where the patron directly or indirectly is charged a fee, with a capacity of 50 or more persons used for presenting films, motion pictures, video cassettes, slides or similar photographic reproductions in which a preponderance of the total presentation time is devoted to showing of materials which are distinguished or characterized by an emphasis on matter depicting, describing or relating to ***specified sexual activities*** or ***specified anatomical areas*** for observation by patrons therein.

ADULT SERVICE ESTABLISHMENT. Any ***building***, premises, ***structure*** or other facility, or any part thereof, under common ownership or control which provides a preponderance of services involving ***specified sexual activities*** or display of ***specified anatomical areas***.

AIRPORT APPROACH AREA. Those parts of the Airport Zone, established by this ordinance for any ***public-use airport***, which lie generally below the flight path of aircraft approaching or taking off from the runways of such airport and, specifically, below the defined ***airport reference surfaces***: the ***airport approach surface***, the ***airport primary surface*** and the ***airport transitional surfaces***.

AIRPORT APPROACH SURFACE. A surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the ***airport primary surface*** of a ***public-use airport***. An **AIRPORT APPROACH SURFACE** is applied to each end of each runway based upon the type of approach available or planned for that runway end. The following also applies to the **AIRPORT APPROACH SURFACE**:

(1) The inner edge of the **AIRPORT APPROACH SURFACE** is the same width as the ***airport primary surface*** and it expands uniformly to a width of the following:
   (a) 1,250' for that end of a runway with only visual approaches;
   (b) 1,500' for that end of a runway other than an ***airport utility runway*** with only visual approaches;
   (c) 2,000' for that end of an ***airport utility runway*** with a nonprecision instrument approach;
   (d) 3,500' for that end of an ***airport nonprecision instrument runway*** other than utility, having visibility minimums greater than 3/4 of a statute mile; and
   (e) 4,000' for that end of an ***airport nonprecision instrument runway***, other than utility, having a nonprecision instrument approach with visibility minimums as low as 3/4 of a statute mile;
   (f) 16,000' for ***airport precision instrument runways***.

(2) The **AIRPORT APPROACH SURFACE** extends for a horizontal distance of the following:
   (a) 5,000' at a slope of 20:1 for all ***airport utility*** and ***visual runways***;
   (b) 10,000' at a slope of 34:1 for all ***airport nonprecision instrument runways*** other than utility; and
   (c) 10,000' at a slope of 50:1 with an additional 40,000' at a slope of 40:1 for all ***airport precision instrument runways***.

(3) The outer width of an **AIRPORT APPROACH SURFACE** to an end of a runway will be that width prescribed in this ordinance for the most precise approach existing or planned for that runway end.

AIRPORT CIRCLING AREA. Those parts of the Airport Zone, established by this ordinance for any ***public-use airport***, which lie generally below the flight path of aircraft circling such airport and, specifically, below the ***airport horizontal surface*** and the ***airport conical surface***.

AIRPORT CONICAL SURFACE. A surface extending outward and upward from the periphery of the ***airport horizontal surface*** of a ***public-use airport*** at a slope of 20:1 for a horizontal distance of 4,000'.

AIRPORT HORIZONTAL SURFACE. A horizontal plane 150' above the ***established airport elevation*** of a ***public-use airport***, the perimeter of which is constructed by swinging arcs of specified radii from the center of each end of the ***airport primary surface*** of each runway of each airport and connecting the adjacent arcs by lines tangent to those arcs. The radius of each arc is 5,000' for all ***airport runways*** designated as ***utility*** or ***visual***, and 10,000' for all other runways. The radius of the arc specified for each end of a runway will have the same arithmetical value. That value will be the highest determined for either end of the runway. When a 5,000' arc is encompassed by tangents connecting two adjacent 10,000' arcs, the 5,000' arc shall be disregarded on the construction of the perimeter of the **AIRPORT HORIZONTAL SURFACE**.

AIRPORT NONPRECISION INSTRUMENT RUNWAY. A runway of a ***public-use airport*** having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in nonprecision instrument approach procedure has been approved, or planned, and for which no precision approach facilities are planned, or indicated on a Federal Aviation Administration planning document.

AIRPORT PRECISION INSTRUMENT RUNWAY. A runway of a ***public-use airport*** having an existing instrument approach procedure utilizing an instrument landing system (ILS) or other precision approach system approved by the Federal Aviation administration. It also means a runway for which a precision approach system is planned and is so indicated by a Federal Aviation Administration approved airport layout plan or other planning document.

AIRPORT PRIMARY SURFACE. A surface longitudinally centered on a runway of a ***public-use airport***. When the runway has a specially prepared hard surface, the **AIRPORT PRIMARY SURFACE** extends 200' beyond each end of the runway, but when the runway has no specially prepared hard surface, or planned hard surface, the **AIRPORT PRIMARY SURFACE** ends at each end of that runway. The elevation of any point

on the **AIRPORT PRIMARY SURFACE** is the same as the elevation of the nearest point on the runway centerline. The width of an **AIRPORT PRIMARY SURFACE** is the following:

(1) 250' for ***airport utility runways*** having only visual approaches;
(2) 500' for ***airport utility runways*** having nonprecision instrument approaches; and
(3) for other than ***airport utility runways***, the width is the following:
    (a) 500' for ***airport visual runways*** having only visual approaches;
    (b) 500' for ***airport nonprecision instrument runways*** having visibility minimums greater than 3/4 of a statute mile; and
    (c) 1,000' for ***airport nonprecision instrument runways***, having a nonprecision instrument approach with visibility minimums as low as 3/4 of a statute mile, and for ***airport precision instrument runways***.

The width of the **AIRPORT PRIMARY SURFACE** of a runway will be that width prescribed in this ordinance for the most precise approach existing or planned for either end of that runway.

AIRPORT REFERENCE POINT. A point within the boundaries of a ***public-use airport*** established as follows for each such airport:

(1) Purdue University Airport -- 86° 56' 12.80" W, and 40° 24' 44.21 N, 606' above sea level;
(2) Aretz Airport -- the center of the intersection of runways, 614' above sea level.

AIRPORT REFERENCED SURFACES. The ***airport horizontal surface***, the ***airport conical surface***, the ***airport approach surface***, the ***airport transitional surfaces*** and the ***airport primary surface*** associated with a ***public-use airport***.

AIRPORT TRANSITIONAL SURFACES. These surfaces extend outward and upward at right angles to the runway centerline and the runway centerline extended at a slope of 7:1 from the sides of the ***airport primary surface*** and from the sides of the ***airport approach surfaces***. **TRANSITIONAL SURFACES** for those portions of the precision ***airport approach surface*** which project through and beyond the limits of the ***airport conical surface***, extend a distance of 5,000' measured horizontally from the edge of the ***airport approach surface*** and at right angles to the runway centerline.

AIRPORT UTILITY RUNWAY. A runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 lbs. maximum gross weight or less.

AIRPORT VISUAL RUNWAY. A runway intended solely for the operation of aircraft using visual approach procedures, with no straight-in instrument approach procedure and no instrument designation indicated on a Federal Aviation Administration approved airport layout plan or any other planning document.

ALLEY. A ***right-of-way*** that provides a permanent secondary access to abutting property.

ALTERED. Changed or rearranged as to supporting members of an existing ***building*** (See **STRUCTURAL ALTERATION**), such as bearing walls, columns, beams, girders or interior partitions, as well as any change in doors, windows, means of ingress or egress, or any enlargement to or diminution of a ***building*** or ***structure***, whether horizontally or vertically. However, with regard to ***nonconforming structures*** and ***nonconforming uses***, **ALTERED** shall not be construed to mean ***enlarged***.

ANIMAL UNIT. For purposes of defining a ***confined feeding operation***, one **ANIMAL UNIT** equals: 1 cow, steer or bull; or 2 swine or sheep; or 100 fowl. For other species, an **ANIMAL UNIT** equivalent shall be as determined by the ***Administrative Officer.***

ANIMATED SIGN. Any ***sign*** that uses movement or change of lighting to depict action or create a special effect or scene, or which uses a crawling message, or which changes more frequently than once per minute.

ANTENNA. Any system of wires, poles, rods, reflecting discs, or similar devices used for the transmission or reception of electromagnetic waves external to or attached to the exterior of any ***structure***.

ATM. An automated teller machine, which dispenses cash, takes bank deposits, and performs other limited banking functions, with no personal attendant on site. An **ATM** is an ***accessory use*** if it is attached to a building, or if it shares a ***lot*** with the bank it serves. An **ATM** is a ***primary use***, or a ***primary use building*** (if enclosed), if it is freestanding on any ***lot*** other than one it may share with the bank it serves.

ATRIUM. An open, unroofed court within the walls of a ***zero-lot-line dwelling***.

BABYSITTING. Care provided at the home of one or more children when parents are not at home.

BANNER. An ***event oriented sign*** of lightweight fabric or similar material including any pole-mounted fabric other than the official ***flag*** of a

governmental entity, or any government authorized fabric strung over a public ***right-of-way***. (Amend 5, 18)

BEACON. Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same ***sign-lot*** as the light source; also, any light with one or more beams that rotate or move. A **beacon** is a type of ***event oriented sign***.

BED AND BREAKFAST. A ***primary use*** consisting of an operator-occupied ***single-family dwelling*** within which (or an operator-occupied ***farm*** on which) limited transient accommodations of up to 7 guest rooms may be provided for rent, subject to the restrictions of 4-11-6 below. (Amend 53)

BEDROOM (BR). Any room with an area of at least 70 sq.ft., that meets applicable building code, either intended for sleeping, or intended for use as a den, study or all-purpose room.

BERM. An earthen mound designed to provide visual interest, screen undesirable views, and/or decrease noise.

BLOCK. An area that abuts a ***street*** and lies between two successive ***streets*** or barriers such as a railroad ***right-of-way*** or a waterway.

BREEDING KENNEL. An establishment engaged in the mating of dogs and/or cats primarily for purposes of retailing their offspring. One litter per year, produced at home by household pets, does not make a residence a **BREEDING KENNEL.** (Amend 16, 18)

BUFFERYARD. An open, landscaped space along the perimeter of a property, required where a property line serves as a boundary between dissimilar abutting ***zones***, or surrounding certain ***uses*** to eliminate or minimize potential nuisances or to reduce potential dangers.

BUILDING. A roofed ***structure*** for the shelter, support, enclosure, or protection of persons, animals, or property.

BUILDING HEIGHT. In all ***zones*** except R3W and R4W, the vertical distance from the finished ground level at the wall of the ***building*** nearest and most parallel to the ***front lot line*** (measured as an average of the ground level at its 2 furthest corners) to the top of the roof. In R3W and R4W ***zones***, the vertical distance from the lowest point of the average finished ground level all around the ***building*** to the finished floor of the upper ***story***.

BUILDING MARKER. Any ***sign*** indicating the name of a ***building*** and date and incidental information about its construction, which ***sign*** is cut into a masonry surface or made of bronze or other permanent material.

BUILDING SIGN. Any ***sign*** attached to any part of a ***building***, as contrasted to a ***freestanding sign***. Included within this category are: ***banners***, ***building markers***, ***canopies***, ***identification signs***, ***incidental signs***, ***marquees***, ***projecting signs***, ***residential signs***, ***roof signs***, ***integral roof signs***, ***suspended signs***, ***temporary building signs***, and ***wall signs***.

BUSINESS. The purchase, sale, or exchange of goods or services, or the maintenance for profit of offices or recreational or amusement enterprises, or the storage of goods or equipment.

CAMPGROUND. See **RECREATIONAL VEHICLE PARK AND CAMPGROUND (RVP/C).**

CAMPSITE. A piece of land, the location, shape and size of which have been established in an approved ***recreational vehicle park and campground (RVP/C)*** plan, to be rented for occupancy by a ***tent*** or ***recreational vehicle (RV)***.

CANOPY. With reference to ***bufferyards***: a landscape element which functions as an overhead or "ceiling", used in single or multiple plantings to create shade.

CANOPY. With reference to ***structures***: a rooflike cover, including an awning, that projects from the wall of a ***building*** over a door, entrance or window; or a freestanding or projecting cover above an outdoor service area, such as at a ***gasoline service station***. A ***marquee*** is not a **CANOPY**.

CANOPY SIGN. Any ***sign*** that is a part of or is attached to a ***canopy***.

CARD LOCK SYSTEM FOR COMMERCIAL FLEETS. A ***primary use*** vehicle refueling center not for use by the general public.

CARETAKER'S RESIDENCE. An ***accessory dwelling*** on a nonresidential premises, occupied by the person who oversees the nonresidential operation 24 hours a day, and his or her family.

CEMETERY. A place, at least 5 acres in area, for burying the dead, including gravesites, columbaria or mausoleums, but not including either mortuaries or crematories.

CERTIFICATE OF COMPLIANCE. An occupancy permit, as cited in *I.C. 36-7-4-801* and *802*.

CHANGEABLE COPY SIGN. A ***sign*** or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the ***sign***, such as a reader board. A ***sign*** on which the message changes more than once per minute is considered an ***animated sign*** and not a **CHANGEABLE COPY SIGN** for purposes of this section. A ***sign*** on which the only copy that changes is an electronic or mechanical indication of time and temperature is considered a "time and temperature" portion of a ***sign*** and not a **CHANGEABLE COPY SIGN** for purposes of this section.

CHILD CARE. Custodial, supervisory, recreational or instructional care, designed to supplement parental care, given children (other than the provider's), who are under 11 years old. Child care facilities are either licensed by the State or exempted from licensing requirements. **CHILD CARE** does not include: public or parochial schools, ***babysitting***, day camps, summer camps, foster homes, ***group homes*** or cooperative reciprocating care by a group of parents in their own homes. See **ACCESSORY CHILD CARE, CHILD CARE CENTER, CHILD CARE HOME.**

CHILD CARE CENTER. A State licensed (or exempted) facility in a nonresidential ***structure*** where one or more individuals provide ***child care*** for any number of children; or such a facility in a residentially occupied residential ***structure*** where individuals provide ***child care*** for 11 or more children at any time; or in a non-residentially occupied residential ***structure***, 6 or more children at any time.

CHILD CARE HOME. A State licensed (or exempted) facility in a residential structure where one or more individuals provide ***child care*** for 6 to 10 children, for more than 4 but less than 24 hours, for 10 or more consecutive working weekdays. The ***structure*** shall be occupied as a ***residence***.

COLLECTOR STREET. A ***street***, designated by ***APC***, intended to move traffic from ***local streets*** to ***secondary arterials***.

COMMERCIAL GREENHOUSE. A ***building*** and premises intended for the indoor growth and propagation of plants to be sold on site at retail or wholesale. It may include enclosures that are unroofed or that have open slat or louvered roofs or walls, cold frames, potting sheds, ***buildings*** and sheds housing HVAC and irrigation equipment, storage sheds, display

and sales rooms, and garages. This ***use*** does not include the sale of power equipment or farm implements.

COMMERCIAL MESSAGE. Any ***sign*** wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a ***business***, product, service, or other commercial activity.

COMMERCIAL ZONE. An NB, NBU, OR, MR, GB, HB, CB or CBW ***zone***.

CONDOMINIUM. Real estate lawfully subjected to *I.C. 32-1-6 (the Horizontal Property Law)* by the recordation of **CONDOMINIUM** instruments, in which undivided interests in the common areas and facilities are vested in the **CONDOMINIUM** unit owners.

CONFINED FEEDING. The provision, in an enclosed area, of food other than grazing for animals being raised for food, fur or pleasure. Such enclosed areas may include pens, ponds, sheds, ***buildings***, or fenced fields.

CONFINED FEEDING OPERATION. A concentration of more than 300 ***animal units*** at one location that depend totally upon food provided from sources that are external to the area in which livestock are maintained.

CONFINED FEEDING OPERATION SETBACK. The minimum permitted separation between a ***confined feeding operation*** and any of the ***uses***, ***zones***, and environmental features listed in 4-4-9-a-1 below, measured from that ***use*** to the enclosure that defines the ***confined feeding operation***. (Amend 2)

CONSTRUCTION/DEMOLITION DISPOSAL SITE. An off-site solid waste disposal facility, as established in *Indiana Code*, designed and operated to accept waste material from construction and/or demolition sites. Such material may include but is not limited to: bricks, concrete, stone, glass, wallboard, lumber, roofing materials, and other items which are affixed to a ***structure*** being constructed, repaired or demolished, including plumbing fixtures, wiring, and nonasbestos insulation.

CORNER LOT. A ***lot*** at the junction of and abutting two intersecting or intercepting ***streets***. A corner lot has just one ***front lot line*** and ***front setback***.

COURTHOUSE PROXIMATE AREA. That geographic area bounded by South Street, Fifth Street, Ferry Street and the Wabash River ***flood plain zone.*** (Amend 12)

DECIBEL (dbA). A unit, expressed on a logarithmic scale, for measuring the relative intensity of sounds, ranging from 0 to 130, for the average pain level experienced by the human ear.

DECIDUOUS. A plant with foliage that is shed annually.

DENSITY. The number of ***dwelling units*** per acre exclusive of ***right-of-way***.

DEVELOPMENT. Any improvement or change to property brought about by human activity, including but not limited to: ***buildings*** and other ***structures***, mining, dredging, filling, grading, paving, excavation or drilling operations.

DWELLING. A ***building*** or part of a ***building***, or a ***mobile home***, used primarily as a place of abode, except for those ***uses*** classified in the Permitted ***Use*** Table under SIC Groups 701 through 704 (Hotels, Rooming Houses, Camps and Other Lodging Places).

DWELLING UNIT (DU). One or more rooms with cooking, living, sanitary, and sleeping facilities, for the exclusive ***use*** of one ***family***, or where permitted, the occupants of ***shared housing***, either group living as a single ***housekeeping unit***. The **DWELLING UNIT** shall be characterized by but not limited to:

(1) an exclusive house number or an exclusive house number plus apartment number, with an exclusive mailbox for the receipt of materials sent through the United States mail;
(2) a single kitchen adequate for the preparation of meals; and
(3) a tenancy based upon a legal relationship of a unitary nature, i.e., a single lease, mortgage or contractual sales agreement for the entire premises.

EASEMENT. A grant of one or more property rights by the property owner to and/or for ***use*** by the public, a corporation, or another person or entity.

EFFICIENCY. A ***dwelling unit*** consisting of not more than one habitable room together with kitchen or kitchenette and sanitary facilities.

ENLARGED. Regarding an existing ***structure*** or ***use***, an increase in size of the property, ***building***, parking or other improvements.

ENTRANCE. A passageway from premises to thoroughfare by which vehicles enter or leave, or a passageway from ***building*** to exterior through which pedestrians leave.

ESTABLISHED AIRPORT ELEVATION. The elevation above mean sea level of the highest point of the landing surface of a ***public-use airport*** as indicated on the Airport Zone Map for such airport.

ESTABLISHMENT OF AN ADULT ENTERTAINMENT BUSINESS. Includes any of the following:

(1) the opening or commencement of any ***adult entertainment business*** as a new ***business***;
(2) the conversion of an existing ***business***, whether or not an ***adult entertainment business***, to any of the ***adult entertainment businesses*** defined herein;
(3) the addition of any of the ***adult entertainment businesses*** defined herein to any other existing ***adult entertainment business***; or
(4) the relocation of any ***adult entertainment business***.

EVENT ORIENTED SIGN. A freestanding on-site ***sign***, used no more than 21 days within a 90-day period, no more than 4 times a year to commemorate a special event or sporting event, or to notify potential customers of a new business or sale. **EVENT ORIENTED SIGNS** include ***portable signs***, ***beacons***, ***pennants***, government authorized ***banners*** strung over public ***right-of-way***, strings of lights not permanently mounted to a rigid background unless containing no commercial message, inflatable ***signs***, and tethered balloons. (Amend 5)

EVERGREEN. A plant with foliage that persists and remains green year-round.

EXECUTIVE DIRECTOR. The executive director of the **APC**.

FAMILY. One or more persons related by blood, marriage or adoption and not more than two unrelated persons living as a single ***housekeeping unit***.

FAMILY VEHICLE. A motor vehicle with a maximum hauling capacity of less than one ton or a ***recreational vehicle (RV)***, that has been owned by and registered to the same individual(s) for a period of at least one year. (Amend 45)

FARM. An area used for agricultural operations, including truck gardening, forestry, the operating of a tree or plant nursery, or the production of livestock and poultry.

FEDERAL-AID PRIMARY HIGHWAY. Any highway on the Federal-aid primary system in existence on June 1, 1991 as defined in 23 USC, and any highway which is not on such system but which instead is on the ***National Highway System*** as defined in section 23 U.S.C. 103(b) and 104(c) of ISTEA. (See Appendix F-2.) (Amend 29)

FLAG. Any pole-mounted fabric which is the official emblem of a governmental entity. A **FLAG** is not subject to the restrictions of 4-8 below, other than the minimum ***setback*** standard for ***freestanding signs*** established in 4-8-6.

FLAG LOT. A piece of land meeting all definitional requirements for a ***lot*** or ***parcel***, which is situated behind one or more ***lots*** or ***parcels*** having ***frontage*** on a ***public*** or ***private street***. The "flag" portion contains the ***primary use building***, meeting ***setback*** requirements from the designated ***front lot line***. The "pole" portion fronts on a ***public*** or ***private street***, and is a minimum of 20' wide. The "pole" portion shall contain the driveway connecting the "flag" to the ***street*** unless the driveway is wholly contained within a recorded access easement, which connects to the ***street*** at a location, which has been approved by the ***Administrative Officer***, County Highway Department, or other responsible jurisdiction. (Amend 27, 45)

FLOOD INSURANCE RATE MAP (FIRM). Federal Emergency Management Agency (FEMA) maps with engineering studies for portions of Tippecanoe County [effective March 16, 1981], Lafayette [effective November 19, 1980], West Lafayette [effective January 2, 1981], and Battle Ground [effective January 2, 1981], issued by the Federal Insurance Administration, showing (100 year) ***regulatory flood*** elevations along some streams and rivers.

FLOOD INSURANCE STUDY. Those studies, including ***FIRMs***, produced by the Federal Emergency Management Agency FEMA, and the Federal Insurance Administration (FIA), with effective dates as noted in the definition of ***Flood Insurance Rate Map***, and as amended from time to time by an approved ***Letter of Map Amendment (LOMA)***.

FLOOD PLAIN. The area adjoining the river or stream which has been or may hereafter be covered by flood water from the ***regulatory flood***, including those areas defined as the ***regulatory floodway*** and ***floodway fringe***.

FLOOD PLAIN ZONE. An FP ***zone***.

FLOOD PROTECTION GRADE. The elevation of the lowest floor of a ***building***, including the basement, which shall be two feet above the elevation of the ***regulatory flood***.

FLOODWAY. See **REGULATORY FLOODWAY.**

FLOODWAY FRINGE. That portion of the ***flood plain*** lying outside the ***regulatory floodway***, which is inundated by the ***regulatory flood***.

FOOTCANDLE. A unit of illumination equal to the illumination at all points that are 1' from a uniform point source of 1 candle power.

FOUNDATION. The supporting member of a wall or ***structure*** situated in the ground.

FRATERNITY, SORORITY OR STUDENT COOPERATIVE. An unrelated group of persons, recognized under state or federal tax law as a not-for-profit entity and recognized as a student living unit by a college or university.

FREE BURNING. A rate of combustion described by a substance that burns actively and easily supports combustion.

FREESTANDING SIGN. Any ***signage*** supported by ***structures*** or supports that are placed on, or anchored in, the ground, such as but not limited to poles and pylons or bases, and that are independent from any ***building*** or other ***structure***. (Amend 7)

FRONT LOT LINE.

(1) For an ***interior lot***, the line marking the boundary between the ***lot*** and the edge of the ***right-of-way*** of the abutting ***street***;
(2) For a ***corner lot***, the line marking the boundary between the ***lot*** and the edge of the ***right-of-way*** of the shorter of the two abutting ***street*** segments;
(3) For a ***through lot***, the line designated in 4-4-2-b marking the boundary between the ***lot*** and the edge of the ***right-of-way*** of the abutting ***street***, or the line marking the boundary between the ***lot*** and a lake or watercourse; and
(4) For a ***lot*** without ***street frontage***, the line designated as the **FRONT LOT LINE**;

except as deed restrictions specify otherwise.

FRONT SETBACK. An open space extending a ***lot***'s full width, measured as the shortest distance between the ***front lot line*** and the nearest exterior wall (excluding ***structural projections***) of the ***lot***'s ***primary use building***. For a ***corner lot***, the **FRONT SETBACK** always abuts the shorter of the two ***street frontages***, unless deed restrictions specify otherwise.

FRONTAGE. Same as **STREET FRONTAGE.**

GARAGE SALE. A public or private sale, conducted by the owner or occupier of a premises either inside or outside of a ***residence***, garage or other ***accessory building***.

GASOLINE SERVICE STATION. Any retail facility that dispenses gasoline (or other motor fuels such as LP gas or compressed natural gas) to the general public, primarily for use in automobiles and other passenger vehicles. This facility may sell other merchandise (motor oil, tires, batteries, parts, etc.), and/or perform repair work indoors. Even in combination with other commercial activities such as a convenience store, carwash or fast food restaurant, this facility shall still be defined as a **GASOLINE SERVICE STATION**.

GATEWAY SIGN. Any permanent ***freestanding sign*** marking the location at which a ***public street*** enters a ***subdivision***, office park or similar unified ***development***, which provides only the name of that ***development***.

GROSS FLOOR AREA. The total area of ***building*** expressed in square feet, measured by taking the outside dimensions of the ***building*** at each floor level intended for occupancy or storage. **(WEST LAFAYETTE, TIPPECANOE COUNTY, BATTLE GROUND, CLARKS HILL, DAYTON)** Should an eating or drinking establishment (SIC 58) within a ***building*** extend to any outdoor seating or serving area, exclusive of ***right-of-way***, such as a patio or rooftop, that area too shall be, by definition, included in the total. (Amend 23A)

GROSS LEASABLE AREA (GLA). The total floor area designed for both tenant occupancy and exclusive use. This includes both owned and leased areas, and basement, mezzanine and upper floors if any. It is expressed in square feet and measured from the center line of joint partitions and from the inside face of outside walls.

GROUND FLOOR AREA. The ***gross floor area*** of the ground floor.

GROUP HOME. A single self-contained children's home, established in a ***residence***, and operated by the County Division of Children And Families, licensed private child placement agency or licensed incorporated group established for the purpose of receiving and caring for up to 8 children who are attended by resident adults. Nothing in this ordinance shall regulate any residential facility in a ***residential zone*** within the definition of *I.C. 12-7-2-165*, as amended, or any such facility operated and existing within the applicable state and federal laws.

HARDSHIP. A perceived difficulty with regard to one's ability to improve land stemming from the application of the development standards of this ordinance, which may or may not be subject to relief by means of ***variance***. In and of themselves, self-imposed situations and claims based on a perceived reduction of or restriction on economic gain will not be considered hardships. Self-imposed situations include:

(1) the purchase of land with actual or constructive knowledge that, for reasons other than physical characteristics of the property, the development standards of this ordinance will inhibit the desired improvement;
(2) any improvement initiated in violation of the standards of this ordinance; and
(3) any result of land division requiring ***variance*** from the development standards of this ordinance in order to render that site buildable.

HISTORIC BUILDING (LAFAYETTE). A ***building*** listed by address in *The Lafayette Preservation Notebook*, published by the Lafayette Redevelopment Commission and recorded in the Office of the Tippecanoe County Recorder, Document No. 99-12420; or a ***building*** listed in the *Indiana Historic Site and Structure Inventory, Tippecanoe County, Interim Report*, published by Historic Landmark Foundation of Indiana, May 1990, and recorded in the Office of the Tippecanoe County Recorder, Document No. 99-12421. (Amend 11)

HOME OCCUPATION.. An ***accessory use*** to a ***dwelling unit***, carried out for gain by one or more residents, conducted as a customary and incidental use to the resident's ***dwelling unit***, within the ***use*** requirements of 5-5-2 below, and as authorized in 5-5-3. Except as indicated in 5-5-2, this does not include the wholesale or retail sale of goods or materials on site. It is permitted:

(1) in any non-rural and non-flood plain ***zone***,
(2) in A, AW and AA ***zones*** on any ***lot*** up to 2 acres in area, and
(3) on any residential ***lot*** in an RE ***zone***,

which authorizes the ***dwelling unit*** to which the **HOME OCCUPATION** is ***accessory***. (Amend 27)

HOME OCCUPATION SIGN. Any ***sign*** on a ***sign-lot*** marking the presence of a ***home*** (or ***rural home***) ***occupation*** which conforms with all requirements of this ordinance. This ***sign*** may only include the occupant's name and/or address and/or ***home*** (or ***rural home***) ***occupation***.

HOUSEKEEPING UNIT. Either a ***family***, or the occupants of ***shared housing***, living together in one ***dwelling unit***, with common access to

and use of all living, eating, and food preparation and storage areas within the ***dwelling unit***.

IMPERVIOUS SURFACE. Any material or object which substantially reduces or prevents direct absorption of storm water.

IMPROVEMENT LOCATION PERMIT. Written permission issued by the appropriate ***Administrative Officer*** to construct, repair, alter, move or add to a ***structure***, or change the condition of land as per 6-2-1-a-7 below.

INCIDENTAL SIGN. Any ***sign***, generally informational, that has a purpose secondary to the ***use*** of the ***sign-lot*** on which it is located, such as:

(1) "no parking," "entrance," "loading only," "telephone," and other similar directives;
(2) drive-thru menu boards; (Amend 38)
(3) "for sale," "for lease" or "for rent" ***signs*** including an agent's name, address and phone number;
(4) any ***sign*** indicating the name, address and phone number of a contractor currently engaged at that location.

No ***sign*** with a commercial message legible from a position off the ***sign-lot*** on which the ***sign*** is located will be considered incidental, except for drive-thru restaurant menu boards, "for sale," "for lease" and "for rent" signs and contractors' signs.

INDIANA RESIDENTIAL CODE. The nationally recognized model building code titled The International Residential Code for One and two Family Dwellings as adopted under *675 I.A.C. 14*, and, which includes those supplements and amendments promulgated by the Indiana Department of Fire and Building Services (Amend 31).

INDIANA SCENIC BYWAY. Any roadway recommended by the Scenic and Heritage Byways Advisory Committee of the Indiana Department of Transportation (INDOT) and approved by the Lt. Governor (or his appointee) and the Commissioner of INDOT, in accordance with the Scenic and Heritage Byways Program Procedures Criteria Application for Route Designation (Amend 38).

INDUSTRIAL ZONE. An I1, I2 or I3 ***zone***.

INTEGRAL ROOF SIGN. Any ***sign*** erected or constructed as an integral or essentially integral part of a normal roof ***structure*** of any design, such that no part of the ***sign*** extends vertically above the highest portion of the

roof and such that no part of the ***sign*** is separated from the rest of the roof by a space of more than 6".

INTEGRATED CENTER. One or more ***buildings*** occupying a site under one ownership or management, containing a number of individual, unrelated and separately operated ***uses*** each with their own outside entrance (commonly known as a strip center) or completely enclosed (such as a retail mall). The ***building*** or ***buildings*** of an integrated center share common site facilities and services such as driveway entrances and exits, ***parking areas***, truck loading, maintenance, sewer and water utilities, and similar common facilities and services. A ***building*** on an outlot which is physically separated from the other ***uses*** in an **INTEGRATED CENTER** by curbs and/or landscaping, and which contains its full requirement of parking, but which shares driveway entrances and exits with other ***uses***, is not part of that **INTEGRATED CENTER**. An ***office building*** is not an **INTEGRATED CENTER**. (Amend 28)

INTEGRATED CENTER SIGN. Any ***freestanding*** or ***building sign*** which provides only the name of the ***integrated center*** and optionally, a list or display of the names of the center's occupants.

INTENSE BURNING. A rate of combustion described by a substance that burns with a high degree of activity and is consumed rapidly.

INTERIOR LOT. A ***lot*** having ***frontage*** on an abutting ***street***, that is neither a ***corner lot*** nor a ***through lot***.

JUNK YARD. Any of the following:

(1) A place, usually outdoors, where waste, used property or discarded used property is accumulated or stored and is or may be salvaged for reuse or resale either as a whole or in parts. Waste, used property or discarded used property includes but is not limited to: automobiles, trucks, farm implements except on ***farms*** actively engaged in crop production (SIC 01) in ***rural*** and ***FP zones***, trailers, ***mobile homes***, ***recreational vehicles***, vans, other vehicles, machinery, household or commercial appliances, or parts taken from any of the above. A vehicle which is currently licensed in the State of Indiana, is registered in the name of the owner of the real estate on which it is located, and is operable, shall not be considered in determining the presence of a **JUNK YARD**.

(2) A place outdoors where waste, or discarded or previously used building or construction material, is accumulated or stored and is or may be salvaged for reuse or resale. Waste, or discarded or previously used building or construction material, includes but is not limited to: glass, windows, doors, roofing, trusses, wood, bricks,

stone, beams, concrete, or similar items. However, where an original ***improvement location permit*** has been issued for construction of a ***structure*** that would use these items on that same real estate, that situation shall not be determined to be a **JUNK YARD**, provided: that the permit is neither a renewal, nor an extension as provided in this ordinance, nor a subsequently issued permit; and that the permit has neither expired nor become null and void under this ordinance.

(3) A place outdoors where waste or discarded or prior used boxes, rags, clothing, food, garbage, food containers, food or drink bottles or cans, other bottles and cans, furniture, household furnishings or similar items, is accumulated or stored.

Temporary collection stations approved by a member jurisdiction shall not be considered a **JUNK YARD**.

KENNEL (BATTLE GROUND, DAYTON, CLARKS HILL, TIPPECANOE COUNTY). For a ***residence***, a place for keeping 4 or more dogs that are at least 4 months old; for a commercial boarding facility, a place for keeping an aggregate of 4 or more dogs and/or cats and/or other small animals that are ordinarily kept as pets, that are at least 4 months old. (Amend 19)

LAPSED. A situation in which 2 years have passed since rezoning to PDCC, and no Final Detailed Plans have been approved and recorded.

LETTER OF MAP AMENDMENT (LOMA): A FEMA authorized written change in the ***FIRM***, on file in the office of the ***APC***, amending the ***FIRM*** map(s) of Lafayette, West Lafayette, Tippecanoe County or Battle Ground.

LOADING BERTH. An off-street, off-alley area designed or used to load goods on, or unload goods from, vehicles.

LOCAL STREET. A ***street***, designated in the Thoroughfare Plan, intended to provide primary access to other ***roads*** from individual property.

LOT (WEST LAFAYETTE, TIPPECANOE COUNTY, DAYTON, BATTLE GROUND, CLARKS HILL). Either:

(1) (a) a piece of land, the location, shape and size of which have been established by a recorded plat, ***subdivision*** or planned development; or

(b) any part of that piece of land where a division has been made by a document recorded prior to July 1, 1978, and in Clarks Hill, April 1 1996;

and which shall include any adjacent area of land added to that piece of land by either the vacation of a public way, or an exempt division as permitted by the Unified Subdivision Ordinance, or a document recorded prior to July 1, 1978, and in Clarks Hill, April 1 1996; or

(2) a piece of land, not in a recorded plat, ***subdivision*** or planned development, the location, shape and size of which are determined by:

(a) the legal description in the last recorded document prior to July 1, 1978, and in Clarks Hill, April 1 1996; or thereafter by

(b) the legal description in the last recorded document made as an exempt division or ***parcelization*** under the then applicable Subdivision Ordinance;

and which shall include any adjacent area of land added to that piece of land by either vacation of public way or an exempt division as permitted by the Unified Subdivision Ordinance. (This does not include the term ***mobile home park/manufactured home community lot*** which is defined separately.)

LOT (LAFAYETTE). An area of land exclusive of ***street*** areas but including adjacent areas that are used as one, having an access from a ***public street*** approved by the ***Administrative Officer***.

LOT AREA. The total horizontal area within the ***lot lines*** of a ***lot***.

LOT COVERAGE. The horizontal area of all ***buildings*** on a ***lot*** as a percentage of ***lot area***. Horizontal area is measured within the outside of the exterior walls of the ground floor of ***primary use buildings***. **LOT COVERAGE** includes roofed decks and porches, and architectural features that project more than 2', but excludes unroofed decks or porches, and architectural features that project no more than 2'.

LOT LINE. Either a ***front lot line***, a ***rear lot line*** or a ***side lot line***.

LOT WIDTH. The distance between the ***side lot lines*** as measured at the ***front setback***.

MANEUVERING AISLE. A driving lane in a ***parking area***, such as between two rows of ***parking spaces*** or between a row of ***parking spaces*** and the edge of a ***parking area***, which serves two or more ***parking spaces***.

MANEUVERING SPACE. An open space in a ***parking area*** designed to be used for and which is necessary for turning, backing, or driving a motor vehicle forward into a ***parking space***, but which is not used for the parking or storage of motor vehicles.

MANUFACTURED HOME. A ***single-family dwelling unit*** designed and built in a factory, installed as a permanent ***residence***, which bears a seal certifying that it meets or exceeds all standards established in *I.C. 36-7-4-1106(d)*, and which also complies with the following specifications:

(1) shall have been constructed after January 1, 1981, and shall exceed 750 sq.ft. of occupied space;
(2) is attached to a ***permanent foundation*** and has a ***permanent perimeter enclosure***, built in accordance with the ***Indiana Residential Code*** (Amend 31);
(3) has wheels, axles, towing chassis and tongue removed;
(4) has a pitched roof with a minimum rise of 3/12; and,
(5) consists of 2 or more sections which, when joined, have a minimum dimension of 23' in both length and width.

A ***single-family dwelling unit*** designed and built in a factory and installed as a permanent ***residence***, which fails to meet any of the above criteria, shall be defined here as a **MOBILE HOME**, even if called a "manufactured home" in the trade. (Amend 15)

MARQUEE. A rooflike cover that projects from the wall of a ***building*** such as a theater, designed or built to hold one or more ***changeable copy signs***.

MARQUEE SIGN. Any ***sign***, including a ***changeable copy sign***, that is part of or is attached to a ***marquee***.

MASSAGE. Any method of pressure on or friction against, or stroking, kneading, rubbing, tapping, pounding, vibrating, or stimulating of the external parts of the human body with the hands or with the aid of any mechanical electrical apparatus or appliances with or without such supplementary aids as rubbing alcohol, liniments, antiseptics, oils, powder, creams, lotions, ointment, or other such similar preparations commonly used in the practice of **MASSAGE**, under such circumstances that it is reasonably expected that the person to whom the treatment is provided or some third person on his behalf will pay money or give any other consideration or any gratuity therefore. However, **MASSAGE** as used in this ordinance shall not apply to the activity of any person who is registered or licensed by the United States Government or any agency thereof, by the State of Indiana or any agency thereof, by Tippecanoe County or any agency thereof, by any city or town within Tippecanoe County or any agency thereof, or registered or licensed by any agency or association authorized to so register or license by any statute or ordinance of the United States, State of Indiana, Tippecanoe County or any city or town in Tippecanoe County, while such person so registered or licensed is performing the services for which the registration or license

was issued and during the period of time said registration or license is in effect.

MASSAGE ESTABLISHMENT. Any establishment having a source of income or compensation derived from the practice of ***massage*** as herein defined and which has a fixed place of ***business*** where any person, firm, association, or corporation engages in, or carries on any of the activities as defined in a ***massage***.

MILITARY RECRUITING OFFICE. An establishment at which members of the Armed Forces enlist members of the civilian population.

MOBILE HOME. A single ***dwelling*** suitable for year-round occupancy, transportable in one or more sections, built on a permanent chassis and designed to be used with or without a ***permanent foundation*** when connected to required utilities.

MOBILE HOME PARK/MANUFACTURED HOME COMMUNITY (MHP/MHC). A site with required improvements and utilities containing 2 or more ***mobile home park/manufactured home park lots***, which may include services and facilities for its residents, and within which ***recreational vehicles*** and ***tents*** shall not be used as places of abode. A **MOBILE HOME PARK/MANUFACTURED HOME COMMUNITY** does not include a mobile home dealer (SIC 527).

MOBILE HOME PARK/MANUFACTURED HOME COMMUNITY LOT (MHP/MHC-LOT). A piece of land, the location, shape and size of which have been established in an approved ***mobile home park/manufactured home community*** plan, to be rented for occupancy by a single ***mobile home*** or ***manufactured home***.

MULTI-FAMILY DWELLING. A ***dwelling***, on a separate ***lot***, containing more than two ***dwelling units***.

NATIONAL HIGHWAY SYSTEM. The system of highways designated and defined in 23 U.S.C. 103(b). (See Appendix F-2.) (Amend 29)

NONCOMPLYING USE. A ***primary use*** of a ***structure*** (including a ***building***) or ***lot*** which fails to meet one or more of the requirements of 4-2 and 4-6 through 4-11 below regarding minimum vegetative cover, parking and loading, entrances, ***signs***, buffering, industrial or miscellaneous restrictions, and which otherwise lawfully existed at the time those requirements became effective.

NONCONFORMING LOT. A ***lot*** which does not meet the minimum

requirements in 4-2 below for ***lot area*** or 4-3 below for ***lot width***, and which otherwise lawfully existed at the time those minimum requirements became effective. (Amend 18)

NONCONFORMING MOBILE HOME. A ***mobile home*** which is not permitted in 3-2 below to be operated in the ***zone*** in which it is located, and which otherwise lawfully existed at the time the applicable portion of 3-2 became effective.

NONCONFORMING SIGNAGE. Any ***sign*** or package of ***signs*** on a ***sign-lot*** that does not meet the requirements of 4-8-4 through 4-8-8 below, and which was otherwise lawfully installed on a given site at the time the applicable portions of 4-8-4 through 4-8-8 became effective.

NONCONFORMING STRUCTURE. A ***structure*** (including a ***building*** but not a ***sign***) which entirely or in part does not meet the minimum requirements in 4-2, 4-4 and 4-5 below for ***front***, ***rear*** or ***side setbacks***, ***lot coverage*** by ***primary use building*** or maximum permitted ***building height***, and which otherwise lawfully existed at the time those requirements became effective.

NONCONFORMING USE. A ***primary use*** of a ***structure*** or ***lot*** which is not permitted in 3-2 below to be operated in the ***zone*** in which it is located, and which otherwise lawfully existed at the time the applicable portion of 3-2 became effective.

NON-TILLABLE. Covered with brush or scattered trees with less than 50% canopy cover, or permanent pasture land with natural impediments (ditches, water channels, rocks, etc.) that deter use of the land for crop production. (Amend 27)

NO-PARKING SETBACK. An open space in which all parking is prohibited, consisting of the first 5 feet of the ***front setback*** of any ***commercial-*** or ***industrial-zoned lot***, and the first 5 feet of the ***side*** or ***rear setback*** of any ***lot*** not zoned R1, R1A, R1B, R1U, R1Z, R2 or R2U.

OFFICE BUILDING. A ***building*** in which the majority of ***gross leasable area*** is devoted to conducting the affairs of ***primary uses*** other than retailing, such as the offices of a ***business***, a profession, a service, an industry, a finance, insurance or real estate establishment, or government and in which all such businesses have public entrances in the interior of the building. (Amend. 28)

OPEN USE. A ***primary use*** without a ***building***; or one in which there is outdoor ***use*** of the ***lot*** for purposes other than customer and employee

parking, and which contains a ***building*** occupying no more than 10 percent of the ***lot***; or one which is classified in the Permitted ***Use*** Table under SIC Group 55 (Automotive Dealers and Gasoline Service Stations) unless all activity other than customer and employee parking is conducted inside a ***building***.

OPEN USE SETBACK. An open space consisting of the first 5 feet of even width (beginning at the ***lot line***) of the ***front setback*** of any ***open use***, and the first 5' of even width (beginning at the ***lot line***) of any ***side*** or ***rear setback*** of an ***open use*** which abuts a ***street*** or a ***residential zone***.

OUTLET MALL. A type of ***integrated center*** containing multiple retail establishments, each one selling a single manufacturer's product.

OUTDOOR ADVERTISING SIGN. A ***sign*** which is a ***primary use***, placed for the purpose of conveying information, knowledge or ideas to the public about a subject unrelated to the ***lot*** on which it is located. (Amend 8)

PARCEL. A ***lot*** created by ***parcelization***.

PARCELIZATION. Any division of land complying fully with subsection 3.5 of the *Unified Subdivision Ordinance of Tippecanoe County*.

PARENT TRACT. A piece of land, the location, shape and size of which is determined by the official record of the last transfer of its ownership transacted before the *Unified Subdivision Ordinance of Tippecanoe County* was enacted or the last division by recordation of a ***plat*** prior to the enactment of that ordinance provided such ***plat*** is not in violation of any previous ordinance. The ordinance was enacted on November 19, 1979 in Tippecanoe County; December 3, 1979 in Lafayette, West Lafayette and Dayton; March 3, 1980 in Battle Ground; and April 1, 1996 in Clarks Hill.

PARKING AREA. A group of ***parking spaces***, exclusive of any part of a ***street*** or an ***alley***, designed or used for the temporary parking of motor vehicles or bicycles.

PARKING SPACE. An open space, exclusive of ***maneuvering aisle*** and driveway, used for the temporary parking of one motor vehicle or bicycle.

PENNANT. Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind. A **PENNANT** is a type of ***event oriented sign***.

PERIMETER LOT. A ***lot*** in an R1Z zone that either adjoins or faces any other ***lot*** zoned R1, R1A, R1B, R1U, A, AA, AW or RE. (Amend 27)

PERMANENT FOUNDATION. A structural system for transposing loads from a ***structure*** to the earth at a depth below the established frost line without exceeding the safe bearing capacity of the supporting soil.

PERMANENT PERIMETER ENCLOSURE. A permanent perimeter structural system, completely enclosing the space between the floor joists of the home and the ground except for necessary openings, constructed in accordance with the ***Indiana Residential Code*** (Amend 31).

PERVIOUS SURFACE. Any material which permits full or partial absorption of storm water.

PLACE. A short residential ***street***, cul-de-sac or court with a maximum development potential of 10 ***dwelling units***.

PLANNED DEVELOPMENT (PD) ZONE. A PDRS, PDNR, PDMX or PDCC ***zone***.

PLAT. A map or chart that shows a division of land and is intended to be filed for record.

PORTABLE SIGN. Any ***sign*** not permanently attached to the ground or other permanent ***structure***, or a ***sign*** designed to be transported, including, but not limited to, ***signs*** designed to be transported by means of wheels; ***signs*** converted to A- or T-frames; sandwich board ***signs***; balloons used as ***signs***; umbrellas used for advertising; and ***signs*** attached to or painted on vehicles parked and visible from the public ***right-of-way***, unless said vehicle is used in the normal day-to-day operations of the ***business*** on that lot. A **PORTABLE SIGN** is a type of ***event oriented sign***.

PRIMARY ARTERIAL. A ***road***, designated in the Thoroughfare Plan, intended to: move through traffic to and from such major attractors as central business districts, regional shopping centers, colleges and/or universities, military installations, major industrial areas, and similar traffic generators within a participating jurisdiction; and/or as a route for traffic between communities or large developed areas.

PRIMARY COMMUNICATIONS TOWER. A ***structure*** situated in a nonresidential ***zone*** that is intended for transmitting or receiving internet, television, radio, or telephone communications, including those used exclusively for dispatch communications if the tower is the ***primary use***. (Amend 52)

PRIMARY USE. The principal, predominant ***use***.

PRIMARY USE BUILDING. A ***building*** (including any other ***building*** attached in a substantial way, such as by a roof), in which the ***primary use*** of the ***lot*** or ***parcel*** is conducted. For ***single-family*** and ***two-family*** residential ***uses***, it is the main ***dwelling*** or ***dwellings*****.** For multi-family residential ***uses*** it is all ***dwelling units*****.** Only one **PRIMARY USE BUILDING** is permitted per ***lot*** or ***parcel*****.** If multiple ***buildings*** on a ***lot*** or ***parcel*** are engaged in the same ***primary use***, the ***building*** housing that ***use***'s operating or managing office is considered the **PRIMARY USE BUILDING;** all others are considered ***accessory buildings*****. Where** multiple ***primary use buildings*** occupy the same ***lot*** or ***parcel***, but are all operated or managed from the same ***building(s)***, the ***building(s)*** housing the managing office(s) shall be the **PRIMARY USE BUILDING(S)**, and all others shall be accessory to it (them), but only if these multiple ***use buildings*** are in single ownership. Also, an ***integrated center*** shall be considered a **PRIMARY USE BUILDING**. The **PRIMARY USE BUILDING** constructed on any qualifying ***lot***, ***parcel*** or tract to which land has been added by Exemption B or E pursuant to the definition of ***subdivision***, shall be located in whole or in part on the portion of that ***lot***, ***parcel*** or tract from which it acquired its building site as defined in the *Unified Subdivision Ordinance*. No **PRIMARY USE BUILDING** shall be located wholly on land included in an Exemption B or E transfer unless that transfer was recorded prior to the date this definition was amended. (Amend 27)

PROJECTING SIGN. Any ***sign*** affixed to a ***building*** or wall in such a manner that its leading edge extends more than 6 inches beyond the surface of such ***building*** or wall.

PUBLIC PARK. A tract of land, designated and used by the public for active and passive recreation.

PUBLIC STREET. A ***street*** established for or dedicated to the public use.

PUBLIC-USE AIRPORT. Any area, site, or location, either on land, water, or upon any ***building***, which is specifically adapted and maintained for the landing and taking off of aircraft, and utilized or to be utilized in the interest of the public for such purposes. The term does not include:

(1) any private use airport or landing field; or
(2) any military airport solely occupied by any federal branch of government using that airport for military air purposes.

REAR LOT LINE. For an ***interior*** or ***corner lot***, the ***lot line*** that is opposite the ***front lot line*** and farthest from it; except for a triangular or

other irregularly-shaped ***lot***, the line 10' long, parallel to the ***front lot line***, and wholly within the ***lot***, that is farthest from the ***front lot line***.

REAR SETBACK. An open space extending a ***lot***'s full width, measured as the shortest distance between the ***rear lot line*** and the nearest exterior wall of the ***lot***'s ***primary use building*** and ***accessory buildings***. For a ***corner lot***, the **REAR SETBACK** is always situated at the opposite end of the ***lot*** from the ***front lot line***.

RECREATIONAL VEHICLE (RV). A vehicle designed to provide temporary living quarters for travel, recreation or camping, which is either self-propelled or mounted on or towed by another powered vehicle. The term includes but is not limited to travel trailers, collapsible trailers, truck-mounted campers and motorhomes, tent trailers, and converted buses and trucks. An **RV** is not a ***dwelling***.

RECREATIONAL VEHICLE PARK AND CAMPGROUND (RVP/C). A site with required improvements and utilities containing 3 or more ***campsites*** for ***tents*** and/or cabins and/or ***recreational vehicles***, which may contain services and facilities for its occupants. If the **RVP/C** is designed as an *en route* facility, no occupant shall occupy it for any period longer than 14 days. If the **RVP/C** has been designed as a destination facility, that is, a place to visit in and of itself, the 14-day limit shall not apply.

RECYCLABLE MATERIAL. Material that is intended for reuse, remanufacture, or reconstitution, consisting of items as authorized by each member jurisdiction.

RECYCLING. A process by which ***recyclable materials*** that would otherwise become solid waste are collected, separated or processed, and converted into materials or products for reuse or sale.

RECYCLING COLLECTION FACILITY. A ***use*** designed to receive and store pre-sorted ***recyclable materials*** not intended for disposal. The facility may include the bins, boxes or containers transported by trucks, vans or trailers and used for the collection of ***recyclable materials***. The facility shall use no power-driven processing equipment on-site.

RECYCLING PROCESSING FACILITY. A ***primary use*** designed for the collection and processing of ***recyclable materials***. Processing entails the preparation of materials for efficient shipment, or to an end user's specifications, by such means as bailing, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding or cleaning.

REGULATORY FLOOD. That flood having a peak discharge which can be equaled or exceeded on the average of once in a one hundred (100) year period, as calculated by a method and procedure which is acceptable to and approved by the Indiana Natural Resources Commission; this flood is equivalent to a flood having a probability of occurrence of one percent (1%) in any given year.

REGULATORY FLOODWAY. The channel of a river or stream and those portions of the ***flood plains*** adjoining the channel which are reasonably required to efficiently carry and discharge peak flow of the ***regulatory flood*** of any river or stream and, is that area covered by floodwaters in significant downstream motion or covered by significant volumes of stored water during the occurrence of the ***regulatory flood***. **REGULATORY FLOODWAYS** shall be determined by the Federal Insurance Administration's Flood Boundary and Floodway Maps, (effective March 16, 1981 in Tippecanoe County, November 19, 1980 in Lafayette, and January 2, 1981 in West Lafayette and Battle Ground), and/or by designation in writing by the Indiana Department of Natural Resources, Division of Water. In small drainage basins the limits of alluvial soils, as shown on the Soils Survey Map (US Department of Agriculture – Soil Conservation Service), shall be considered as delineating the **REGULATORY FLOODWAY.**

RESIDENCE. A ***dwelling***.

RESIDENTIAL ZONE. An R1, R1A, R1B, R1U, R1Z, R2, R2U, R3, R3U, R3W or R4W ***zone*** or a residential component of a ***Planned Development zone***. (Amend 52)

RIGHT-OF-WAY. A strip of land acquired by reservation, dedication, forced dedication, prescription or condemnation and intended to encompass a ***road***, cross-walk, ***alley***, railroad, electric transmission line, oil or gas pipeline, water line, sanitary and/or storm sewer, and other similar ***uses***.

RIGHT-OF-WAY LINE. The property line that forms the boundary of a ***right-of-way***.

RIVER ROAD SCENIC BYWAY. A stretch of roadway from I-65 southwest to Ross Hills Park, including SR 43 (North River Road) south of I-65, US 231 from Harrison Bridge to South River Road, South River Road, Division Road west of South River Road to CR 875 W and CR 875 W (Amend 38).

ROAD. A ***street***.

ROOF SIGN. Any ***sign*** erected and constructed wholly on and over the roof of a ***building***, supported by the roof structure, and extending vertically above the highest portion of the roof.

RURAL ESTATE ROAD. A ***road*** built as part of a ***rural estate subdivision*** providing access from an existing perimeter ***street*** to and/or through an RE zone, built to specific minimum standards found in the *Unified Subdivision Ordinance*. This ***road*** may be designated as either a private ***road*** to be maintained by a homeowners' association, or a ***public street***, dedicated to the public and accepted for public maintenance (Amend 27).

RURAL ESTATE SUBDIVISION. A unified rural residential ***development*** zoned RE, ***rural estate zone***, or RE and FP. (The FP-zoned portion may include tilled land, and may make up portions of residential ***lots***.) A **RURAL ESTATE SUBDIVISION** shall be located more than ½-mile, measured radially, from the nearest sanitary sewer having unused capacity, or closer if sanitary sewer is impeded physically by a stream or ravine or similar barrier. More than 50% of its acreage is either:

(1) wooded and untilled,
(2) ***non-tillable***, or
(3) not mechanically harvested for at least 3 of the 5 years between 1997 and 2001,

or a combination of any 2 or 3 of the 3 above conditions equaling more than 50%. A **RURAL ESTATE SUBDIVISION** has a maximum ***density*** of no more than 1 ***dwelling unit*** per 2 acres, and a minimum residential ***lot area*** of 1 acre, exclusive of any outlot containing drainage ***easements*** and/or ***rural estate roads***, and exclusive of any ***public street right-of-way***. (Amend 27)

RURAL ESTATE ZONE. A ***rural zone*** containing part or all of a ***rural estate subdivision***, located more than ½-mile, measured radially, from the nearest sanitary sewer having unused capacity, or closer if sanitary sewer is impeded physically by a stream or ravine or similar barrier. More than 50% of the acreage of the ***rural estate subdivision*** of which it is a part is either:

(1) wooded and untilled,
(2) ***non-tillable***, or
(3) not mechanically harvested for at least 3 of the 5 years between 1997 and 2001,

or a combination of any 2 or 3 of the 3 above conditions equaling more than 50%. A **RURAL ESTATE ZONE** request includes no more than 12 residential ***lots***, and shall include no FP-zoned lands; FP-zoned land cannot be rezoned. (Amend 27)

RURAL HOME OCCUPATION. An ***accessory use*** to a ***dwelling unit***, carried out for gain by one or more residents, and if desired, one non-resident, conducted as a customary and incidental ***use*** to the resident's ***dwelling unit***, within the ***use*** requirements of 5-5-5 below, and as authorized in 5-5-6 below. Except as indicated in 5-5-5, this does not include the wholesale or retail sale of goods or materials on site. It is permitted on ***lots*** 2 acres or larger in area in any ***rural zone***, other than RE, which authorizes the ***dwelling unit*** to which the **RURAL HOME OCCUPATION** is ***accessory***. (Amend 27)

RURAL OUTDOOR SIGN. Any ***sign*** that is a freestanding device, fixture or placard that uses any color, form, graphic, symbol, or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public and which is:

(1) located only on A, AA, or AW zoned property;
(2) unrelated to the property on which it is erected and maintained;
(3) 6 sq.ft. or less;
(4) placed outside the boundaries of the ***urban area*** as defined by this ordinance;
(5) not located within sight of any ***Federal-Aid Primary Highway***, any road on the ***National Highway System***, any Interstate System, or any roadway designated an ***Indiana Scenic Byway*** (Amend 38). (See Appendix F-2.);
(6) not located within sight of any ***road*** designated as requiring a special ***setback*** in Section 4-4-3(a); and
(7) not in any public ***right-of-way***. (Amend 29)

RURAL ZONE. An A, AA or AW or RE ***zone***. (Amend 27)

SECONDARY ARTERIAL. A ***road***, designated in the Thoroughfare Plan, intended to collect and distribute traffic in a manner similar to ***primary arterials***, except that these ***roads*** service minor traffic-generating areas such as community/commercial areas, primary and secondary educational facilities, hospitals, major recreational areas, churches and offices, and/or are designed to carry traffic from ***collector streets*** to the system of ***primary arterials***.

SERVICES INVOLVING SPECIFIED SEXUAL ACTIVITIES OR DISPLAY OF SPECIFIED ANATOMICAL AREAS. As used in the definition of ***adult service establishment***, includes any combination of two or more of the following activities:

(1) the sale or display of books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, slides, tapes, records or other forms of visual or audio

representations which are characterized by an emphasis upon the depiction or description of ***specified sexual activities*** or ***specified anatomical areas***;

(2) the presentation of films, motion pictures, video cassettes, slides, or similar photographic reproductions which are distinguished or characterized by an emphasis upon the depiction or description of ***specified sexual activities*** or ***specified anatomical areas*** for observation by patrons;

(3) the operation of coin or slug operated or electronically, electrically or mechanically controlled still or motion picture machines, projectors or other image producing devices to show images to five (5) or fewer persons per machine at any one time and where the images so displayed are distinguished or characterized by an emphasis on depicting or describing ***specified sexual activities*** or ***specified anatomical areas***;

(4) live performance by topless and/or bottomless dancers, go-go dancers, exotic dancers, strippers, or similar entertainers, where such performances are distinguished or characterized by an emphasis on ***specified sexual activities*** or ***specified anatomical areas***; and

(5) the operation of a ***massage*** establishment.

SETBACK. A space that lies between a ***primary use building***, or an ***accessory use***, or an ***open use***, or a ***parking area***, or the leading edge of a ***sign*** and the nearest ***lot line***, that is open and unobstructed except for required ***bufferyards***, or as otherwise authorized by this ordinance

SHARED HOUSING. Any ***dwelling unit*** which the owner allows to be occupied by unrelated persons living as a single ***housekeeping unit***, provided that the number of occupants does not exceed twice the number of ***bedrooms***, and that the total number of occupants does not exceed 4 regardless of the number of ***bedrooms***.

SHELTERED WORKSHOP AND REHABILITATION CENTER. An establishment primarily engaged in providing supervised production and vocational training tasks for adults with disabilities or special needs, along with life skills training and specialized therapies to address the habilitation/rehabilitation needs of children and adults with disabilities or special needs.

SHRUB. A woody deciduous or evergreen plant, smaller than a ***tree***, consisting of several small stems from the ground or small branches near the ground.

SIDE LOT LINE. A lot boundary line other than a ***front*** or ***rear lot line***.

SIDE SETBACK. An open space extending a ***lot***'s full length, measured as the shortest distance between the ***side lot line*** and the nearest exterior wall of the ***lot***'s ***primary use building*** and ***accessory buildings***.

SIGN. Any device, fixture, placard, or ***structure*** that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public.

SIGNAGE. A ***sign*** or a package of ***signs*** on a ***sign-lot***.

SIGN AREA ASSURANCE. The least area of ***signage*** to which a ***primary use*** is entitled. It is equal to the ***zonal base rate***, except for:

(1) ***primary use buildings*** with more than 15000 sq.ft. of ground floor area in NBU and MR ***zones***; and

(2) ***primary use buildings*** with more than 20000 sq.ft. of ground floor area in all other ***commercial*** and ***industrial zones***,

where **SIGN AREA ASSURANCE** is equal to 0.2% of ground floor area of the ***primary use building***.

SIGN AREA CAP. The maximum sign area to which a ***primary use*** is entitled in situations where the calculated maximum sign area per ***sign-lot*** exceeds 6% of the ground floor area of the ***primary use building***. In such situations, the maximum sign area is capped at 6% of the ground floor area of the ***primary use building***, but in no case less than the ***zonal base rate***.

SIGN-LOT. For purposes of determining ***sign*** requirements, a piece of land in single ownership that is of sufficient size to meet minimum zoning requirements for area, coverage, and ***use***, and that can provide such ***setbacks*** and other open spaces as required by this ordinance. For tracts without ***street frontage***, the **SIGN-LOT** includes the access easement that connects the tract to the public ***right-of-way***. (Amend 20)

SINGLE-FAMILY DWELLING. A ***building***, on a separate ***lot***, containing one ***dwelling unit***.

SITE PLAN. A drawing, showing accurately and with complete dimensioning, the boundaries of a site and location of all ***buildings***, ***structures***, ***uses*** and principal site development features proposed for a specific piece of land.

SOUND LEVEL METER. An electronic instrument that includes a microphone, output meter and amplifier, and measures sound pressure levels.

SPECIAL EXCEPTION. The authorization of a ***use*** that is designated as such by this ordinance as being permitted in the ***zone*** concerned if it meets special conditions, and upon application, is specifically authorized by the Area Board of Zoning Appeals.

SPECIFIED ANATOMICAL AREAS. Includes any of the following:
(1) less than completely and opaquely covered human genitals, pubic region, buttocks, anus or female breasts below a point immediately above the top of the areola; or
(2) human male genitals in a discernibly turgid state, even if completely and opaquely covered.

SPECIFIED SEXUAL ACTIVITIES. Includes any of the following:
(1) human genitals in a state of sexual stimulation or arousal;
(2) acts of human masturbation, sexual intercourse or sodomy;
(3) fondling or other erotic touchings of human genitals, pubic regions, buttocks or female breasts;
(4) flagellation or torture in the context of a sexual relationship;
(5) masochism, erotic or sexually oriented torture, beating or the infliction of pain;
(6) erotic touching, fondling or other such contact with an animal by a human being; or
(7) human excretion, urination, menstruation, vaginal or anal irrigation as part of or in connection with any of the activities set forth in (1) through (6) above.

STANDARD PLANT UNIT. One of a number of alternative planting schemes used to landscape required ***bufferyards***.

STATE AGENCY. All boards, commissions, departments, and institutions, including Purdue University and other state educational institutions of the State of Indiana created pursuant to legislative acts.

STOOP. An unroofed outdoor staircase and/or small platform whose sole purpose is to provide access to the entrance of a ***building***.

STORY. That habitable portion of a ***building*** included between the upper surface of any floor (having a floor level not more than 4' below grade for more than 50% of its perimeter, or more than 8' at any point), and either the upper surface of the next floor above it, or if there is no floor above it, the ceiling or roof above it.

STREET. A strip of land or way subject to vehicular traffic (as well as pedestrian traffic) that provides direct or indirect access to property,

including, but not limited to, avenues, boulevards, courts, drives, highways, lanes, ***places***, ***roads***, or other thoroughfares.

STREET FRONTAGE. The distance for which a ***lot line*** of a ***lot*** or ***sign-lot*** adjoins a ***public street***, from one ***lot line*** intersecting that ***street*** to the furthest distant ***lot line*** intersecting the same ***street***.

STRUCTURAL ALTERATION. Any change in either the supporting members of a ***building***, such as bearing walls, columns, beams, or girders, or in the dimensions or configurations of the roof or exterior walls.

STRUCTURAL PROJECTION. A part of a ***primary use building*** that may extend into a minimum ***setback***.

STRUCTURE. Anything constructed or erected that requires location on or in the ground or attachments to something having a location on or in the ground.

SUBDIVISION. The division of a ***parent tract*** or other piece of land into at least two (2) smaller lots so that either now or in the future the subdivider can do any of the following with one or more of the subdivided ***lots***:

(1) transfer ownership
(2) construct ***buildings***
(3) create new building sites for leasehold.

The actual location, shape and size of a ***parent tract*** to be divided is determined by the official record of the last transfer of its ownership transacted before the *Unified Subdivision Ordinance of Tippecanoe County* was enacted or by its last conditional transfer of ownership by recorded contract transacted before the *Unified Subdivision Ordinance of Tippecanoe County* was enacted. The following kinds of divisions are not **SUBDIVISIONS** and are exempt from the rules of the *Unified Subdivision Ordinance of Tippecanoe County*:

(A) A division of land into two (2) or more tracts all of which are at least ten (10) acres in size;
(B) A division of land for the transfer of a tract or tracts to correct errors in an existing legal description, provided that no additional ***primary use building*** sites are created by the division;
(C) A division of land pursuant to an allocation of land in the settlement of a decedent's estate or a court decree for the distribution of property;
(D) A division of land for federal, state or local government to acquire street ***right-of-way***; and
(E) A division of land for the transfer of a tract or tracts between adjoining lots provided that no additional ***primary use building*** sites are

created by the division. The lots so created hereunder shall have only one ***primary use building*** site each.

Additionally, any division of land complying fully with subsection 3.5 of the *Unified Subdivision Ordinance of Tippecanoe County* is not a **SUBDIVISION** and shall be called a ***parcelization***. (Amend 27)

SUBDIVISION DEVELOPMENT SIGN. A ***sign*** subject to the requirements of 4-8-11 advertising the initial sale of vacant ***lots*** and/or spec buildings within a ***subdivision***. (Amend 14)

SUBSTANTIALLY DAMAGED. A ***nonconforming building, structure, use*** or ***mobile home*** in the Flood Plain (FP) ***zone*** shall be considered to be **SUBSTANTIALLY DAMAGED** when damage of any origin is sustained by the ***building, structure, use*** or ***mobile home,*** whereby the cost of restoring it to its pre-damaged condition would equal or exceed 50% of the market value of the ***building, structure, use*** or ***mobile home*** before the damage occurred.

SUSPENDED SIGN. A ***sign*** that is suspended from the underside of a horizontal plane surface and is supported by such surface.

SWIMMING POOL. (LAFAYETTE, WEST LAFAYETTE, BATTLE GROUND, CLARKS HILL, DAYTON) A temporary or permanent in-ground or above ground water-filled enclosure containing filtration and/or pumping equipment and/or having or providing for a water depth of at least 2' at any point, designed, used and maintained for swimming, diving, bathing or soaking. Hot tubs, spas, lap pools, whirlpool baths and tubs, and Jacuzzi-type baths and tubs shall also be considered **SWIMMING POOLS** if located outdoors. Temporary wading pools, consisting of only an enclosure capable of holding less than 2' of water throughout, shall not be considered **SWIMMING POOLS**, nor shall permanent decorative or reflecting pools not designed or used for swimming, diving, bathing or soaking.

SWIMMING POOL. (TIPPECANOE COUNTY) Either an in-ground water-filled enclosure, or an above ground water filled enclosure that can be defined as a ***structure*** (a deck makes an above ground **SWIMMING POOL** a ***structure***), designed used and maintained for swimming, diving, bathing or soaking. Hot tubs, spas, lap pools, whirlpool baths and tubs, and Jacuzzi-type baths and tubs shall also be considered **SWIMMING POOLS** if located outdoors and otherwise meeting the requirements of the first sentence above. A temporary wading pool, consisting of only an enclosure capable of holding water, shall not be considered a **SWIMMING POOL**, nor shall permanent decorative or reflecting pool not designed or used for swimming, diving, bathing or soaking.

TEMPORARY SIGN. Any ***building sign*** that is used only temporarily, and is not permanently mounted. It shall be attached to a ***building***.

TENT. A shelter designed to provide temporary quarters for travel, recreation or camping, with at least some portion of its walls and/or roof made of, or covered or protected by, canvas or any other fabric material.

THROUGH LOT. A ***lot*** fronting on two parallel or approximately parallel ***streets***.

TRASH TRANSFER STATION. A facility at which solid waste is transferred from a vehicle or a container to another vehicle or container for transportation. This does not include either a ***recycling collection facility***, or a ***recycling processing facility***.

TREE. A large, woody plant having one or several self-supporting stems or trunks and numerous branches. It may be classified as deciduous or evergreen.

TRUCK STOP. Any retail facility that dispenses motor fuels to the general public primarily for use in trucks and other commercial vehicles. This facility may sell other merchandise (motor oil, tires, batteries, parts, etc.), perform maintenance, servicing and repair work, and provide overnight accommodations and food service primarily for the use of truck crews.

TRUCK TIRE MOBILE SALES AND SERVICE. A facility serving the trucking industry predominantly by delivering and installing on the Interstate or other roads and streets, new or retread tires to trucks that have suffered tire damage.

TWO-FAMILY DWELLING. A ***building***, on a separate ***lot***, containing two ***dwelling units***.

UNDERSTORY. A landscape element which functions as a barrier or "wall", used to block or screen the view into or out of a site.

UNIVERSITY-PROXIMATE RESIDENCE. Any newly constructed or converted ***dwelling unit*** within the corporate limits of the City of West Lafayette, lying south of Stadium Avenue extended to the Wabash River, or north of Stadium Avenue to the centerline of Meridian Street between the centerlines of Grant Street and Northwestern Avenue, for which an ***improvement location permit*** has been obtained subsequent to the adoption of this definition.

URBAN AREA. Land that falls within:
(1) the 2000 urbanized area designated by the United States Bureau of Census (See Appendix F-1); or
(2) an incorporated city or town. (Amend 29)

URBANIZED SEWERED AREA. Older developed parts of the cities and incorporated towns designated by map in Appendix A.

USE. The employment or occupation of a ***building***, ***structure*** or land for a person's service, benefit or enjoyment.

USE VARIANCE. The approval of a ***primary use*** other than that prescribed by the zoning ordinance for that ***zone***, such as ***density*** capped in another ***zone***, the granting of which is prohibited by law. (Amend 18)

VARIANCE. A specific approval granted by the Area Board of Zoning Appeals (***ABZA***) or its Lafayette Division (***ABZA-LD***) in the manner prescribed by this ordinance, to deviate from the development standards (such as height, bulk, area) that the ordinance otherwise prescribes.

VEGETATIVE COVER: Pervious surface supporting plant materials.

VISION SETBACK. A triangular open space at the intersection of certain ***streets***, certain ***alleys*** and ***streets***, and certain driveways and ***streets***, within which nothing can be erected, parked, placed, planted or allowed to grow in such a way as to materially impede drivers' vision between 2.5' and 8' above grade, row crops excluded.

WALL SIGN. Any ***sign*** attached parallel to, but within six inches of, a wall, painted on the wall surface of, or erected and confined within the limits of an outside wall of any ***building*** or ***structure***, which is supported by such wall or ***building***, and which displays only one ***sign*** surface.

WINDOW SIGN. Any ***sign***, picture, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service, that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window.

WINERY. An establishment which is primarily engaged in one or more of the following: (1) growing grapes and manufacturing wines and brandies; (2) manufacturing wines and brandies from grapes and other fruits grown elsewhere; (3) blending wines and brandies; and (4) bottling wines and brandies (See Footnote 58). In addition, a winery may include offices, reception area, indoor tasting rooms, outdoor tasting patio and/or deck,

and a sales room where wine made or bottled on-premise and wine-related items produced or manufactured elsewhere may be sold.

A winery may provide tours, and hold private and public events. Private events, those limited to attendance by invitation or reservation, and public events, those open to the public without the requirement of an invitation or reservation at which entertainment, either a spectator or participatory event, is provided as the main attraction, are permitted subject to Footnote 58.

Unless located in a zone that also permits eating and drinking places as a primary use, a winery may only serve food prepared by an off-premises caterer and may not include a restaurant. Wineries are also subject to all Federal and Indiana statutes and rules governing these activities. Growing grapes without manufacturing wine is a vineyard and is classified in SIC 0172, a part of Agricultural Production - Crops. Distribution of wine and brandy without bottling is classified in SIC 5182, a part of Wholesale Trade – Nondurable Goods. (Amend 43)

ZERO-LOT-LINE (ZLL) DWELLING. A ***building***, on a separate ***lot***, containing one ***dwelling unit*** built so that one or more of the ***building***'s sides rest directly on a ***lot line***.

ZONAL BASE RATE. The area of ***signage*** which is multiplied by various factors to determine the maximum sign area per ***sign-lot***. The **ZONAL BASE RATE** is:

(1) 6 sq.ft. in R1, R1A, R1B, R1U, R1Z, R2, R2U and RE ***zones***;
(2) 20 sq.ft. in R3, R3U, R3W, and R4W ***zones*** and for institutional ***uses*** (SIC 801-972) permitted under 3-2 below in ***residential, rural*** and ***flood plain zones***;
(3) 30 sq.ft. in NBU and MR ***zones***;
(4) 40 sq.ft. in NB, OR, GB, HB, CB, CBW, I1, I2 and I3 ***zones***; and
(5) 10 sq.ft. in A, AA, AW, and FP ***zones***. (Amend. 27)

ZONE. A specifically delineated area or district within which regulations and requirements uniformly govern the ***use***, placement, spacing and size of land and ***buildings***.

2 *ZONE* REGULATIONS

R1	**2-1 SINGLE-FAMILY RESIDENTIAL ZONES**	**R1**
2-1-1	**INTENT:**	To provide areas for low ***density single-family dwellings***.
2-1-2	**PERMITTED *USES* AND *STRUCTURES*:**	***Primary uses***: see 3-2 ***Accessory uses***: see 4-1
2-1-3	***USES* AND *STRUCTURES* ALLOWED BY *SPECIAL EXCEPTION*:**	***Primary uses***: see 3-2
2-1-4	**MINIMUM *LOT AREA*:**	**Served by sanitary sewer** - 10000 sq.ft. **Not served by sanitary sewer** - as determined by the Tippecanoe County Health Department (and the Division of Sanitary Engineering, Indiana State Department of Health except for ***single-*** and ***two-family residences***), on a lot-by-lot basis, but in no case less than 30,000 sq.ft. (Amend 31) See 4-3 for additional information
2-1-5	**MINIMUM *LOT WIDTH*:**	**Served by sanitary sewer** - 75' except on lots with a 50' radius across the entire front measured at the property line, which can be 65' at the building setback (Amend 44) **Not served by sanitary sewer** - as determined by the Tippecanoe County Health Department (and the Division of Sanitary Engineering, Indiana State Department of Health except for ***single-*** and ***two-family residences***), on a lot-by-lot basis, but in no case less than the requirement for ***uses*** served by sanitary sewer See 4-3 for additional information
2-1-6	***LOT COVERAGE*:**	**Maximum coverage by all *buildings*** - 30% (Amend 44) **Minimum *vegetative cover*** - 40%
2-1-7	**MINIMUM *FRONT*, *REAR* OR *SIDE SETBACK* ALONG *STREET FRONTAGE*:** (Amend 8)	**Along a *local street* or *place*** - 25' **Along a *collector street*** - 30' **Along a *secondary arterial*** - 40' **Along a *primary arterial*** - 60' See 4-4 for exceptions

R1	**2-1 SINGLE-FAMILY RESIDENTIAL ZONES, cont'd.**	**R1**
2-1-8	**MINIMUM *REAR SETBACK* NOT ALONG *STREET FRONTAGE*:**	***Primary use building*** - 25' ***Accessory building*** - 10' See 4-4 for additional information
2-1-9	**MINIMUM *SIDE SETBACK* NOT ALONG *STREET FRONTAGE*:**	6' See 4-4 for additional information
2-1-10	**MAXIMUM *BUILDING HEIGHT*:** (Amend 10)	35' (or to the original height if being repaired, restored or rehabilitated) See 4-5 for exceptions
2-1-11	**MINIMUM OFF-STREET PARKING REQUIREMENTS:**	**Residential *use*:** 2 spaces per ***dwelling unit*** **Nonresidential *use*:** See 3-2 and 4-6-3
2-1-12	**ON-PREMISE *SIGNS*:**	See 4-8
2-1-13	**BUFFERING REQUIREMENTS:**	See 4-9

R1A	**2-2 SINGLE-FAMILY RESIDENTIAL ZONES**	**R1A**
2-2-1	**INTENT:**	To provide areas for low and medium ***density single-family dwellings***.
2-2-2	**PERMITTED *USES* AND *STRUCTURES*:**	***Primary uses***: see 3-2 ***Accessory uses***: see 4-1
2-2-3	***USES* AND *STRUCTURES* ALLOWED BY *SPECIAL EXCEPTION*:**	***Primary uses***: see 3-2
2-2-4	**MINIMUM *LOT AREA*:**	**Served by sanitary sewer** - 7500 sq.ft. **Not served by sanitary sewer** - as determined by the Tippecanoe County Health Department (and the Division of Sanitary Engineering, Indiana State Department of Health except for ***single-*** and ***two-family residences***), on a lot-by-lot basis, but in no case less than 30,000 sq.ft. (Amend 31) See 4-3 for additional information

R1A	**2-3 SINGLE-FAMILY RESIDENTIAL ZONES, cont'd.**	**R1A**
2-2-5	**MINIMUM *LOT WIDTH*:**	**Served by sanitary sewer** - 60' (Amend 44) **Not served by sanitary sewer** - as determined by the Tippecanoe County Health Department (and the Division of Sanitary Engineering, Indiana State Department of Health except for ***single-*** and ***two-family residences***), on a lot-by-lot basis, but in no case less than the requirement for ***uses*** served by sanitary sewer See 4-3 for additional information
2-2-6	***LOT COVERAGE*:**	**Maximum coverage by all *buildings*** - 30% (Amend 44) **Minimum *vegetative cover*** - 40%
2-2-7	**MINIMUM *FRONT*, *REAR* OR *SIDE SETBACK* ALONG *STREET FRONTAGE*:** (Amend 8)	**Along a *local street* or *place*** - 25' **Along a *collector street*** - 30' **Along a *secondary arterial*** - 40' **Along a *primary arterial*** - 60' See 4-4 for exceptions
2-2-8	**MINIMUM *REAR SETBACK* NOT ALONG *STREET FRONTAGE*:**	***Primary use building*** - 25' ***Accessory building*** - 10' See 4-4 for additional information
2-2-9	**MINIMUM *SIDE SETBACK* NOT ALONG *STREET FRONTAGE*:**	6' See 4-4 for additional information
2-2-10	**MAXIMUM *BUILDING HEIGHT*:** (Amend 10)	35' (or to the original height if being repaired, restored or rehabilitated) See 4-5 for exceptions
2-2-11	**MINIMUM OFF-STREET PARKING REQUIREMENTS:**	**Residential *use*:** 2 spaces per ***dwelling unit*** **Nonresidential *use*:** See 3-2 and 4-6-3
2-2-12	**ON-PREMISE *SIGNS*:**	See 4-8
2-2-13	**BUFFERING REQUIREMENTS:**	See 4-9

R1B	**2-3 SINGLE-FAMILY RESIDENTIAL ZONES**	**R1B**
2-3-1	**INTENT:**	To provide areas for low, medium and relatively high ***density single-family dwellings***.
2-3-2	**PERMITTED *USES* AND *STRUCTURES*:**	***Primary uses***: see 3-2 ***Accessory uses***: see 4-1
2-3-3	***USES* AND *STRUCTURES* ALLOWED BY *SPECIAL EXCEPTION*:**	***Primary uses***: see 3-2
2-3-4	**MINIMUM *LOT AREA*:**	**Served by sanitary sewer** - 6000 sq.ft. **Not served by sanitary sewer** - as determined by the Tippecanoe County Health Department (and the Division of Sanitary Engineering, Indiana State Department of Health except for ***single-*** and ***two-family residences***), on a lot-by-lot basis, but in no case less than 30,000 sq.ft. (Amend 31) See 4-3 for additional information
2-3-5	**MINIMUM *LOT WIDTH*:**	**Served by sanitary sewer** - 50' (Amend 44) **Not served by sanitary sewer** - as determined by the Tippecanoe County Health Department (and the Division of Sanitary Engineering, Indiana State Department of Health except for ***single-*** and ***two-family residences***), on a lot-by-lot basis, but in no case less than the requirement for ***uses*** served by sanitary sewer See 4-3 for additional information
2-3-6	***LOT COVERAGE*:**	**Maximum coverage by all *buildings*** - 35% (Amend 44) **Minimum *vegetative cover*** - 35%
2-3-7	**MINIMUM *FRONT*, *REAR* OR *SIDE SETBACK* ALONG *STREET FRONTAGE*:** (Amend 8)	**Along a *local street* or *place*** - 25' **Along a *collector street*** - 30' **Along a *secondary arterial*** - 40' **Along a *primary arterial*** - 60' See 4-4 for exceptions

R1B	**2-3 SINGLE-FAMILY RESIDENTIAL ZONES, cont'd.**	**R1B**
2-3-8	**MINIMUM *REAR SETBACK* NOT ALONG *STREET FRONTAGE*:**	***Primary use building*** - 25' ***Accessory building*** - 10' See 4-4 for additional information
2-3-9	**MINIMUM *SIDE SETBACK* NOT ALONG *STREET FRONTAGE*:**	5' (Amend 44) See 4-4 for additional information
2-3-10	**MAXIMUM *BUILDING HEIGHT*:** (Amend 10)	35' (or to the original height if being repaired, restored or rehabilitated) See 4-5 for exceptions
2-3-11	**MINIMUM OFF-STREET PARKING REQUIREMENTS:**	**Residential *use*:** 2 spaces per ***dwelling unit*** **Nonresidential *use*:** See 3-2 and 4-6-3
2-3-12	**ON PREMISE *SIGNS*:**	See 4-8
2-3-13	**BUFFERING REQUIREMENTS:**	See 4-9

R1U	**2-4 SINGLE-FAMILY RESIDENTIAL ZONES**	**R1U**
2-4-1	**INTENT:**	To preserve and protect older developed parts of the community by providing areas for medium and relatively high ***density single-family dwellings*** on older platted lots in ***urbanized sewered areas*** of the cities and incorporated towns.
2-4-2	**PERMITTED *USES* AND *STRUCTURES*:**	***Primary uses***: see 3-2 ***Accessory uses***: see 4-1
2-4-3	***USES* AND *STRUCTURES* ALLOWED BY *SPECIAL EXCEPTION*:**	***Primary uses***: see 3-2
2-4-4	**MINIMUM *LOT AREA*:**	4000 sq.ft. See 4-3 for additional information
2-4-5	**MINIMUM *LOT WIDTH*:**	40' See 4-3 for additional information
2-4-6	***LOT COVERAGE*:**	**Maximum coverage by all *buildings*** - 40% (Amend 44) **Minimum *vegetative cover*** - 30%
2-4-7	**MINIMUM *FRONT*, *REAR* OR *SIDE SETBACK* ALONG *STREET FRONTAGE*:** (Amend 8)	15' (See 4-4-1 regarding Averaging ***Setbacks*** along ***Street Frontages*** See 4-4 for additional information) (Amend 30)

R1U	**2-4 SINGLE-FAMILY RESIDENTIAL ZONES, cont'd.**	**R1U**
2-4-8	**MINIMUM *REAR SETBACK* NOT ALONG *STREET FRONTAGE*:**	***Primary use building*** - 20' (Amend 30) ***Accessory building*** - 6' See 4-4 for additional information
2-4-9	**MINIMUM *SIDE SETBACK* NOT ALONG *STREET FRONTAGE*:**	***Primary use building*** - 6' ***Accessory building*** - 4' See 4-4 for additional information
2-4-10	**MAXIMUM *BUILDING HEIGHT*:** (Amend 10)	35' (or to the original height if being repaired, restored or rehabilitated) See 4-5 for exceptions
2-4-11	**MINIMUM OFF-STREET PARKING REQUIREMENTS:**	**Residential *use*:** 2 spaces per ***dwelling unit*** **Nonresidential *use*:** See 3-2 and 4-6-3
2-4-12	**ON PREMISE *SIGNS*:**	See 4-8
2-4-13	**BUFFERING REQUIREMENTS:**	See 4-9

R1Z	**2-5 ZERO LOT LINE (ZLL) SINGLE-FAMILY RESIDENTIAL ZONES**	**R1Z**
2-5-1	**INTENT:**	To provide areas for new, detached, medium and relatively high density ***zero-lot-line (ZLL) single-family dwellings***, served by sanitary sewers. This configuration moves the outdoor focus from the rear to the side of a lot. It requires one larger ***side setback***, rather than two smaller ones. A larger ***side setback***, in concert with a suitably designed interior, maximizes the functional, private outdoor space of a relatively small residential ***lot***.
2-5-2	**PERMITTED *USES* AND *STRUCTURES*:**	***Primary uses***: see 3-2 ***Accessory uses***: see 4-1
2-5-3	***USES* AND *STRUCTURES* ALLOWED BY *SPECIAL EXCEPTION*:**	***Primary uses***: see 3-2
2-5-4	**MINIMUM *LOT AREA*:**	5000 sq.ft. See 4-3 for additional information

R1Z	2-5 ZERO LOT LINE (ZLL) SINGLE-FAMILY RESIDENTIAL ZONES. cont'd.	R1Z
2-5-5	**MINIMUM *LOT WIDTH*:**	***Perimeter lot*** - 60' (48' in ***urbanized sewered areas***) **Nonperimeter lot** - 48' See 4-3 for additional information
2-5-6	***LOT COVERAGE*:**	**Maximum coverage by all *buildings*** - 40% **Minimum *vegetative cover*** - 30%
2-5-7	**MINIMUM *FRONT*, *REAR* OR *SIDE SETBACK* ALONG *STREET FRONTAGE*:** (Amend 8)	**Along a *local street* or *place:*** ***perimeter lot*** - 25' **nonperimeter lot** - 20' **Along a *collector street*** - 30' **Along a *secondary arterial*** - 40' **Along a *primary arterial*** - 60' See 4-4 for exceptions
2-5-8	**MINIMUM *REAR SETBACK* NOT ALONG *STREET FRONTAGE*:**	***Primary use building*:** **abutting R1Z *zone*** - 10' **abutting any other *zone*** - 20' ***Accessory building*:** **abutting R1Z, R1U, R2U, R3U** - 6' **abutting any other *zone*** - 10' See 4-4 for additional information
2-5-9	***SIDE SETBACK*:**	***Primary use building*:** **non-ZLL side:** ***perimeter lot*** - 17' minimum (12' in ***urbanized sewered area***) **nonperimeter lot** - 12' minimum **ZLL side** - none permitted, except: (a) Where the ZLL side of an R1Z-zoned ***lot*** abuts any ***lot*** not zoned R1Z, a second ***side setback***, this one of 6', is required. (2-5-14-a below does not apply to the wall located on this ***side setback***.) (b) For a ***corner lot***, where the shared ***side lot line*** has been designated the ZLL side for the adjoining lot, the ***corner lot***'s street ***side setback*** is designated the ZLL

R1Z	2-5 ZERO LOT LINE (ZLL) SINGLE-FAMILY RESIDENTIAL ZONES, cont'd.	R1Z
		side, from which no further ***setback*** is permitted. (2-5-14-a below does not apply to the wall located on this ***side setback***.) ***Accessory building*:** **ZLL side** - none required **non-ZLL side**: ***perimeter lot*** - 10' minimum (6' in ***urbanized sewered area***) **nonperimeter lot** - 6' minimum See 4-4 for additional information
2-5-10	**MAXIMUM *BUILDING HEIGHT*:**	35' See 4-5 for exceptions
2-5-11	**MINIMUM OFF-STREET PARKING REQUIREMENTS:**	2 spaces per ***dwelling unit***
2-5-12	**ON PREMISE *SIGNS*:**	See 4-8
2-5-13	**BUFFERING REQUIREMENTS:**	See 4-9

2-5-14 DESIGN REQUIREMENTS:

To ensure privacy, separation, and a useful interface between indoor and outdoor spaces, and to ensure compatibility with surrounding land ***uses***, the following design elements are required for all R1Z ZLL ***dwellings***:

(a) The wall of a ***dwelling*** located on a shared ***side lot line*** shall be free of doors, other openings, air conditioning units, utility meters and faucets. This wall shall also contain no windows, except for ones made entirely of obscure glass and located at least 6' above any inside floor other than a basement floor. No dormer shall overlook the adjacent ***side setback***. Roof eaves (including gutters) may extend 2' over the shared ***side lot line***, but gutters and downspouts shall direct rainwater back to the ***lot*** that the ***dwelling*** is built on.

(b) A ***rear lot line*** cannot also serve as a ***side lot line*** for another ***lot***.

(c) An ***atrium*** along the shared ***side lot line***, enclosed on 3 sides by the ***dwelling***, shall be enclosed along that ***lot line*** by a solid wall, at least 8' high, built of the same material as the outside of the ***dwelling***.

(d) An offset along the shared ***side lot line***, at either the front or rear of the ***dwelling***, shall also be enclosed along that ***side lot line*** by a solid wall, at least 8' high, continuous with and built of the same material as the outside of the ***dwelling***. This wall shall extend along the ***side lot line*** the full length of the offset.

(e) Closure shall be provided for the required non-ZLL ***side setback***, at the ***front setback***, along at least 75% of the width of the ***side setback***. This closure shall be 3-5' high, and may consist of a wall, or solid fence, or continuous landscape material. In addition, for a ***corner lot*** with a required non-ZLL ***side setback*** that abuts a ***street***, this same kind of closure shall be provided along at least 50% of the length of the street ***side setback***.

(f) Along the shared ***side lot line***, continuous with the rear of the ***dwelling*** (or the end of its rear offset wall) a solid wall, at least 8' high and built of the same material as the outside of the ***dwelling***, shall be extended an additional 6'.

(g) To better integrate the ***dwelling***'s interior and exterior spaces, one or more doors shall be provided which open directly onto the required non-ZLL ***side setback*** from rooms other than the garage or storage or utility areas. Two options are available:

(1) at least one door, if it is part of a window and door assembly at least 8' wide, which can be seen through substantially from top to bottom; or

(2) at least 2 doors, other than the kind described in (1), from 2 different rooms.

(h) Regardless of other design requirements, R1Z dwelling units must comply with all relevant building codes.

2-5-15 *SUBDIVISION* OF PROPOSED R1Z SITES:

(a) All requests for R1Z zoning shall be accompanied or preceded by a complete application for major sketch plan review.

(b) To help determine the appropriateness of the rezoning request, a sketch plan review, pursuant to the requirements of the Unified Subdivision Ordinance, shall be completed no less than a week before the public hearing on the rezoning request.

2-5 ZERO LOT LINE (ZLL) SINGLE-FAMILY RESIDENTIAL ZONES, cont'd.

R1Z **R1Z**

(c) An irrevocable ***easement***, 5' wide, shall be provided on the adjacent property, permitting access for maintenance purposes along the entire length of the wall on the ZLL side. This ***easement*** shall be kept clear of ***structures***. The ***easement*** shall be shown on the face of any ***plat***, made part of restrictive covenants, and included in any deed transferring title to the property.

2-6 SINGLE-FAMILY AND TWO-FAMILY RESIDENTIAL ZONES

R2 **R2**

2-6-1	**INTENT:**	To provide areas for medium ***density single-family*** and ***two-family residences***.
2-6-2	**PERMITTED *USES* AND *STRUCTURES*:**	***Primary uses***: see 3-2 ***Accessory uses***: see 4-1
2-6-3	***USES* AND *STRUCTURES* ALLOWED BY *SPECIAL EXCEPTION*:**	***Primary uses***: see 3-2
2-6-4	**MINIMUM *LOT AREA*:**	**Served by sanitary sewer:** ***Single-family dwelling*** - 7500 sq.ft. ***Two-family dwelling*** - 3750 sq.ft. per ***dwelling unit*** **Not served by sanitary sewer** - as determined by the Tippecanoe County Health Department (and the Division of Sanitary Engineering, Indiana State Department of Health except for ***single-*** and ***two-family residences***), on a lot-by-lot basis, but in no case less than 30,000 sq.ft. (Amend 31) See 4-3 for additional information
2-6-5	**MINIMUM *LOT WIDTH*:**	**Served by sanitary sewer** - 60' **Not served by sanitary sewer** - as determined by the Tippecanoe County Health Department (and the Division of

R2	2-6 SINGLE-FAMILY AND TWO-FAMILY RESIDENTIAL ZONES, cont'd.	R2
		Sanitary Engineering, Indiana State Department of Health except for ***single-*** and ***two-family residences***), on a lot-by-lot basis, but in no case less than the requirement for ***uses*** served by sanitary sewer See 4-3 for additional information
2-6-6	***LOT COVERAGE*:**	**Maximum coverage by all *buildings*** - 30% **Minimum *vegetative cover*** - 30%
2-6-7	**MINIMUM *FRONT*, *REAR* OR *SIDE SETBACK* ALONG *STREET FRONTAGE*:** (Amend 8)	**Along a *local street* or *place*** - 25' **Along a *collector street*** - 30' **Along a *secondary arterial*** - 40' **Along a *primary arterial*** - 60' See 4-4 for exceptions
2-6-8	**MINIMUM *REAR SETBACK* NOT ALONG *STREET FRONTAGE*:**	***Primary use building*** - 25' ***Accessory building*** - 10' See 4-4 for additional information
2-6-9	**MINIMUM *SIDE SETBACK* NOT ALONG *STREET FRONTAGE*:**	6' See 4-4 for additional information
2-6-10	**MAXIMUM *BUILDING HEIGHT*:** (Amend 10)	35' (or to the original height if being repaired, restored or rehabilitated) See 4-5 for exceptions
2-6-11	**MINIMUM OFF-STREET PARKING REQUIREMENTS:**	**Residential *use*:** 2 spaces per ***dwelling unit*** **Nonresidential *use*:** See 3-2 and 4-6-3
2-6-12	**ON PREMISE *SIGNS*:**	See 4-8
2-6-13	**BUFFERING REQUIREMENTS:**	See 4-9

R2U	2-7 SINGLE-FAMILY AND TWO-FAMILY RESIDENTIAL ZONES	R2U
2-7-1	**INTENT:**	To preserve and protect older developed parts of the community by providing areas for medium and relatively high ***density single-family*** and ***two-family dwellings*** on older

R2U	2-7 SINGLE-FAMILY AND TWO-FAMILY RESIDENTIAL ZONES, cont'd.	R2U
		platted lots in ***urbanized sewered areas*** of the cities and incorporated towns.
2-7-2	**PERMITTED *USES* AND *STRUCTURES*:**	***Primary uses***: see 3-2 ***Accessory uses***: see 4-1
2-7-3	***USES* AND *STRUCTURES* ALLOWED BY *SPECIAL EXCEPTION*:**	***Primary uses***: see 3-2
2-7-4	**MINIMUM *LOT AREA*:**	***Single-family dwelling*** - 4000 sq.ft. ***Two-family dwelling*** - 3000 sq.ft. per ***dwelling unit*** See 4-3 for additional information
2-7-5	**MINIMUM *LOT WIDTH*:**	***Single-family dwelling*** - 40' ***Two-family dwelling*** - 60' See 4-3 for additional information
2-7-6	***LOT COVERAGE*:**	**Maximum coverage by all *buildings*** - 35% **Minimum vegetative cover** - 30%
2-7-7	**MINIMUM *FRONT*, *REAR* OR *SIDE SETBACK* ALONG *STREET FRONTAGE*:** (Amend 8)	15' (See 4-4-1 regarding Averaging ***Setbacks*** along ***Street Frontages*** See 4-4 for additional information) (Amend 30)
2-7-8	**MINIMUM *REAR SETBACK* NOT ALONG *STREET FRONTAGE*:**	***Primary use building*** - 20' (Amend 30) ***Accessory building*** - 6' See 4-4 for additional information
2-7-9	**MINIMUM *SIDE SETBACK* NOT ALONG *STREET FRONTAGE*:**	***Primary use building*** - 6' ***Accessory building*** - 4' See 4-4 for additional information
2-7-10	**MAXIMUM *BUILDING HEIGHT*:** (Amend 10)	35' (or to the original height if being repaired, restored or rehabilitated) See 4-5 for exceptions
2-7-11	**MINIMUM OFF-STREET PARKING REQUIREMENTS:**	**Residential *use*:** 2 spaces per ***dwelling unit*** **Nonresidential *use*:** See 3-2 and 4-6-3
2-7-12	**ON PREMISE *SIGNS*:**	See 4-8
2-7-13	**BUFFERING REQUIREMENTS:**	See 4-9

R3	2-8 SINGLE-FAMILY, TWO-FAMILY AND MULTI-FAMILY RESIDENTIAL ZONES	R3
2-8-1	**INTENT:**	To provide areas for relatively high ***density single-family, two-family*** and ***multi-family dwellings*** and ***mobile home parks / manufactured home communities*** (in unincorporated areas), in places other than West Lafayette served by sanitary sewer. ***Zone*** regulations specific to ***mobile home parks / manufactured home communities*** are found in 5-4 below.
2-8-2	**PERMITTED *USES* AND *STRUCTURES*:**	***Primary uses***: see 3-2 ***Accessory uses***: see 4-1
2-8-3	***USES* AND *STRUCTURES* ALLOWED BY *SPECIAL EXCEPTION*:**	***Primary uses***: see 3-2
2-8-4	**MINIMUM *LOT AREA*:**	***Single-family dwelling*** - 6000 sq.ft. ***Two-family dwelling*** - 3000 sq.ft. per ***dwelling unit*** ***Multi-family dwelling*** - 2000 sq.ft. per each of the first 3 ***dwelling units***, then 1000 sq.ft. per each ***dwelling unit*** above 3. See 4-3 for additional information
2-8-5	**MINIMUM *LOT WIDTH*:**	***Single-* and *two-family dwelling*** - 60' ***Multi-family dwelling*** - 70' See 4-3 for additional information
2-8-6	***LOT COVERAGE*:**	**Maximum coverage by all *buildings*** - 40% **Minimum *vegetative cover*** - 30%
2-8-7	**MINIMUM *FRONT*, *REAR* OR *SIDE SETBACK* ALONG *STREET FRONTAGE*:** (Amend 8)	**Along a *local street* or *place*** - 25' **Along a *collector street*** - 30' **Along a *secondary arterial*** - 40' **Along a *primary arterial*** - 60' See 4-4 for exceptions
2-8-8	**MINIMUM *REAR SETBACK* NOT ALONG *STREET FRONTAGE*:**	***Primary use building*** - 25' ***Accessory building*** - 10' See 4-4 for additional information
2-8-9	**MINIMUM *SIDE SETBACK* NOT ALONG *STREET FRONTAGE*:**	6' See 4-4 for additional information

R3	2-8 SINGLE-FAMILY, TWO-FAMILY AND MULTI-FAMILY RESIDENTIAL ZONES, cont'd.	R3
2-8-10	**MAXIMUM *BUILDING HEIGHT*:** (Amend 10)	35' (or to the original height if being repaired, restored or rehabilitated) See 4-5 for exceptions
2-8-11	**MINIMUM OFF-STREET PARKING REQUIREMENTS:**	**Residential *use*:** ***Single-* and *two-family*:** 2 spaces per ***dwelling unit*** ***Multi-family* (LAFAYETTE):** 1.50 per ***efficiency*** and 1-***BR*** unit 1.75 per 2-***BR*** unit 2.00 per 3+***BR*** unit ***Multi-family* (TIPP. CO, DTN, BG, CH):** 2 spaces per ***dwelling unit*** (Amend 1) **Nonresidential *use*:** See 3-2 and 4-6-3
2-8-12	**ON PREMISE *SIGNS*:**	See 4-8
2-8-13	**BUFFERING REQUIREMENTS:**	See 4-9

R3U	2-9 SINGLE-FAMILY, TWO-FAMILY AND MULTI-FAMILY RESIDENTIAL ZONES	R3U
2-9-1	**INTENT:**	To preserve and protect older developed parts of the community by providing areas for relatively high ***density single-family*** and ***two-family dwellings***, and appropriate numbers of ***multi-family dwellings***, the latter at ***density*** levels less than or equal to the maximum established in 2-9-4 below, on older platted lots in ***urbanized sewered areas*** of Lafayette and the incorporated towns.
2-9-2	**PERMITTED *USES* AND *STRUCTURES*:**	***Primary uses***: see 3-2 ***Accessory uses***: see 4-1
2-9-3	***USES* AND *STRUCTURES* ALLOWED BY *SPECIAL EXCEPTION*:**	***Primary uses***: see 3-2

2-9 SINGLE-FAMILY, TWO-FAMILY AND MULTI-FAMILY RESIDENTIAL ZONES, cont'd.

R3U **R3U**

2-9-4	**MAXIMUM *DENSITY* OF *MULTI-FAMILY DWELLING UNITS* PER ACRE:**	**Type A units (825 sq.ft. and up)** - 15 **Type B units (650 to 824 sq.ft.)** - 21 **Type C units (470 to 649 sq.ft.)** - 37 **Type D units (under 470 sq.ft.)** - 53 ***Efficiencies* (under 350 sq.ft.)** - 62

For ***developments*** containing more than one ***multi-family dwelling*** type, maximum ***density*** shall be calculated by formula:

$$\frac{A + .71B + .40C + .28D + .24E}{\text{Acres}} = 15.00$$

where **A**, **B**, **C**, **D**, and **E** equal the number of Type A, Type B, Type C, Type D and ***Efficiency*** units respectively, and **Acres** equals the total ***lot area*** expressed in acres (1 acre = 43,560 sq.ft.). Higher ***density*** requires rezoning to R3 (Amend 18).

2-9-5	**MINIMUM *LOT AREA*:**	***Single-family dwelling*** - 4000 sq.ft. ***Two-family dwelling*** - 3000 sq.ft. per ***dwelling unit*** ***Multi-family dwelling*** - 2000 sq.ft. per each of the first 3 ***dwelling units***, then 1000 sq.ft. per each ***dwelling unit*** above 3. See 4-3 for additional information
2-9-6	**MINIMUM *LOT WIDTH*:**	***Single-family dwelling*** - 40' ***Two-family dwelling*** - 60' ***Multi-family dwelling*** - 70' See 4-3 for additional information
2-9-7	***LOT COVERAGE*:**	**Maximum coverage by all *buildings*** - 40% **Minimum *vegetative cover*** - 30%
2-9-8	**MINIMUM *FRONT*, *REAR* OR *SIDE SETBACK* ALONG *STREET FRONTAGE*:** (Amend 8)	15' See 4-4-1 regarding Averaging ***Setbacks*** along ***Street Frontages*** See 4-4 for additional information (Amend 30)
2-9-9	**MINIMUM *REAR SETBACK* NOT ALONG *STREET FRONTAGE*:**	***Primary use building*** - 20' (Amend 30) ***Accessory building*** - 6' See 4-4 for additional information

R3U	2-9 SINGLE-FAMILY, TWO-FAMILY AND MULTI-FAMILY RESIDENTIAL ZONES, cont'd.	R3U
2-9-10	**MINIMUM *SIDE SETBACK* NOT ALONG *STREET FRONTAGE*:**	***Primary use building*** - 6' ***Accessory building*** - 4' See 4-4 for additional information
2-9-11	**MAXIMUM *BUILDING HEIGHT*:** (Amend 10)	35' (or to the original height if being repaired, restored or rehabilitated) See 4-5 for exceptions
2-9-12	**MINIMUM OFF-STREET PARKING REQUIREMENTS:**	**Residential *use*:** ***Single*- and *two-family*:** 2 spaces per ***dwelling unit*** ***Multi-family* (LAFAYETTE):** 1.50 per Type D and E units 1.75 per Type C unit 2.00 per Type A and B units ***Multi-family* (TIPP. CO, DTN, BG, CH):** 2 spaces per ***dwelling unit*** (Amend 1) **Nonresidential *use*:** See 3-2 and 4-6-3
2-9-13	**ON PREMISE *SIGNS*:**	See 4-8
2-9-14	**BUFFERING REQUIREMENTS:**	See 4-9

R3W	2-10 SINGLE-FAMILY, TWO-FAMILY AND MULTI-FAMILY RESIDENTIAL ZONES	R3W
2-10-1	**INTENT:**	To provide areas in West Lafayette for ***single-family*** and ***two-family dwellings***, and relatively high ***density multi-family dwellings*** at ***density*** levels less than or equal to the maximum established in 2-10-4 below.
2-10-2	**PERMITTED *USES* AND *STRUCTURES*:**	***Primary uses***: see 3-2 ***Accessory uses***: see 4-1
2-10-3	***USES* AND *STRUCTURES* ALLOWED BY *SPECIAL EXCEPTION*:**	***Primary uses***: see 3-2

2-10 SINGLE-FAMILY, TWO-FAMILY AND MULTI-FAMILY RESIDENTIAL ZONES, cont'd.

R3W **R3W**

2-10-4 MAXIMUM *DENSITY* OF *MULTI-FAMILY DWELLING UNITS* PER ACRE:

Type A units (825 sq.ft. and up) - 15
Type B units (650 to 824 sq.ft.) - 21
Type C units (470 to 649 sq.ft.) - 37
Type D units (under 470 sq.ft.) - 53
***Efficiencies* (under 350 sq.ft.)** - 62

For ***developments*** containing more than one ***multi-family dwelling*** type, maximum ***density*** shall be calculated by formula:

$$\frac{A + .71B + .40C + .28D + .24E}{\text{Acres}} = 15.00$$

where **A**, **B**, **C**, **D**, and **E** equal the number of Type A, Type B, Type C, Type D and ***Efficiency*** units respectively, and **Acres** equals the total ***lot area*** expressed in acres (1 acre = 43,560 sq.ft.). Higher ***density*** requires rezoning to R4W (Amend 18).

2-10-5 MINIMUM *LOT AREA*:

Single-family dwelling - 6000 sq.ft.
Two-family dwelling - 3000 sq.ft. per ***dwelling unit***
Multi-family dwelling - 2000 sq.ft. per each of the first 3 ***dwelling units***, then 1000 sq.ft. per each ***dwelling unit*** above 3.
***University-proximate multi-family dwelling*:**

UNIT TYPE	LIVING AREA (sq.ft.)	*LOT AREA*, EACH OF FIRST 3 UNITS	*LOT AREA*, EACH ADDITIONAL UNIT
A	825 and over	2000 sq.ft.	1000 sq.ft.
B	650 - 824	1500	1000
C	470 - 649	1200	750
D	under 470	1000	500
Efficiency	---	800	500

For ***university-proximate multi-family*** projects containing more than one unit type, the 3 largest units shall be used to calculate "***lot area***, each of first 3 units".

See 4-3 for additional information

2-10-6 MINIMUM *LOT WIDTH*:

Single-* and *two-family dwelling - 60'
Multi-family dwelling - 70'
See 4-3 for additional information

R3W	2-10 SINGLE-FAMILY, TWO-FAMILY AND MULTI-FAMILY RESIDENTIAL ZONES, cont'd.	R3W
2-10-7	***LOT COVERAGE*:**	**Maximum coverage by all *buildings*** - 40% **Minimum *vegetative cover*** - 30%
2-10-8	**MINIMUM *FRONT*, *REAR* OR *SIDE* *SETBACK* ALONG *STREET FRONTAGE*:** (Amend 8)	**Along a *local street* or *place*** - 25' **Along a *collector street*** - 30' **Along a *secondary arterial*** - 40' **Along a *primary arterial*** - 60' See 4-4 for exceptions
2-10-9	**MINIMUM *REAR* *SETBACK* NOT ALONG *STREET FRONTAGE*:**	***Primary use building*** - 25' ***Accessory building*** - 10' See 4-4 for additional information
2-10-10	**MINIMUM *SIDE* *SETBACK* NOT ALONG *STREET FRONTAGE*:**	6' See 4-4 for additional information
2-10-11	**MAXIMUM *BUILDING* *HEIGHT*:**	14' at the finished floor of the upper ***story*** See 4-5 for exceptions
2-10-12	**MINIMUM OFF-STREET PARKING REQUIREMENTS:**	**Residential *use*:** 2 spaces per ***dwelling unit*** (except ***university-proximate residences:*** see 4-6-4) **Nonresidential *uses*:** See 3-2 and 4-6-3
2-10-13	**ON PREMISE *SIGNS*:**	See 4-8
2-10-14	**BUFFERING REQUIREMENTS:**	See 4-9

R4W	2-11 SINGLE-FAMILY, TWO-FAMILY AND MULTI-FAMILY RESIDENTIAL ZONES	R4W
2-11-1	**INTENT:**	To provide areas in West Lafayette for ***single-family*** and ***two-family dwellings,*** and higher ***density multi-family dwellings*** at ***density*** levels equal to or greater than the minimum established in 2-11-4 below.
2-11-2	**PERMITTED *USES* AND *STRUCTURES*:**	***Primary uses***: see 3-2 ***Accessory uses***: see 4-1
2-11-3	***USES* AND *STRUCTURES* ALLOWED BY *SPECIAL* *EXCEPTION*:**	***Primary uses***: see 3-2

2-11 SINGLE-FAMILY, TWO-FAMILY AND MULTI-FAMILY RESIDENTIAL ZONES, cont'd.

R4W **R4W**

2-11-4 MINIMUM *DENSITY* OF *MULTI-FAMILY DWELLING UNITS* PER ACRE:

Type A units (825 sq.ft. and up) - 16
Type B units (650 to 824 sq.ft.) - 22
Type C units (470 to 649 sq.ft.) - 38
Type D units (under 470 sq.ft.) - 54
***Efficiencies* (under 350 sq.ft.)** - 63

For ***developments*** containing more than one ***multi-family dwelling*** type, minimum ***density*** shall be calculated by formula:

$$\frac{A + .71B + .40C + .28D + .24E}{\text{Acres}} = 15.01$$

where **A**, **B**, **C**, **D**, and **E** equal the number of Type A, Type B, Type C, Type D and ***Efficiency*** units respectively, and **Acres** equals the total ***lot area*** expressed in acres. (1 acre = 43,560 sq.ft.)

2-11-5 MINIMUM *LOT AREA*:

Single-family dwelling - 6000 sq.ft.
Two-family dwelling - 3000 sq.ft. per ***dwelling unit***
Multi-family dwelling - 2000 sq.ft. per each of the first 3 ***dwelling units***, then 1000 sq.ft. per each ***dwelling unit*** above 3.
***University-proximate multi-family dwelling*:**

UNIT TYPE	LIVING AREA (sq.ft.)	*LOT AREA*, EACH OF FIRST 3 UNITS	*LOT AREA*, EACH ADDITIONAL UNIT
A	825 and over	2000 sq.ft.	1000 sq.ft.
B	650 - 824	1500	1000
C	470 - 649	1200	750
D	under 470	1000	500
Efficiency	---	800	500

For ***university-proximate multi-family*** projects containing more than one unit type, the 3 largest units shall be used to calculate "***lot area***, each of first 3 units".

See 4-3 for additional information

2-11-6 MINIMUM *LOT WIDTH*:

Single-* and *two-family dwelling - 60'
Multi-family dwelling - 70'
See 4-3 for additional information

R4W	2-11 SINGLE-FAMILY, TWO-FAMILY AND MULTI-FAMILY RESIDENTIAL ZONES, cont'd.	R4W
2-11-7	***LOT COVERAGE*:**	**Maximum coverage by all *buildings*** - 40% **Minimum *vegetative cover*** - 30%
2-11-8	**MINIMUM *FRONT*, *REAR* OR *SIDE* *SETBACK* ALONG *STREET FRONTAGE*:** (Amend 8)	**Along a *local street* or *place*** - 25' **Along a *collector street*** - 30' **Along a *secondary arterial*** - 40' **Along a *primary arterial*** - 60' See 4-4 for exceptions
2-11-9	**MINIMUM *REAR* *SETBACK* NOT ALONG *STREET FRONTAGE*:**	***Primary use building*** - 25' ***Accessory use* or *building*** - 10' See 4-4 for additional information
2-11-10	**MINIMUM *SIDE* *SETBACK* NOT ALONG *STREET FRONTAGE*:**	6' See 4-4 for additional information
2-11-11	**MAXIMUM *BUILDING* *HEIGHT*:**	14' at the finished floor of the upper ***story*** See 4-5 for exceptions
2-11-12	**MINIMUM OFF-STREET PARKING REQUIREMENTS:**	**Residential *use*:** 2 spaces per ***dwelling unit*** (except ***university-proximate residences***: see 4-6-4) **Nonresidential *use*:** See 3-2 and 4-6-3
2-11-13	**ON PREMISE *SIGNS*:**	See 4-8
2-11-14	**BUFFERING REQUIREMENTS:**	See 4-9

NB	2-12 NEIGHBORHOOD BUSINESS ZONES	NB
2-12-1	**INTENT:**	To provide areas for retail and service establishments appropriate to the needs of nearby residents.
2-12-2	**PERMITTED *USES* AND *STRUCTURES*:**	***Primary uses***: see 3-2 ***Accessory uses***: see 4-1
2-12-3	***USES* AND *STRUCTURES* ALLOWED BY *SPECIAL* *EXCEPTION*:**	***Primary uses***: see 3-2
2-12-4	**MINIMUM *LOT AREA*:**	**Served by sanitary sewer** - none **Not served by sanitary sewer** - as determined by the Tippecanoe County Health Department and the Division of Sanitary Engineering, Indiana State

NB	**2-12 NEIGHBORHOOD BUSINESS ZONES, cont'd.**	**NB**
		Department of Health, on a lot-by-lot basis See 4-3 for additional information
2-12-5	**MINIMUM *LOT WIDTH*:**	**Served by sanitary sewer** - none **Not served by sanitary sewer** - as determined by the Tippecanoe County Health Department and the Division of Sanitary Engineering, Indiana State Department of Health, on a lot-by-lot basis See 4-3 for additional information
2-12-6	***LOT COVERAGE*:**	**Maximum coverage by all *buildings*** - 50% **Minimum *vegetative cover*** - 20%
2-12-7	**MINIMUM *FRONT*, *REAR* OR *SIDE SETBACK* ALONG *STREET FRONTAGE*:**	**Along a *local street* or *place*** - 25' **Along a *collector street*** - 30' **Along a *secondary arterial*** - 40' **Along a *primary arterial*** - 60' See 4-4 for exceptions
2-12-8	**MINIMUM *REAR SETBACK* NOT ALONG *STREET FRONTAGE*:**	15' See 4-4 for additional information
2-12-9	**MINIMUM *SIDE SETBACK* NOT ALONG *STREET FRONTAGE*:**	0' (10' if abutting a ***residential zone*** or ***use***) (Amend 43) See 4-4 for additional information
2-12-10	**MAXIMUM *BUILDING HEIGHT*:**	35' See 4-5 for exceptions
2-12-11	**MINIMUM OFF-STREET PARKING REQUIREMENTS:**	See 3-2 and 4-6-3
2-12-12	**MINIMUM OFF-STREET LOADING REQUIREMENTS:**	See 4-6-18
2-12-13	**ON PREMISE *SIGNS*:**	See 4-8
2-12-14 (Amend 5)	**BUFFERING REQUIREMENTS:**	See 4-9

NBU	**2-13 NEIGHBORHOOD BUSINESS ZONES**	**NBU**
2-13-1	**INTENT:**	To preserve and protect older parts of the community by providing areas for retail and

NBU	**2-13 NEIGHBORHOOD BUSINESS ZONES, cont'd.**	**NBU**
		service establishments that are convenient to neighborhood residents, and that are not so automobile intensive as to disrupt the safety and quiet of the neighborhood, on older platted ***lots*** in ***urbanized sewered areas*** of Lafayette and West Lafayette (Amend 5) and the incorporated towns, as well as platted lots within the following unincorporated towns: Buck Creek, Colburn, Americus, Stockwell, Romney, West Point/Glenhall, Odell, and Montmorenci, either on sewered lots or with on-site sewage disposal system approval from the Tippecanoe County Health Department and the Division of Sanitary Engineering, Indiana State Department of Health, on a lot-by-lot basis; relatively high ***density single-family, two-family*** and ***multi-family residences*** are also appropriate within these neighborhood shopping enclaves, if they include a commercial component on the first floor, unrelated to the residential ***use*** (Amend 10, 45).
2-13-2	**PERMITTED *USES* AND *STRUCTURES*:**	***Primary uses***: see 3-2 ***Accessory uses***: see 4-1
2-13-3	***USES* AND *STRUCTURES* ALLOWED BY *SPECIAL EXCEPTION*:**	***Primary uses***: see 3-2
2-13-4	**MINIMUM *LOT AREA*:**	**Served by sanitary sewer** – none, except ***university-proximate multi-family dwellings*** (see below) **Not served by sewer** – as determined by the Tippecanoe County Health Department and the Division of Sanitary Engineering, Indiana State Department of Health, on a lot-by-lot basis. See 4-3 for additional information. (Amend 10, 45) ***University-proximate multi-family dwelling*** (Amend 5)**:**

NBU **2-13 NEIGHBORHOOD BUSINESS ZONES, cont'd.** **NBU**

UNIT TYPE	LIVING AREA (sq.ft.)	*LOT AREA*, EACH OF FIRST 3 UNITS	*LOT AREA*, EACH ADDITIONAL UNIT
A	825 and over	2000 sq.ft.	1000 sq.ft.
B	650 - 824	1500	1000
C	470 - 649	1200	750
D	under 470	1000	500
Efficiency	---	800	500

For ***university-proximate multi-family*** projects containing more than one unit type, the 3 largest units shall be used to calculate "***lot area***, each of first 3 units".

		See 4-3 for additional information
2-13-5	**MINIMUM *LOT WIDTH*:**	**Served by sanitary sewer** - none **Not served by sewer** – as determined by the Tippecanoe County Health Department and the Division of Sanitary Engineering, Indiana State Department of Health, on a lot-by-lot basis. (Amend 10, 41, 45) See 4-3 for additional information
2-13-6	***LOT COVERAGE*:** (Amend 10)	**Maximum coverage by all *buildings*** - 60% **Minimum *vegetative cover*** - none
2-13-7	**MINIMUM *FRONT*, *REAR* OR *SIDE SETBACK* ALONG *STREET FRONTAGE*:**	0' See 4-4 for exceptions
2-13-8	**MINIMUM *REAR SETBACK* NOT ALONG *STREET FRONTAGE*:**	***Primary use building*** - 15' (Amend 10) ***Accessory use* or *building*** - 10' (Amend 10) See 4-4 for additional information
2-13-9	**MINIMUM *SIDE SETBACK* NOT ALONG *STREET FRONTAGE*:**	0' (10' if abutting a ***residential zone*** or ***use***) (Amend 10) See 4-4 for additional information
2-13-10	**MAXIMUM *BUILDING HEIGHT*:**	35' (or to original height if being repaired, restored or rehabilitated) (Amend 10) **University-proximate multi-family *dwelling*:** 14' at the finished floor of the upper ***story*** (Amend 5)
2-13-11	**MINIMUM OFF-STREET PARKING REQUIREMENTS:**	**Residential *use*:** ***Single-*** and ***two-family***: 2 spaces per ***dwelling unit*:** (see 4-6-4) (Amend 5)

NBU	**2-13 NEIGHBORHOOD BUSINESS ZONES, cont'd.**	**NBU**
		Multi-family* (LAFAYETTE):** (Amend 8) 1.50 per ***efficiency and 1-***BR*** unit 1.75 per 2-***BR*** unit 2.00 per 3+***BR*** unit ***Multi-family* (WL, TIPP.CO, DTN, BG, CH** 2 spaces per ***dwelling unit*** **Nonresidential *use*:** See 3-2, 4-6-3 and 4-6-11-b (except ***university-proximate residences*:** See 4-6-4)
2-13-12	**MINIMUM OFF-STREET LOADING REQUIREMENTS:**	See 4-6-18
2-13-13	**ON PREMISE *SIGNS*:**	See 4-8
2-13-14	**BUFFERING REQUIREMENTS:**	See 4-9

OR	**2-14 OFFICE / RESEARCH ZONES**	**OR**
2-14-1	**INTENT:**	To provide areas along interstate highways and other ***arterials*** for non-retail commercial and limited industrial activity, all conducted entirely indoors.
2-14-2	**PERMITTED *USES* AND *STRUCTURES*:**	***Primary uses***: see 3-2 ***Accessory uses***: see 4-1
2-14-3	***USES* AND *STRUCTURES* ALLOWED BY *SPECIAL EXCEPTION*:**	***Primary uses***: see 3-2
2-14-4	**MINIMUM *LOT AREA*:**	**Served by sanitary sewer** - 20000 sq.ft. **Not served by sanitary sewer** - as determined by the Tippecanoe County Health Department and the Division of Sanitary Engineering, Indiana State Department of Health, on a lot-by-lot basis, but in no case less than the requirement for ***uses*** served by sanitary sewer See 4-3 for additional information

OR	2-14 OFFICE / RESEARCH ZONES	OR
2-14-5	**MINIMUM *LOT WIDTH*:**	**Served by sanitary sewer** - 100' **Not served by sanitary sewer** - as determined by the Tippecanoe County Health Department and the Division of Sanitary Engineering, Indiana State Department of Health, on a lot-by-lot basis, but in no case less than the requirement for ***uses*** served by sanitary sewer See 4-3 for additional information
2-14-6	***LOT COVERAGE*:**	**Maximum coverage by all *buildings*** - 25% **Minimum *vegetative cover*** - 30%
2-14-7	**MINIMUM *FRONT*, *REAR*, OR *SIDE SETBACK* ALONG *STREET FRONTAGE*:**	**Along a *local street* or *place*** - 25' **Along a *collector street*** - 30' **Along a *secondary arterial*** - 40' **Along a *primary arterial*** - 60' See 4-4 for exceptions
2-14-8	**MINIMUM *REAR SETBACK* NOT ALONG *STREET FRONTAGE*:**	***Primary use building*** - 25' ***Accessory use* or *building*** - 10' See 4-4 for additional information
2-14-9	**MINIMUM *SIDE SETBACK* NOT ALONG *STREET FRONTAGE*:**	20' See 4-4 for additional information
2-14-10	**MAXIMUM *BUILDING HEIGHT*:**	50' See 4-5 for exceptions
2-14-11 (Amend 15)	**MINIMUM OFF-STREET PARKING REQUIREMENTS:**	See 3-2 and 4-6-3
2-14-12	**MINIMUM OFF-STREET LOADING REQUIREMENTS:**	See 4-6-18
2-14-13	**ENTRANCE RESTRICTIONS:**	See 4-7
2-14-14	**ON PREMISE *SIGNS*:**	See 4-8
2-14-15	**BUFFERING REQUIREMENTS:**	See 4-9
2-14-16	**INDUSTRIAL PERFORMANCE STANDARDS:**	See 4-10

MR	**2-15 MEDICAL RELATED ZONES**	**MR**
2-15-1	**INTENT:**	To provide areas around hospitals for offices, facilities and services related to the medical activities performed at the hospitals, and relatively high ***density single-family, two-family*** and ***multi-family residences,*** in places served by sanitary sewer.
2-15-2	**PERMITTED *USES* AND *STRUCTURES*:**	***Primary uses***: see 3-2 ***Accessory uses***: see 4-1
2-15-3	***USES* AND *STRUCTURES* ALLOWED BY *SPECIAL EXCEPTION*:**	***Primary uses***: see 3-2
2-15-4	**MINIMUM *LOT AREA*:**	**Nonresidential *use*** - none ***Single-family dwelling*** - 4000 sq.ft. ***Two-family dwelling*** - 2500 sq.ft. per ***dwelling unit*** ***Multi-family dwelling*** - 2000 sq.ft. per each of the first 3 ***dwelling units***, then 1000 sq.ft. per each ***dwelling unit*** above 3. See 4-3 for additional information
2-15-5	**MINIMUM *LOT WIDTH*:**	**Nonresidential *use* and *single-,* and *two-family dwelling*** - 40' ***Multi-family dwelling*** - 60' See 4-3 for additional information
2-15-6	***LOT COVERAGE*:**	**Maximum coverage by all *buildings*** - 40% **Minimum *vegetative cover*** - 30%
2-15-7	**MINIMUM *FRONT*, *REAR*, OR *SIDE SETBACK* ALONG *STREET FRONTAGE*:** (Amend 8)	**Along a *local street* or *place*** - 25' **Along a *collector street*** - 30' **Along a *secondary arterial*** - 40' **Along a *primary arterial*** - 60' See 4-4 for exceptions
2-15-8	**MINIMUM *REAR SETBACK* NOT ALONG *STREET FRONTAGE*:**	**Nonresidential *use*** - 25' ***Single-* and *two-family dwelling*:** ***Primary use building*** - 25' ***Accessory building*** or ***use*** - 6' ***Multi-family dwelling*:** ***Primary use building*** - 25' ***Accessory building*** or ***use*** - 10' See 4-4 for additional information

MR	**2-15 MEDICAL RELATED ZONES, cont'd.**	**MR**
2-15-9	**MINIMUM *SIDE SETBACK* NOT ALONG *STREET FRONTAGE*:**	**Nonresidential *use*:** 0' (10' if abutting a ***residential zone*** or ***use***) ***Single-* and *two-family dwelling*:** ***Primary use building*** - 6' ***Accessory building*** - 4' ***Multi-family dwelling*:** 6'
2-15-10	**MAXIMUM *BUILDING HEIGHT*:**	***Single-* and *two-family dwelling*** - 35' ***Multi-family dwelling*** - 35' **Nonresidential *use*** - 60' See 4-5 for exceptions
2-15-11	**MINIMUM OFF-STREET PARKING REQUIREMENTS:** (Amend 8)	**Residential *use*:** ***Single-*and *two-family*:** 2 spaces per ***dwelling unit*:** see 4-6-4) (Amend 5) ***Multi-family* (LAFAYETTE):** 1.50 per ***efficiency*** and 1-***BR*** unit 1.75 per 2-***BR*** unit 2.00 per 3+***BR*** unit ***Multi-family* (WL, TIPP.CO, DTN, BG, CH** 2 spaces per ***dwelling unit*** **Nonresidential *use*:** See 3-2, 4-6-3 and 4-6-11-b
2-15-12	**MINIMUM OFF-STREET LOADING REQUIREMENTS:**	See 4-6-18
2-15-13	**ON PREMISE *SIGNS*:**	See 4-8
2-15-14	**BUFFERING REQUIREMENTS:**	See 4-9

GB	**2-16 GENERAL BUSINESS ZONES**	**GB**
2-16-1	**INTENT:**	To provide areas for all kinds of commercial activity, including retailing, services, some wholesaling, self-storage warehousing and contracting.
2-16-2	**PERMITTED *USES* AND *STRUCTURES*:**	***Primary uses***: see 3-2 ***Accessory uses***: see 4-1
2-16-3	***USES* AND *STRUCTURES* ALLOWED BY *SPECIAL EXCEPTION*:**	***Primary uses***: see 3-2

GB	2-16 GENERAL BUSINESS ZONES, cont'd.	GB
2-16-4	**MINIMUM *LOT AREA*:**	**Served by sanitary sewer** - none **Not served by sanitary sewer** - as determined by the Tippecanoe County Health Department and the Division of Sanitary Engineering, Indiana State Department of Health, on a lot-by-lot basis See 4-3 for additional information
2-16-5	**MINIMUM *LOT WIDTH*:**	**Served by sanitary sewer** - none **Not served by sanitary sewer** - as determined by the Tippecanoe County Health Department and the Division of Sanitary Engineering, Indiana State Department of Health, on a lot-by-lot basis See 4-3 for additional information
2-16-6	***LOT COVERAGE*:**	**Maximum coverage by all *buildings*** - 60% **Minimum *vegetative cover*** - 10%
2-16-7	**MINIMUM *FRONT*, *REAR* OR *SIDE SETBACK* ALONG *STREET FRONTAGE*:**	**Along a *local street* or *place*** - 25' **Along a *collector street*** - 30' **Along a *secondary arterial*** - 40' **Along a *primary arterial*** - 60' See 4-4 for exceptions
2-16-8	**MINIMUM *REAR SETBACK* NOT ALONG *STREET FRONTAGE*:**	15' (40' if ***rear lot line*** abuts a ***residential zone*** or ***use***) (Amend 43) See 4-4 for additional information
2-16-9	**MINIMUM *SIDE SETBACK* NOT ALONG *STREET SETBACK*:**	0' (30' if ***side lot line*** abuts a ***residential zone*** or ***use***) (Amend 43) See 4-4 for additional information
2-16-10	**MAXIMUM *BUILDING HEIGHT*:**	35' See 4-5 for exceptions
2-16-11	**MINIMUM OFF-STREET PARKING REQUIREMENTS:**	See 3-2 and 4-6-3
2-16-12	**MINIMUM OFF-STREET LOADING REQUIREMENTS:**	See 4-6-18
2-16-13	**ENTRANCE RESTRICTIONS:**	See 4-7
2-16-14	**ON PREMISE *SIGNS*:**	See 4-8
2-16-15	**BUFFERING REQUIREMENTS:**	See 4-9

GB	2-16 GENERAL BUSINESS ZONES, cont'd.	GB
2-16-16	**INDUSTRIAL PERFORMANCE STANDARDS:**	See 4-10

HB	2-17 HIGHWAY BUSINESS ZONES	HB
2-17-1	**INTENT:**	To provide areas where interregional highways (I-65, US 52, US 231, SRs 25, 26, 28, 38 and 43) intersect each other, for the lodging, shopping, recreational and service needs of the traveling public.
2-17-2	**PERMITTED *USES* AND *STRUCTURES*:**	***Primary uses***: see 3-2 ***Accessory uses***: see 4-1
2-17-3	***USES* AND *STRUCTURES* ALLOWED BY *SPECIAL EXCEPTION*:**	***Primary uses***: see 3-2
2-17-4	**MINIMUM *LOT AREA*:**	**Served by sanitary sewer** - none **Not served by sanitary sewer** - as determined by the Tippecanoe County Health Department and the Division of Sanitary Engineering, Indiana State Department of Health, on a lot-by-lot basis See 4-3 for additional information
2-17-5	**MINIMUM *LOT WIDTH*:**	**Served by sanitary sewer** - none **Not served by sanitary sewer** - as determined by the Tippecanoe County Health Department and the Division of Sanitary Engineering, Indiana State Department of Health, on a lot-by-lot basis. See 4-3 for additional information
2-17-6	***LOT COVERAGE*:**	**Maximum coverage by all *buildings*** - 40% **Minimum *vegetative cover*** - 20%
2-17-7	**MINIMUM *FRONT*, *REAR* OR *SIDE SETBACK* ALONG *STREET FRONTAGE*:**	**Along a *local street* or *place*** - 25' **Along a *collector street*** - 30' **Along a *secondary arterial*** - 40' **Along a *primary arterial*** - 60' See 4-4 for exceptions
2-17-8	**MINIMUM *REAR SETBACK* NOT ALONG *STREET FRONTAGE*:**	15' (40' if ***rear lot line*** abuts a ***residential zone*** or ***use***) (Amend 43) See 4-4 for additional information

HB	**2-17 HIGHWAY BUSINESS ZONES, cont'd.**	**HB**
2-17-9	**MINIMUM *SIDE SETBACK* NOT ALONG *STREET FRONTAGE*:**	0' (30' if ***side lot line*** abuts a ***residential zone*** or ***use***) (Amend 43) See 4-4 for additional information
2-17-10	**MAXIMUM *BUILDING HEIGHT*:**	35' See 4-5 for exceptions
2-17-11	**MINIMUM OFF-STREET PARKING REQUIREMENTS:**	See 3-2 and 4-6-3
2-17-12	**MINIMUM OFF-STREET LOADING REQUIREMENTS:**	See 4-6-18
2-17-13	**ENTRANCE RESTRICTIONS:**	See 4-7
2-17-14	**ON PREMISE *SIGNS*:**	See 4-8
2-17-15	**BUFFERING REQUIREMENTS:**	See 4-9

CB	**2-18 CENTRAL BUSINESS ZONES**	**CB**
2-18-1	**INTENT:**	To provide core business areas in the central parts of the cities for retailing, services, government and professional offices, cultural, recreational and entertainment establishments, housing, commercial lodging and transportation facilities.
2-18-2	**PERMITTED *USES* AND *STRUCTURES*:**	***Primary uses***: see 3-2 ***Accessory uses***: see 4-1
2-18-3	***USES* AND *STRUCTURES* ALLOWED BY *SPECIAL EXCEPTION*:**	***Primary uses***: see 3-2
2-18-4	**MINIMUM *LOT AREA*:**	none See 4-3 for additional information
2-18-5	**MINIMUM *LOT WIDTH*:**	none See 4-3 for additional information
2-18-6	***LOT COVERAGE*:**	**Maximum coverage by all *buildings*** - 100% **Minimum *vegetative cover*** - none

CB	**2-18 CENTRAL BUSINESS ZONES, cont'd.**	**CB**
2-18-7	**MINIMUM *FRONT*, *REAR* OR *SIDE* *SETBACK* ALONG *STREET FRONTAGE*:**	0' See 4-4 for exceptions
2-18-8	**MINIMUM *REAR* *SETBACK* NOT ALONG *STREET FRONTAGE*:**	0' See 4-4 for additional information
2-18-9	**MINIMUM *SIDE* *SETBACK* NOT ALONG *STREET FRONTAGE*:**	0' See 4-4 for additional information
2-18-10	**MAXIMUM *BUILDING* *HEIGHT*:**	100' See 4-5 for exceptions
2-18-11	**MINIMUM OFF-STREET PARKING REQUIREMENTS:**	See 3-2 and 4-6-11-a
2-18-12	**MINIMUM OFF-STREET LOADING REQUIREMENTS:**	See 4-6-18
2-18-13	**ON PREMISE *SIGNS*:**	See 4-8
2-18-14	**BUFFERING REQUIREMENTS:**	See 4-9

CBW	**2-19 CENTRAL BUSINESS ZONES**	**CBW**
2-19-1	**INTENT:**	To provide core business areas in the City of West Lafayette which experience significant vehicular and pedestrian traffic in their locations adjacent to Purdue University, for retailing, services, government and professional offices, cultural, recreational and entertainment establishments, housing, commercial lodging and transportation facilities.
2-19-2	**PERMITTED *USES* AND *STRUCTURES*:**	***Primary uses***: see 3-2 ***Accessory uses***: see 4-1
2-19-3	***USES* AND *STRUCTURES* ALLOWED BY *SPECIAL* *EXCEPTION*:**	***Primary uses***: see 3-2

CBW	**2-19 CENTRAL BUSINESS ZONES, cont'd.**	**CBW**
2-19-4	**MINIMUM *LOT AREA*:**	**Nonresidential *uses*, *single-* and *two-family dwelling*** - none ***University-proximate multi-family dwelling*:**

UNIT TYPE	**LIVING AREA (sq.ft.)**	***LOT AREA*, EACH OF FIRST 3 UNITS**	***LOT AREA*, EACH ADDITIONAL UNIT**
A	825 and over	2000 sq.ft.	1000 sq.ft.
B	650 - 824	1500	1000
C	470 - 649	1200	750
D	under 470	1000	500
Efficiency	---	800	500

For ***university-proximate multi-family*** projects containing more than one unit type, the 3 largest units shall be used to calculate "***lot area***, each of first 3 units".

		See 4-3 for additional information
2-19-5	**MINIMUM *LOT WIDTH*:**	none (Amend 18) See 4-3 for additional information
2-19-6	***LOT COVERAGE*:**	**Maximum coverage by all *buildings*** - 100%, including parking structure (Amend 5) **Minimum *vegetative cover*** - none
2-19-7	**MINIMUM *FRONT*, *REAR* OR *SIDE SETBACK* ALONG *STREET FRONTAGE*:**	0' See 4-4 for exceptions
2-19-8	**MINIMUM *REAR SETBACK* NOT ALONG: *STREET FRONTAGE*:**	0' See 4-4 for additional information
2-19-9	**MINIMUM *SIDE SETBACK* NOT ALONG *STREET FRONTAGE*:**	0' See 4-4 for additional information
2-19-10	**MAXIMUM *BUILDING HEIGHT*:**	35' See 4-5 for exceptions
2-19-11	**MINIMUM OFF-STREET PARKING REQUIREMENTS:**	See 3-2 and 4-6-3 including parking structure (Amend 5)
2-19-12	**MINIMUM LOADING REQUIREMENTS:**	See 4-6-18
2-19-13	**ON PREMISE *SIGNS*:**	See 4-8
2-19-14	**BUFFERING REQUIREMENTS:**	See 4-9

I1	**2-20 INDUSTRIAL ZONES**	**I1**
2-20-1	**INTENT:**	To provide areas for industrial activity, contracting, warehousing and wholesaling, that are low in impact because they are operated entirely indoors and have attached or indoor loading facilities -- and associated retail and service establishments and agricultural activities as identified in the Permitted ***Use*** Table.
2-20-2	**PERMITTED *USES* AND *STRUCTURES*:**	***Primary uses***: see 3-2 ***Accessory uses***: see 4-1
2-20-3	***USES* AND *STRUCTURES* ALLOWED BY *SPECIAL EXCEPTION*:**	***Primary uses***: see 3-2
2-20-4	**MINIMUM *LOT AREA*:**	**Served by sanitary sewer** - 10000 sq.ft. **Not served by sanitary sewer** - as determined by the Tippecanoe County Health Department and the Division of Sanitary Engineering, Indiana State Department of Health, on a lot-by-lot basis, but in no case less than the requirement for ***uses*** served by sanitary sewer. See 4-3 for exceptions
2-20-5	**MINIMUM *LOT WIDTH*:**	**Served by sanitary sewer** - 75' **Not served by sanitary sewer** - as determined by the Tippecanoe County Health Department and the Division of Sanitary Engineering, Indiana State Department of Health, on a lot-by-lot basis, but in no case less than the requirement for ***uses*** served by sanitary sewer See 4-3 for exceptions
2-20-6	***LOT COVERAGE*:**	**Maximum coverage by all *buildings*** - 25% **Minimum *vegetative cover*** - 30%
2-20-7	**MINIMUM *FRONT*, *REAR* OR *SIDE SETBACK* ALONG *STREET FRONTAGE*:**	**Along a *local street* or *place*** - 25' **Along a *collector street*** - 30' **Along a *secondary arterial*** - 40' **Along a *primary arterial*** - 60' See 4-4 for exceptions
2-20-8	**MINIMUM *REAR SETBACK* NOT ALONG *STREET FRONTAGE*:**	15' (40' if ***rear lot line*** abuts a ***residential zone*** or ***use***) (Amend 43) See 4-4 for additional information

I1	**2-20 INDUSTRIAL ZONES, cont'd.**	**I1**
2-20-9	**MINIMUM *SIDE SETBACK* NOT ALONG *STREET FRONTAGE*:**	0' (30' if ***side lot line*** abuts a ***residential zone*** or ***use***) (Amend 43) See 4-4 for additional information
2-20-10	**MAXIMUM *BUILDING HEIGHT*:**	35' See 4-5 for exceptions
2-20-11	**MINIMUM OFF-STREET PARKING REQUIREMENTS:**	See 3-2 and 4-6-3
2-20-12	**MINIMUM OFF-STREET LOADING REQUIREMENTS:**	See 4-6-18
2-20-13	**ENTRANCE RESTRICTIONS:**	See 4-7
2-20-14	**ON PREMISE *SIGNS*:**	See 4-8
2-20-15	**BUFFERING REQUIREMENTS:**	See 4-9
2-20-16	**INDUSTRIAL PERFORMANCE STANDARDS:**	See 4-10

I2	**2-21 INDUSTRIAL ZONES**	**I2**
2-21-1	**INTENT:**	To provide areas for industrial activity, contracting, warehousing and wholesaling, that are moderate in impact because they are operated entirely indoors except for outdoor loading facilities -- and associated retail and service establishments and agricultural activities as identified in the Permitted ***Use*** Table.
2-21-2	**PERMITTED *USES* AND *STRUCTURES*:**	***Primary uses***: see 3-2 ***Accessory uses***: see 4-1
2-21-3	***USES* AND *STRUCTURES* ALLOWED BY *SPECIAL EXCEPTION*:**	***Primary uses***: see 3-2

I2	2-21 INDUSTRIAL ZONES cont'd.	I2
2-21-4	**MINIMUM *LOT AREA*:**	**Served by sanitary sewer** - 10000 sq.ft. **Not served by sanitary sewer** - as determined by the Tippecanoe County Health Department and the Division of Sanitary Engineering, Indiana State Department of Health, on a lot-by-lot basis, but in no case less than the requirement for ***uses*** served by sanitary sewer See 4-3 for exceptions
2-21-5	**MINIMUM *LOT WIDTH*:**	**Served by sanitary sewer** - 75' **Not served by sanitary sewer** - as determined by the Tippecanoe County Health Department and the Division of Sanitary Engineering, Indiana State Department of Health, on a lot-by-lot basis, but in no case less than the requirement for ***uses*** served by sanitary sewer See 4-3 for exceptions
2-21-6	***LOT COVERAGE*:**	**Maximum coverage by all *buildings*** - 35% **Minimum *vegetative cover*** - 25%
2-21-7	**MINIMUM *FRONT*, *REAR* OR *SIDE SETBACK* ALONG *STREET FRONTAGE*:** See 4-4 for exceptions	**Along a *local street* or *place*** - 25' **Along a *collector street*** - 30' **Along a *secondary arterial*** - 40' **Along a *primary arterial*** - 60'
2-21-8	**MINIMUM *REAR SETBACK* NOT ALONG *STREET FRONTAGE*:**	15' (40' if ***rear lot line*** abuts a ***residential zone*** or ***use***) (Amend 43) See 4-4 for additional information
2-21-9	**MINIMUM *SIDE SETBACK* NOT ALONG *STREET FRONTAGE*:**	0' (30' if ***side lot line*** abuts a ***residential zone*** or ***use***) (Amend 43) See 4-4 for additional information
2-21-10	**MAXIMUM *BUILDING HEIGHT*:**	50' See 4-5 for exceptions
2-21-11	**MINIMUM OFF-STREET PARKING REQUIREMENTS:**	See 3-2 and 4-6-3
2-21-12	**MINIMUM OFF-STREET LOADING REQUIREMENTS:**	See 4-6-18

I2	2-21 INDUSTRIAL ZONES cont'd.	I2
2-21-13	**ENTRANCE RESTRICTIONS:**	See 4-7
2-21-14	**ON PREMISE *SIGNS*:**	See 4-8
2-21-15	**BUFFERING REQUIREMENTS:**	See 4-9
2-21-16	**INDUSTRIAL PERFORMANCE STANDARDS:**	See 4-10

I3	2-22 INDUSTRIAL ZONES	I3
2-22-1	**INTENT:**	To provide areas for industrial activity, contracting, warehousing and wholesaling, that are heavy in impact because more than just loading activities are conducted outside -- and associated retail and service establishments and agricultural activities as identified in the Permitted ***Use*** Table.
2-22-2	**PERMITTED *USES* AND *STRUCTURES*:**	***Primary uses***: see 3-2 ***Accessory uses***: see 4-1
2-22-3	***USES* AND *STRUCTURES* ALLOWED BY *SPECIAL EXCEPTION*:**	***Primary uses***: see 3-2
2-22-4	**MINIMUM *LOT AREA*:**	**Served by sanitary sewer** - 10000 sq.ft. **Not served by sanitary sewer** - as determined by the Tippecanoe County Health Department and the Division of Sanitary Engineering, Indiana State Department of Health, on a lot-by-lot basis, but in no case less than the requirement for ***uses*** served by sanitary sewer See 4-3 for exceptions
2-22-5	**MINIMUM *LOT WIDTH*:**	**Served by sanitary sewer** - 75' **Not served by sanitary sewer** - as determined by the Tippecanoe County Health Department and the Division of Sanitary Engineering, Indiana State Department of Health, on a lot-by-lot basis, but in no case less than the requirement for ***uses*** served by sanitary sewer See 4-3 for exceptions

I3	**2-22 INDUSTRIAL ZONES, cont'd.**	**I3**
2-22-6	***LOT COVERAGE*:**	**Maximum coverage by all *buildings*** - 45% **Minimum *vegetative cover*** - 20%
2-22-7	**MINIMUM *FRONT*, *REAR* OR *SIDE* *SETBACK* ALONG *STREET FRONTAGE*:**	**Along a *local street* or *place*** - 25' **Along a *collector street*** - 30' **Along a *secondary arterial*** - 40' **Along a *primary arterial*** - 60' See 4-4 for exceptions
2-22-8	**MINIMUM *REAR* *SETBACK* NOT ALONG *STREET FRONTAGE*:**	15' (40' if ***rear lot line*** abuts a ***residential zone*** or ***use***) (Amend 43) See 4-4 for additional information
2-22-9	**MINIMUM *SIDE* *SETBACK* NOT ALONG *STREET FRONTAGE*:**	0' (30' if ***side lot line*** abuts a ***residential zone*** or ***use***) (Amend 43) See 4-4 for additional information
2-22-10	**MAXIMUM *BUILDING* *HEIGHT*:**	100' See 4-5 for exceptions
2-22-11	**MINIMUM OFF-STREET PARKING REQUIREMENTS:**	See 3-2 and 4-6-3
2-22-12	**MINIMUM OFF-STREET LOADING REQUIREMENTS:**	See 4-6-18
2-22-13	**ENTRANCE RESTRICTIONS:**	See 4-7
2-22-14	**ON PREMISE *SIGNS*:**	See 4-8
2-22-15	**BUFFERING REQUIREMENTS:**	See 4-9
2-22-16	**INDUSTRIAL PERFORMANCE STANDARDS:**	See 4-10

A	**2-23 AGRICULTURAL ZONES**	**A**
2-23-1	**INTENT:**	To provide substantial areas for agricultural ***use*** and only limited residential ***development*** including ***mobile home parks***, where little or no urbanization has occurred or is planned to occur. ***Zone*** regulations specific to ***mobile home parks/manufactured home communities*** are found in 5-4 below.
2-23-2	**PERMITTED *USES* AND *STRUCTURES*:**	***Primary uses***: see 3-2 ***Accessory uses***: see 4-1
2-23-3	***USES* AND *STRUCTURES* ALLOWED BY *SPECIAL EXCEPTION*:**	***Primary uses***: see 3-2
2-23-4	**MINIMUM *LOT AREA*:**	**Nonresidential *use*:** **Served by sanitary sewer** - none **Not served by sanitary sewer** - as determined by the Tippecanoe County Health Department and the Division of Sanitary Engineering, Indiana State Department of Health, on a lot-by-lot basis **Residential *use*:** **Served by sanitary sewer** - 15000 sq.ft. (7500 sq.ft. per ***dwelling unit*** for a ***two-family dwelling***) **Not served by sanitary sewer** - as determined by the Tippecanoe County Health Department (and the Division of Sanitary Engineering, Indiana State Department of Health except for ***single-*** and ***two-family residences)***, on a lot-by-lot basis, but in no case less than 30,000 sq.ft. (Amend 31) See 4-3 for additional information

A	2-23 AGRICULTURAL ZONES, cont'd.	A
2-23-5	**MINIMUM *LOT WIDTH*:**	**Nonresidential *use*:** **Served by sanitary sewer** - none **Not served by sanitary sewer** - as determined by the Tippecanoe County Health Department (and the Division of Sanitary Engineering, Indiana State Department of Health, on a lot-by-lot basis **Residential *use*:** **Served by sanitary sewer** - 100' **Not served by sanitary sewer** - as determined by the Tippecanoe County Health Department (and the Division of Sanitary Engineering, Indiana State Department of Health except for ***single-*** and ***two-family residences***), on a lot-by-lot basis, but in no case less than the requirement for ***uses*** served by sanitary sewer See 4-3 for additional information
2-23-6	***LOT COVERAGE*:**	**Maximum coverage by all *buildings*** - 20% **Minimum *vegetative cover*** - 50%
2-23-7	**MINIMUM *FRONT*, *REAR* OR *SIDE SETBACK* ALONG *STREET FRONTAGE*:** (Amend 8)	**Along a *local street* or *place*** - 25' **Along a *collector street*** - 30' **Along a *secondary arterial*** - 40' **Along a *primary arterial*** - 60' See 4-4 for exceptions
2-23-8	**MINIMUM *REAR SETBACK* NOT ALONG *STREET FRONTAGE*:**	***Primary use building*** - 25' ***Accessory building*** - 10' See 4-4 for additional information
2-23-9	**MINIMUM *SIDE SETBACK* NOT ALONG *STREET FRONTAGE*:**	6' See 4-4 for additional information
2-23-10	**MAXIMUM *BUILDING HEIGHT*:**	35' for residential ***buildings*** See 4-5 for exceptions
2-23-11	**MINIMUM OFF-STREET PARKING REQUIREMENTS:**	**Residential *use*:** 2 spaces per ***dwelling unit*** **Nonresidential *use*:** See 3-2 and 4-6-3
2-23-12	**ON PREMISE *SIGNS*:**	See 4-8
2-23-13	**BUFFERING REQUIREMENTS:**	See 4-9

AA	**2-24 SELECT AGRICULTURAL ZONES**	**AA**
2-24-1	**INTENT:**	To provide areas identified within the adopted *Comprehensive Plan* as having either highest or a combination of high and highest potential for agricultural ***use***, where no urbanization has occurred, and which are to be reserved for the wide range of agricultural activities and the homes primarily of those engaged in such activities and of their families.
2-24-2	**BOUNDARIES:** Boundaries for AA ***zones*** have been drawn to include substantial areas having either highest or a combination of high and highest potential for agricultural ***use***. These potentials have been determined by applying the *Land Use Potentials* decision-making matrix, used to generate the *Phased Land Use Plan* within the *Comprehensive Plan for Tippecanoe County* (adopted September 16, 1981). The methodology is described in *Volume 1* of the *Comprehensive Plan*, the *Phased Land Use Plan* in *Volume 2*. When a petitioner applies to rezone AA-zoned land to permit a non-agricultural or related land ***use***, the Commission's staff shall reapply this methodology to the petitioner's site. This will determine what proportion of the site actually has less than high potential for agricultural ***use***. This new information shall then be included in the staff's written report to the Commission. The Commission will then use the information in making its recommendation.	
2-24-3	**PERMITTED *USES* AND *STRUCTURES*:**	***Primary uses***: see 3-2 ***Accessory uses***: see 4-1
2-24-4	***USES* AND *STRUCTURES* ALLOWED BY *SPECIAL EXCEPTION*:**	***Primary uses***: see 3-2
2-24-5	**MINIMUM *LOT AREA*:**	**Nonresidential *use*:** **Served by sanitary sewer** - none **Not served by sanitary sewer** - as determined by the Tippecanoe County Health Department and the Division of Sanitary Engineering, Indiana State Department of Health, on a lot-by-lot basis

AA	2-24 SELECT AGRICULTURAL ZONES, cont'd.	AA
		Residential *use*: **Served by sanitary sewer** - 15000 sq.ft. **Not served by sanitary sewer** - as determined by the Tippecanoe County Health Department (and the Division of Sanitary Engineering, Indiana State Department of Health except for ***single-*** and ***two-family residences***), on a lot-by-lot basis, but in no case less than 30,000 sq.ft. (Amend 31) See 4-3 for additional information
2-24-6	**MINIMUM *LOT WIDTH*:**	**Nonresidential *use*:** **Served by sanitary sewer** - none **Not served by sanitary sewer** - as determined by the Tippecanoe County Health Department and the Division of Sanitary Engineering, Indiana State Department of Health, on a lot-by-lot basis **Residential *use*:** **Served by sanitary sewer** - 100' **Not served by sanitary sewer** - as determined by the Tippecanoe County Health Department (and the Division of Sanitary Engineering, Indiana State Department of Health except for ***single-*** and ***two-family residences***), on a lot-by-lot basis, but in no case less than the requirement for ***uses*** served by sanitary sewer See 4-3 for additional information
2-24-7	***LOT COVERAGE*:**	**Maximum coverage by all *buildings*** - 10% **Minimum *vegetative cover*** - 75%
2-24-8	**MINIMUM *FRONT*, *REAR* OR *SIDE SETBACK* ALONG *STREET FRONTAGE*:** (Amend 8)	**Along a *local street* or *place*** - 25' **Along a *collector street*** - 30' **Along a *secondary arterial*** - 40' **Along a *primary arterial*** - 60' See 4-4 for exceptions
2-24-9	**MINIMUM *REAR SETBACK* NOT ALONG *STREET FRONTAGE*:**	***Primary use building*** - 25' ***Accessory building*** - 10' See 4-4 for additional information

AA	**2-24 SELECT AGRICULTURAL ZONES, cont'd.**	**AA**
2-24-10	**MINIMUM *SIDE SETBACK* NOT ALONG *STREET FRONTAGE*:**	6' See 4-4 for additional information
2-24-11	**MAXIMUM *BUILDING HEIGHT*:**	35' for residential ***buildings*** See 4-5 for exceptions
2-24-12	**MINIMUM OFF-STREET PARKING REQUIREMENTS:**	**Residential *use*:** 2 spaces per ***dwelling unit*** **Nonresidential *use*:** See 3-2 and 4-6-3
2-24-13	**ON PREMISE *SIGNS*:**	See 4-8
2-24-14	**BUFFERING REQUIREMENTS:**	See 4-9

AW	**2-24 AGRICULTURAL AND WOODED ZONES**	**AW**
2-25-1	**INTENT:**	To provide areas containing sloped and wooded land, where little or no urbanization has occurred or is planned to occur, and where conservation of natural vegetation, soils, and water is desirable yet compatible with the broad range of agricultural operations, many recreational ***uses*** and limited residential ***use***.
2-25-2	**PERMITTED *USES* AND *STRUCTURES*:**	***Primary uses***: see 3-2 ***Accessory uses***: see 4-1
2-25-3	***USES* AND *STRUCTURES* ALLOWED BY *SPECIAL EXCEPTION*:**	***Primary uses***: see 3-2
2-25-4	**MINIMUM *LOT AREA*:**	**Nonresidential *use*:** **Served by sanitary sewer** - none **Not served by sanitary sewer** - as determined by the Tippecanoe County Health Department and the Division of Sanitary Engineering, Indiana State Department of Health, on a lot-by-lot basis

AW	**2-24 AGRICULTURAL AND WOODED ZONES, cont'd.**	**AW**
Residential *use*:		**Served by sanitary sewer** - 15000 sq.ft. **Not served by sanitary sewer** - as determined by the Tippecanoe County Health Department (and the Division of Sanitary Engineering, Indiana State Department of Health except for ***single-family residences***), on a lot-by-lot basis, but in no case less than 30,000 sq.ft. (Amend 31) See 4-3 for additional information
2-25-5	**MINIMUM *LOT WIDTH*:**	**Nonresidential *use*:** **Served by sanitary sewer** - none **Not served by sanitary sewer** - as determined by the Tippecanoe County Health Department and the Division of Sanitary Engineering, Indiana State Department of Health, on a lot-by-lot basis **Residential *use*:** **Served by sanitary sewer** - 100' **Not served by sanitary sewer** - as determined by the Tippecanoe County Health Department (and the Division of Sanitary Engineering, Indiana State Department of Health except for ***single-family residences***), on a lot-by-lot basis, but in no case less than the requirement for ***uses*** served by sanitary sewer See 4-3 for additional information
2-25-6	***LOT COVERAGE*:**	**Maximum coverage by all *buildings*** - 10% **Minimum *vegetative cover*** - 75%
2-25-7	**MINIMUM *FRONT*, *REAR* OR *SIDE SETBACK* ALONG *STREET FRONTAGE*:** (Amend 8)	**Along a *local street* or *place*** - 25' **Along a *collector street*** - 30' **Along a *secondary arterial*** - 40' **Along a *primary arterial*** - 60' See 4-4 for exceptions
2-25-8	**MINIMUM *REAR SETBACK* NOT ALONG *STREET FRONTAGE*:**	***Primary use building*** - 25' ***Accessory building*** - 10' See 4-4 for additional information

AW	**2-25 AGRICULTURAL AND WOODED ZONES, cont'd.**	**AW**
2-25-9	**MINIMUM *SIDE SETBACK* NOT ALONG *STREET FRONTAGE*:**	6' See 4-4 for additional information
2-25-10	**MAXIMUM *BUILDING HEIGHT*:**	35' for residential ***buildings*** See 4-5 for exceptions
2-25-11	**MINIMUM OFF-STREET PARKING REQUIREMENTS:**	**Residential *use*:** 2 spaces per ***dwelling unit*** **Nonresidential *use*:** See 3-2 and 4-6-3
2-25-12	**ON PREMISE *SIGNS*:**	See 4-8
2-25-13	**BUFFERING REQUIREMENTS:**	See 4-9

FP 2-26 FLOOD PLAIN ZONES FP

2-26-1 INTENT:

To protect lowland areas adjacent to lakes and ponds and areas that are within the ***flood plain*** of rivers and creeks, all of which are subject to inundation and damage from flood waters up to the elevation of the ***regulatory flood***.

2-26-2 BOUNDARIES:

(a) All land in a ***flood plain*** below the ***regulatory flood*** elevation (Amend 5) shall be contained in an FP ***zone***. The boundaries of FP ***zones*** are as shown on the official zoning maps, and are as approved by the Indiana Department of Natural Resources (IDNR).

(b) For land along streams with an upstream drainage basin of less than one square mile (small drainage basins), the ***flood plain*** boundary shall be as shown on the official zoning map. IDNR's Division of Water shall determine in writing that a stream's drainage basin is less than one square mile in area.

(c) Changes in these boundaries shall be made only through the procedures detailed in 2-26-17 below.

2-26-3 *USES* AND *STRUCTURES* PERMITTED WITHIN A *FLOODWAY FRINGE*:

The following ***uses*** and ***structures*** are permitted, provided that all federal and state permits have been obtained:

(a) ***Primary uses***: see 3-2;

(b) ***structures*** accessory to permitted ***primary uses***, provided they do not obstruct circulation of water, threaten water quality, create erosion hazards or disrupt significant wildlife habitat, including:

(1) detached, unenclosed carports (no walls permitted) and the driveways serving them;
(2) fences;
(3) mailboxes;
(4) ***parking spaces***;
(5) recreational apparatus;
(6) unenclosed shelters (no walls permitted); and
(7) water wells and fountains.

(c) ***streets*** and bridges;
(d) ***campsites*** at ***RV parks and campgrounds***;
(e) peninsulas created of fill material;
(f) walkways, benches, informational displays, directional ***signs***, foot bridges, observation decks, duck blinds, wildlife management shelters and other water-related structures that are constructed on pilings to permit the unobstructed flow of water and preserve the natural contours of the ***flood plain***; and
(g) enhancement of wetlands to improve wildlife habitat in accordance with a plan approved by the Indiana Department of Natural Resources (IDNR).

2-26-4 *USES* AND *STRUCTURES* PERMITTED WITHIN A *REGULATORY FLOODWAY*:

(a) Same as in 2-26-3 above; and
(b) boat anchorages, moorings and piers.

However, when IDNR also requires one of these ***uses*** or ***structures*** to have a permit to construct in a ***floodway***, that ***use*** or ***structure*** shall not be permitted until IDNR issues that permit.

2-26-5 *USES* AND *STRUCTURES* PROHIBITED WITHIN EITHER A *FLOODWAY FRINGE* OR *REGULATORY FLOODWAY*:

The following ***uses*** and ***structures*** are prohibited, even if federal and state approvals and/or permits have been obtained:

(a) additions to existing ***structures***;
(b) ***uses*** not expressly permitted in 3.2 below.

2-26-6	**MINIMUM *LOT AREA*:**	none
2-26-7	**MINIMUM *LOT WIDTH*:**	none
2-26-8	***LOT COVERAGE*:**	**Maximum coverage by all *structures*** - 5% **Minimum *vegetative cover*** - 90%

FP	2-26 FLOOD PLAIN ZONES, cont'd.	FP
2-26-9	**MINIMUM *FRONT*, *REAR* OR *SIDE* *SETBACK* ALONG *STREET FRONTAGE*:** (Amend 8)	**Along a *local street* or *place*** - 25' **Along a *collector street*** - 30' **Along a *secondary arterial*** - 40' **Along a *primary arterial*** - 60' See 4-4 for exceptions
2-26-10	**MINIMUM *REAR* *SETBACK* NOT ALONG *STREET FRONTAGE*:**	***Primary use structure***- 25' ***Accessory structure*** - 10' See 4-4 for additional information
2-26-11	**MINIMUM *SIDE* *SETBACK* NOT ALONG *STREET FRONTAGE*:**	6' See 4-4 for additional information
2-26-12	**MINIMUM *FRONT*, *REAR* OR *SIDE* *SETBACK* ALONG *STREET FRONTAGE*:**	**Along a *local street* or *place*** - 25' **Along a *collector street*** - 30' **Along a *secondary arterial*** - 40' **Along a *primary arterial*** - 60' See 4-4 for exceptions
2-26-13	**MAXIMUM *STRUCTURE* *HEIGHT*:**	35' See 4-5 for exceptions
2-26-14	**MINIMUM OFF-STREET PARKING REQUIREMENTS:**	See 3-2 and 4-6-3
2-26-15	**ON PREMISE *SIGNS*:**	See 4-8
2-26-16	**BUFFERING REQUIREMENTS:**	See 4-9

2-26-17 CHANGING FP BOUNDARIES:

(a) Where a current ***Flood Insurance Rate Map (FIRM)*** includes the base flood elevation at the property in question, a petitioner seeking to amend the boundaries of FP-zoned land described in 2-26-2-a above, shall provide the ***Executive Director*** with a scaled map of the property and a metes and bounds legal description. The base flood elevation on the ***FIRM*** map is equivalent to the ***regulatory flood elevation***. The ***Executive Director*** shall then determine the ***regulatory flood elevation*** from the current ***FIRM*** map.

(b) If advised by the ***Executive Director*** that there is no current ***FIRM*** map that includes the base flood elevation at the property in question, a petitioner seeking to amend the boundaries of FP-zoned land described in 2-26-2-a above, shall provide IDNR's Division of Water with a scaled map and metes and bounds legal description. IDNR shall then determine the ***regulatory flood elevation*** and ***floodway*** location for the property on the official zoning maps.

(c) The ***Executive Director*** may change the boundary of the FP ***zone*** upon a petitioner providing:
   (1) a written request that the FP boundary be changed; and
   (2) a metes and bounds legal description of that portion of the property situated at or above the ***regulatory flood elevation*** determined by 2-26-17-a or 2-26-17-b above, certified by a Registered Land Surveyor. (Amend 45)

(d) When seeking to amend the boundaries of FP-zoned land described in 2-26-2-b above, the ***regulatory flood*** boundary in these small drainage basins may be adjusted by the ***Executive Director***, upon written request, to the limits of the alluvial soils shown on the U.S. Department of Agriculture's Soil Conservation Service soil maps for Tippecanoe County. The alluvial soils shall be considered as being the ***regulatory floodway***.

(e) An area of land removed from an FP ***zone*** through the process outlined in 2-26-17-c or 2-26-17-d above, shall take on the zoning of adjacent areas on the zoning map. Where adjacent areas are characterized by more than one ***zone***, the line dividing those ***zones*** shall be extended through the land being removed from the FP ***zone***. These are exceptions:
   (1) An area in the ***floodway*** that is filled to an elevation at or above the ***regulatory flood*** will still be considered part of the ***floodway***, and shall retain its FP zoning.
   (2) If an island of land is certified as having natural ground elevation at or above that of the ***regulatory flood*** and is in the ***floodway fringe*** and adjacent to no ***zone*** other than an FP ***zone***, it shall be zoned AW.
   (3) An area removed from an FP ***zone*** that is situated next to land previously removed from an FP ***zone*** shall derive its zoning from that previously removed land only if no other adjacent land is present.
   (4) A PD ***zone*** shall not be considered an adjacent ***zone*** for purposes of assigning a new classification to an area removed from an FP ***zone***. Land removed from an FP ***zone***, situated next to no ***zone*** other than PD and FP, shall be zoned AW.

(f) Reclassification of land to some ***zone*** other than FP in and of itself provides no guarantee that an ***improvement location permit*** can be issued for any specific proposed ***use***.

2-26-18 ADDITIONAL RESTRICTIONS:

To prevent harm to lands within an FP ***zone***:

(a) ***Buildings*** permitted in adjoining ***zones*** on land within 100' of an FP ***zone*** shall comply with the ***flood protection grade***;

FP 2-26 FLOOD PLAIN ZONES, cont'd. FP

(b) Water wells, water lines and sewage facilities located within a ***flood plain*** shall be constructed to eliminate contamination of or by floodwater;

(c) Clearcutting of trees in the ***floodway*** shall be prohibited.

(d) Peninsulas created of fill material shall be permitted within a ***floodway fringe***, and may be permitted within a ***regulatory floodway*** as per 2-26-4 above. However, islands created of fill material shall not be permitted. No encroachment or fill within the ***floodway fringe*** or the ***regulatory floodway*** may increase the base flood elevation for that reach of the stream more than one-tenth of one foot. Indiana Department of Natural Resources, Division of Water, verification of that fact shall be required in writing for ***floodways***, or by certification of a Registered Land Surveyor or Professional Engineer if in the ***floodway fringe***.

(e) Additionally, if a ***residential*** or nonresidential ***building*** is to be constructed on permanent land fill that raises the elevation of land out of the ***floodway fringe***, the fill shall be placed in layers no greater than 1' deep before compacting to 95% of the maximum density obtainable with the Standard Proctor Test method. This procedure shall be certified by a Professional Engineer (Amend 41).

PD 2-27 PLANNED DEVELOPMENT ZONES PD

2-27-1 INTENT:

(a) PD zoning may be used to foster innovative and diverse design in land development that is still consistent with both the adopted *Comprehensive Plan* and the intent of the *Unified Zoning* and *Subdivision Ordinances*. To achieve this, the Commission does not apply any other provisions of this chapter or Chapter 4 below. Instead, the Commission -- through its staff -- negotiates a specific development plan with the petitioner for PD zoning and representatives of the checkpoint agencies. The combined elements of this negotiated plan -- rather than zone regulations -- then become the subject of the rezoning process. All restrictions and regulations for a specific Planned Development are thus contained within the approved and recorded plan itself, having been arrived at prior to rezoning. PD zoning may be applied to existing ***development*** or to open land, on small or large tracts.

(b) The Commission's goal is to provide a widening variety of environmentally appropriate residential, nonresidential and mixed-use ***developments*** to meet the needs of this community. To help create attractive, healthful, efficient and stable places to live, shop and work, the Commission encourages use of PD zoning within the following contexts:
   (1) to accommodate compatible ***development*** in environmentally sensitive locations;
   (2) to enhance compatibility with surrounding land ***uses***;
   (3) to permit a harmonious variety of ***uses*** within a single ***development***;
   (4) to promote efficiency and thus economy by clustering structures and/or by using shared facilities or services;
   (5) to foster new site treatments not contemplated in other kinds of ***zones***.

2-27-2 ORIGINATION OF PROPOSALS:

(a) A request to rezone from any other zoning classification to PD may be initiated by:
   (1) all owners of the property in question; or
   (2) any group of owners united in interest, acting jointly in pursuance to an agreement to carry out the proposal in separate ownership.

(b) Because of the unified design of a planned development and because the combined elements of the negotiated plan are the substance of the ***zone*** itself, this ordinance requires that a request to reclassify from PD to PD shall include amongst the petitioners either:
   (1) all owners of the property within the current planned development; or
   (2) the owners' association acting on behalf of a majority of property owners in the current planned development, as constituted in the recorded bylaws.

(c) Also, in keeping with provisions of 5-2-3 below, PD zoning is mandatory for any new ***condominium*** construction or ***condominium*** conversion.

2-27-3 CLASSIFICATION OF PLANNED DEVELOPMENTS:

(a) To identify the nature of planned developments on zoning maps, they shall be classified as one of these four ***zones***:
   (1) **PDRS**, in which all ***buildings*** and land are developed for residential ***use*** and those activities customarily accessory to residential ***use***;
   (2) **PDNR**, in which no ***buildings*** or land are developed for residential ***use***, but rather for commercial and/or industrial and/or recreational and/or some other nonresidential ***use***;

(3) **PDMX**, in which ***buildings*** and land are developed as a mix of both residential and nonresidential ***uses***; and

(4) **PDCC**, in which the only change proposed involves either:

(A) the conversion to ***condominium*** ownership of a ***development*** which has received occupancy permits for all parts no less than three years prior; or

(B) the conversion to ***condominium*** ownership of an existing ***building*** in a CB or CBW ***zone*** or in a PD ***zone*** adjoining or surrounded by a CB or CBW zone;

where there is no further division of land involved.

(b) Those PD ***zones*** and overlays approved prior to the adoption of this amendment shall be reclassified as one of the above four zoning categories.

2-27-4 PRE-SUBMISSION CONFERENCE:

(a) No pre-submission conference is required before submitting a rezoning request to PDCC.

(b) Before submitting any of the materials required for a rezoning request to either PDRS, PDNR or PDMX, the petitioner shall arrange a meeting with staff and the appropriate ***Administrative Officer***, and if outside the corporate limits of Lafayette and West Lafayette, the County Surveyor and Highway Executive Director, or their designees (Amend 15). If outside the service area of sanitary sewer, the County Health Department shall also be notified (Amend 41).

(c) The petitioner shall bring to this meeting a drawing or sketch of the proposed planned development that:

(1) is at least approximately scaled;

(2) includes the entire tract;

(3) shows, in at least schematic detail, location of proposed ***uses*** and major ***buildings***, layout and classification of ***roads***, all entrances and exits, any environmentally sensitive areas;

(4) proposes treatment of environmentally sensitive areas;

(5) indicates phasing and a time frame for ***development***.

(d) Discussion at this meeting shall include:

(1) the intent and requirements of PD zoning;

(2) the petitioner's intentions and objectives regarding land ***use***, ***street*** improvements, utilities, the interrelationship of these aspects, and similar matters (Amend 15);

(3) the petitioner's intentions assuring compatibility between ***uses*** proposed for the perimeter of the PD and surrounding land ***uses*** and zoning classifications;

(4) general availability of utilities to the site;

(5) the area's current zoning pattern and all elements of the *Comprehensive Plan*;

(6) specific materials and documents required in 2-27-5 below to be included with the submission, and a list of checkpoint agencies to be involved;
(7) classification of the proposed rezoning as either PDRS, PDNR or PDMX, as per 2-27-3 above; and
(8) a proposed schedule for the rezoning process.

2-27-5 FILING REQUIREMENTS FOR A PD REZONING REQUEST WITH DRAFT PLAN:

(a) After a pre-submission meeting, or to initiate a PDCC action, the petitioner may file a rezoning request to one of the PD classifications. The last working day of each month is the deadline for a petitioner to make a complete submission intended to be heard as a rezoning request no sooner than the Commission's public meeting about 1½ months later.

(b) This submission shall contain the following:
(1) a non-refundable processing fee as set by the Commission;
(2) a signed and notarized Petition to Rezone with metes and bounds legal description, indicating the PD classification being sought, signed by the owner or owners of all property involved, or with a notarized Affidavit of Consent of all owners attached;
(3) a list of names, addresses and auditor's key numbers of all property owners located adjacent to and directly across the street, alley, or railroad ***right-of-way*** from the property described in 2-27-5-b-2 above;
(4) 2 Notices of Public Hearing, each with a metes and bounds or other proper legal description and the common address or location of the property;
(5) 2 release letters authorizing the staff to submit Notices of Public Hearings to the designated newspapers;
(6) a typed original and 16 copies of the proposed ordinance to rezone the property, using the sample format provided by the staff;
(7) 3 sets of drawings, labeled Draft Plan, using the format described in the Commission's publication, *PD Draft and Preliminary Plan Supplemental Guidelines*; to include a published and recorded boundary survey meeting the requirements of *IAC Title 865 Article 1 Rule 12* or its successor, plus a full and detailed site analysis and proposed ***site plan***, utilities plan and landscape plan called for in that publication;
(8) if dividing land, 3 copies of the preliminary ***plat***, prepared by a Registered Land Surveyor in conformance with the requirements of Appendix B-1 below.

(9) 3 copies of any proposed covenants and horizontal property ownership and owners' association documents (including amendment provisions that conform to 2-27-14-a through 2-27-14-c below). These shall include a table of contents, and be written in plain language easily understood by most readers; and

(10) signatures of all required checkpoint agencies, or post office receipts of certified mailing, indicating receipt of one set each of the items listed as (7) through (9) above.

(c) Checkpoint agencies to be provided with sets of plans and other documents will have been determined at the pre-submission meeting. They include those agencies having jurisdiction in areas potentially affected by the petitioner's proposed ***development***. The list may be drawn from the agencies listed in 2-27-5-c-1 on the following page. For a PDCC rezoning, upon request of the petitioner, the staff will provide a list of checkpoint agencies to be provided with sets of plans and documents (Amend 15).

(d) If the petitioner fails to meet the filing requirements of 2-27-5 above within 6 months of the pre-submission meeting date, the petitioner shall schedule a new pre-submission meeting, as per 2-27-4, in order to continue the project.

2-27-5-c-1 LIST OF CHECKPOINT AGENCIES:

CITY OF LAFAYETTE	
City Engineer	Redevelopment Commission
Water Dept.	Tippecanoe Soil and Water County Conservation District
Health Department	Indiana Department of Transportation
Wastewater Dept.	Lafayette or Tippecanoe School Corporation
Police Dept., Traffic Division	
Fire Chief	
Parks and Recreation Dept.	
CITY OF WEST LAFAYETTE	
City Engineer	W. L. or Tippecanoe School Corp.
Traffic Commission	Environmental Commission
Wastewater Trtmnt. Utility	Development Department
Police Dept. Traffic Chief	Tippecanoe County Health Dept.
United Water of West Lafayette	Tippecanoe Soil and Water Conservation District
Fire Chief	Indiana Dept. of Transportation
Parks and Recreation Dept.	

TIPPECANOE COUNTY	
Highway Dept.	Parks and Recreation Dept.
Building Commission	Tippecanoe Soil and Water Conservation District
Surveyor	
Health Dept.	Tippecanoe, Lafayette, West Lafayette or Benton County School Corp.
County Sheriff or Municipal Police Dept.	Appropriate Water Utility
Local Fire Department	Appropriate Wastewater Utility
	Indiana Dept. of Transportation
INCORPORATED TOWNS	
Town Council	Tippecanoe School Corporation
County Health Dept.	Tippecanoe Soil and Water Conservation District
Town Marshall	
Local Fire Dept.	Indiana Dept. of Transportation

2-27-6 REQUIRED REVIEW MEETING:

(a) The Commission's staff shall determine if the petitioner's submission is complete. If it is, written notices shall be sent to the petitioner, the petitioner's representatives, the checkpoint agencies and the staff, scheduling a Required Review Meeting to be held on or before the third Wednesday of that month. If the submission is found to be incomplete, the staff shall provide the petitioner with a written statement detailing its deficiencies regarding items in 2-27-5-b above. The last day of that month will then be the next filing deadline for a complete submission.

(b) At the Required Review Meeting, the staff and checkpoint agency representatives will have an opportunity to recommend revisions to the Draft Plan submission and discuss them with the petitioner and petitioner's representatives. Checkpoint agencies may provide written comments to the ***Executive Director*** instead of being present.

2-27-7 PRELIMINARY PLAN APPLICATION REQUIREMENTS: (Amend 51)

(a) Following the Required Review Meeting, the petitioner shall submit a Preliminary Plan no later than the last Wednesday of the month preceding the intended public hearing. A complete Preliminary Plan application shall contain the following: (Amend 51)

(1) 8 sets of drawings, labeled Preliminary Plan, containing all the elements of the Draft Plan reflecting changes resulting from the Required Review Meeting, including all revisions recommended by the staff and checkpoint agencies; (Amend 51)

(2) if dividing land, 8 copies of the preliminary ***plat***, prepared by a Registered Land Surveyor as per Appendix B-1 below, included within the Preliminary Plans; and

(3) 8 copies of any covenants and horizontal property ownership and owners' association documents (including amendment provisions that conform to 2-27-14-a through 2-27-14-c below). These shall include a table of contents, and be written in plain language easily understood by most readers.

(b) If the petitioner fails to meet the Preliminary Plan application requirement within 6 months of the date of the Required Review Meeting, his rezoning petition shall be void. If the petitioner wishes to continue with the project, he shall schedule a new pre-submission meeting, as per 2-27-4 above. (Amend 51)

2-27-8 PRELIMINARY PLAN HEARING AND DISPOSITION:

(a) The petition and Preliminary Plan shall then be heard by the Commission as a petition for zoning ordinance amendment, subject to the procedures that apply to such an amendment. Upon hearing the request, the Commission may recommend either approval, amendment, or disapproval of the Preliminary Plan, or may vote no recommendation pursuant to ***APC*** bylaws.

(b) The Commission may impose reasonable conditions with its recommendation. These conditions shall only involve the inclusion of additional items unrelated to the project's design. Such items include being granted additional approval by another governmental agency such as the Drainage Board, or obtaining permission to attach to an existing utility.

(c) If the Commission requires changes in design, regarding the proposed site, utilities or landscape plans, then the Commission shall vote to recommend amendment. Should this happen, the petitioner may resubmit a second Preliminary Plan, as per 2-27-7 above, for a later rehearing by the Commission.

(d) If the Commission recommends approval, disapproval or no recommendation, the 8 sets of Preliminary Plans (including drawings, ***plats*** and covenants) shall be stamped with that recommendation and signed by the President and Secretary of the Commission. The distribution of these sets shall be as follows:

(1) 1 set shall be permanently retained in the office of the Commission;

(2) 2 sets shall be returned to the petitioner;

(3) 4 sets shall be distributed by the staff, with 1 set going to each of the appropriate, gas, electric, telephone and cable television utilities; and

(4) 1 set shall be certified to the appropriate legislative body for adoption as a ***Planned Development Zone*** pursuant to the laws governing zoning ordinance amendments.

(e) The legislative body may adopt or defeat the certified Preliminary Planned Development, but shall not amend it. If it is adopted by the legislative body, the petitioner may prepare Final Detailed Plans.

2-27-9 APPROVAL OF FINAL DETAILED PLANS FOR PDCC *ZONES*:

(a) Following rezoning to PDCC by the legislative body, the petitioner may submit Final Detailed Plans. The petitioner cannot file required ***condominium*** documents with the County Recorder, until the staff approves these Final Detailed Plans.

(b) A complete PDCC Final Detailed Plans submission shall contain the following:

(1) evidence that any conditions imposed by the Commission at the time of its hearing have been met;

(2) a minimum of 8 sets of drawings, labeled Final Detailed Plans -- ***Condominium*** Conversion, identical in content to the Approved Preliminary Plan (within the context of the imposed conditions), reviewed and signed by the appropriate ***Administrative Officer.*** The number of sets shall be determined by the staff; and

(3) a minimum of 8 signed copies of any covenants and horizontal property ownership and owners' association documents (including amendment provisions that conform to 2-27-14-a through 2-27-14-c below). These shall include a table of contents, and be written in plain language easily understood by most readers. The number of copies shall be determined by the staff.

(c) The staff shall review these Final Detailed Plans within 5 working days of the petitioner's submission. If the staff finds they comply with 2-27-9-b above, the staff shall approve them by attaching a certificate of approval, signed and dated by the ***Executive Director***, stating its finding of compliance. If the staff finds them incomplete as per 2-27-9-b above, the staff shall notify the petitioner of the deficiencies. After this certificate is attached, the petitioner shall not submit an alternate or revised set of Final Detailed Plans for the same legal description, except under the circumstance described in 2-27-11-c below.

2-27-10 APPROVAL OF FINAL DETAILED PLANS FOR PDRS, PDNR AND PDMX *ZONES*:

(a) Following rezoning to PDRS, PDNR or PDMX, the petitioner may file Final Detailed Plans. The petitioner can neither seek ***improvement location permits*** nor begin any ***development*** (including earth moving) activity until the Commission approves these Final Detailed Plans and the petitioner records them (Amend 15). To be complete, Final Detailed Plans shall have already been approved and signed by the

appropriate ***Administrative Officer***; any applicable sanitary sewer and water provider, public or private; and if outside the Cities of Lafayette and West Lafayette, the Director of the County Highway Department, and the County Surveyor on behalf of the County Drainage Board. Final Detailed Plans may be submitted for the entire project or any part of it.

(b) A complete PDRS, PDNR or PDMX Final Detailed Plans submission shall contain the following:

(1) evidence that any conditions imposed by the Commission at the time of its hearing have been met. If Final Detailed Plans for only part of the project are being submitted, only those conditions bearing on that part need be met;

(2) 10 sets of drawings, labeled Final Detailed Plans, consisting of all the elements of the Approved Preliminary Plan, plus full Construction Plans, prepared in conformance with the requirements of Appendix B-2 below, for all public improvements to be installed by the developer.

(3) 10 signed copies of any covenants and horizontal property ownership and owners' association documents (including amendment provisions that conform to 2-27-14-a through 2-27-14-c below). These shall include a table of contents, and be written in plain language to be easily understood by most readers; and

(4) a release from the mortgage company, if any, covering the necessary ***right-of-way***, where ***right-of-way*** is to be dedicated.

(5) If one or more lots are being created, the petitioner shall provide 10 copies and a reproducible mylar of the signed final ***plat***, prepared by a Registered Land Surveyor in conformance with Appendix B-3 below, with a Planned Development Dedication Certificate appended. The petitioner may either submit this final ***plat*** along with items (1) through (4) above, or at a later time. In either event, the final ***plat*** is a part of Final Detailed Plans, and as such, no ***improvement location permit*** shall be issued until the ***plat*** is both approved as per 2-27-10-d below, and recorded as per 2-27-11.

(c) If public improvements or improvements for common usage are to be installed by the petitioner, he or she shall either:

(1) complete the improvements upon approval of the construction plans portion of the Final Detailed Plans, or

(2) ask the Commission's approval at the time the ***plat*** is approved (whether submitted with construction plans or at a later time), to post bond for these improvements, or submit a certified check, or irrevocable letter of credit or certificate of deposit, as per Appendix B-4 below. No ***improvement location permit*** shall be issued until surety has been provided (Amend 15).

Improvements for common usage include landscaping, recreational components and all other facilities either located in common areas or designated for common ***use***.

(d) If the Commission finds the submission of Final Detailed Plans (with final ***plat***, or final ***plat*** alone after previous portions of Final Detailed Plans have been approved) to conform to the Approved Preliminary Plan as adopted by the legislative body at the time of rezoning, the Commission shall adopt a resolution. After this resolution is adopted, the petitioner shall not submit an alternate or revised set of Final Detailed Plans for the same legal description, except under the circumstance described in 2-27-11-c below.

(e) The adopted resolution shall be signed and dated by the President and Secretary of the Commission, and a copy shall be attached to the front of each set of approved Final Detailed Plans.

(f) Adoption of a resolution shall neither constitute nor imply a participating jurisdiction's acceptance of any ***street***, ***easement*** or park shown in Final Detailed Plans. Acceptance is only that of real property itself. The Commission may require notes to this effect.

2-27-11 RECORDING APPROVED FINAL DETAILED PLANS:

(a) Before performing any ***development***, construction or earth moving activity, or applying for ***improvement location permits***, or filing any required ***condominium*** documents, the petitioner shall record approved Final Detailed Plans in the Office of the County Recorder.

(b) The staff shall accompany the petitioner in the recording process. Final Detailed Plans shall first be stamped and dated at the County Auditor's office, with one set of plans given the County Auditor. The remaining sets of Final Detailed Plans shall then be stamped, numbered and recorded at the County Recorder's office, and then distributed by the petitioner. The staff shall provide the petitioner a list of agencies to which the petitioner shall distribute sets of approved and recorded plans. The petitioner shall keep at least one set.

(c) If the petitioner fails to record Final Detailed Plans for all or any part of the entire project within 30 days of the date of their approval, that approval expires. In order to continue, the petitioner then shall resubmit Final Detailed Plans for approval, as per 2-27-9 or 2-27-10 above.

(d) Any construction that does not fully comply with recorded Final Detailed Plans will be subject to appropriate enforcement action as provided for in 6-3-1 below.

2-27-12 AMENDING RECORDED FINAL DETAILED PLANS:

(a) A property owner may wish to make changes to a PDRS, PDNR or PDMX project after Final Detailed Plans have been recorded. If these changes are determined to conform to the Approved Preliminary Planned Development as adopted by the legislative body, and to constitute a minor modification only, then the changes shall be recorded as an Amended Final Detailed Plan, as per 2-27-11 above.

(1) This written determination of conformance and minor modification shall be made and signed by the appropriate ***Administrative Officer***, and attached to each copy of the Amended Final Detailed Plans before recording.

(2) A minor modification cannot include: any increase in residential ***density***; any decrease in residential ***density*** of 10% or more; any change in ***building*** dimension or location other than within the defined building envelope; any change in landscaping other than substitution of species or redesign with the same materials; any alteration in the size and/or location of signage; any change in type of land ***use***; any change in the alignment or intersection of ***streets***; or any change in restrictive covenants, or horizontal property ownership and owners' association documents regarding these items (Amend 15).

(3) Submission requirements and a timetable for seeking a determination of conformance and minor modification shall be set by each ***Administrative Officer***.

(4) Changes beyond the scope of minor modification require rezoning.

(b) For any newly constructed ***condominium*** project or attached ***zero-lot-line (ZLL)*** project, the property owners shall provide exact measurements locating ***buildings*** and common ***lot lines*** after foundations have been put in place. The revised ***plat*** reflecting exact locations needs to be approved and signed by the appropriate ***Administrative Officer*** as Amended Final Detailed Plans and recorded as per 2-27-11 above.

2-27-13 *LAPSED* AND *ABANDONED* PLANNED DEVELOPMENTS:

(a) An intended ***condominium*** conversion has ***lapsed*** if 2 years have passed since the date on which rezoning to PDCC was granted, and no Final Detailed Plans have been approved and recorded as per 2-27-9 and 2-27-11 above. Following such ***lapse***, the Commission shall initiate a petition to rezone the property to its previous classification.

(b) A planned development has been ***abandoned*** if 2 years have passed since the date on which rezoning to PDRS, PDNR or PDMX was granted, and no Final Detailed Plans have been approved and recorded for the project or any part or phase of it as per 2-27-10 and 2-27-11 above; or

(c) Parts or phases of a planned development have been ***abandoned*** if 10 years have passed since the date on which rezoning to PDRS, PDNR or PDMX was granted, and only Final Detailed Plans for other parts or phases have been approved and recorded as per 2-27-10 and 2-17-11 above.

(d) An ***Administrative Officer*** cannot issue an ***improvement location permit*** for an ***abandoned*** planned development or an ***abandoned*** part or phase of a planned development. An ***abandoned*** planned development or ***abandoned*** part or phase shall be rezoned (and if to a PD classification, comply with 2-27-11 above) before the property's owner once more becomes eligible to receive an ***improvement location permit*** at that location.

(e) Neither the Commission nor any legislative body shall initiate a petition to rezone any PD-zoned property unless it has either ***lapsed*** or been ***abandoned***.

2-27-14 COVENANTS AND MAINTENANCE:

(a) To assure property owners that all aspects of a planned development remain in conformance with plans adopted by the legislative body at the time of rezoning, restrictive covenants and any horizontal property ownership and owner's association documents can only be changed through the procedures detailed in 2-27-12 above.

(b) These changes may be initiated only by a majority of property owners within the planned development. Multiple owners of a single property shall be considered a single owner. The developer shall be considered a single owner until all property is sold.

(c) The ***Administrative Officer*** may determine that these changes constitute a minor modification if they meet the requirements of 2-27-12-a-2 above. Changes to these documents which would alter design aspects of the project, or which are determined by the ***Administrative Officer*** to be beyond the scope of minor modification require rezoning. Covenants and any horizontal property ownership and owner's association documents must reflect the provisions of this section.

PD 2-27 PLANNED DEVELOPMENT ZONES, cont'd. PD

(d) A planned development containing common facilities shall be provided with an owners' association or other private organization responsible to and controlled by the property owners. This organization's purpose is to ensure adequate operation and maintenance of these common facilities, which may include, but are not limited to private ***streets***, common areas, landscaping, and amenities such as a clubhouse, pool or tennis courts. Recorded legal assurances shall be provided which show this organization to be self-perpetuating.

(e) All ***streets*** and roadways not dedicated to nor accepted by a public agency, and all other common facilities not dedicated to the public, shall be operated and maintained at no expense to any governmental unit.

RE 2-28 RURAL ESTATE ZONES (Amend 27) RE

2-28-1	**INTENT:**	To provide limited and appropriate areas in rural Tippecanoe County beyond the reach of sanitary sewers, for very low ***density single-family dwellings***. RE ***zones*** shall only be located where their presence would jeopardize neither the continued use of productive farmland, nor the way of life associated with farming. The cumulative impact of multiple RE ***zones*** shall be taken into account in determining whether such a ***zone*** would be appropriate where proposed.
2-28-2	**PERMITTED *USES* AND *STRUCTURES*:**	***Primary uses***: see 3-2 ***Accessory uses***: see 4-1
2-28-3	***USES* AND *STRUCTURES* ALLOWED BY *SPECIAL EXCEPTION*:**	***Primary uses***: see 3-2

RE	2-28 RURAL ESTATE ZONES, cont'd.	RE
2-28-4	**MINIMUM *LOT AREA*, *RURAL ESTATE SUBDIVISION***	as determined by the Tippecanoe County Health Department – as per County Health Department *Ordinance No. 99-30-CM* or its successors – on a lot-by-lot basis, but in no case less than 30,000 sq.ft. of RE-zoned land within at least 1 acre, exclusive of any outlot containing drainage ***easements*** and/or ***rural estate roads***, and exclusive of any ***public street right-of-way***. Regardless of ***lot area***, maximum ***density*** within a ***rural estate subdivision*** shall be no less than 2 acres per ***dwelling unit*** See 4-3 for additional information
2-28-5	**MINIMUM *LOT WIDTH*:**	100', or 45' when at least 75% of a ***lot*** fronts on the circular turn-around portion of a ***rural estate road*** cul-de-sac, measured along the line separating the ***lot*** from the adjoining outlot containing private ***road*** and drainage swale, or from the edge of the public ***right-of way***, or 20' at the 'pole' dimension and 100' at the flag dimension of a ***flag lot***
2-28-6	***LOT COVERAGE*:**	**Maximum coverage by all *buildings*** - 10% **Minimum *vegetative cover*** - 80%
2-28-7	**MINIMUM *FRONT*, *REAR* OR *SIDE SETBACK* ALONG *ROAD FRONTAGE*:**	25' from the edge of any ***rural estate road***, measured along the line separating the ***lot*** from the adjoining outlot containing private ***road*** and drainage swale, or the edge from of the public ***right-of-way*** From the edge of a ***public street*** that is not a ***rural estate road:*** **Along a *local road* or *place*** - 25' **Along a *collector road*** - 30' **Along a *secondary arterial*** - 40' **Along a *primary arterial*** - 60' See 4-4-2 through 4-4-6 for exceptions
2-28-8	**MINIMUM *REAR SETBACK* NOT ALONG AN INTERNAL *ROAD:***	***Primary use or accessory building*** - 25' See 4-4 for additional information

RE	2-28 RURAL ESTATE ZONES, cont'd.	RE
2-28-9	**MINIMUM *SIDE SETBACK* NOT ALONG AN INTERNAL *ROAD*:**	6' See 4-4 for additional information
2-28-10	**MAXIMUM *BUILDING HEIGHT*:**	35' See 4-5 for exceptions
2-28-11	**MINIMUM OFF-ROAD PARKING REQUIREMENTS:**	2 spaces per ***dwelling unit***
2-28-12	**ON PREMISE *SIGNS*:**	See 4-8
2-28-13	**BUFFERING REQUIREMENTS:**	See 4-9

2-28-14 ADDITIONAL REQUIREMENTS:

To ensure limited and appropriate levels of residential ***development*** in some rural areas in unincorporated Tippecanoe County, without jeopardizing productive farmland and the way of life associated with farming, the following parameters shall be incorporated into any submission seeking rezoning to RE for purposes of developing a ***rural estate subdivision***:

(a) Proposed RE-zoned sites, or FP-zoned portions of ***rural estate subdivisions*** shall be located no closer than ½-mile, measured radially, from the nearest sanitary sewer having unused capacity, or closer if impeded physically, by a stream or ravine or similar barrier.

(b) Petitioner shall demonstrate that more than 50% of the acreage in the ***rural estate subdivision*** request is either:

(1) wooded and untilled,

(2) ***non-tillable***, or

(3) not mechanically harvested for at least 3 of the 5 years between 1997 and 2001, based on a certification from the USDA Farm Service Agency (See Appendix G),

or a combination of any 2 or 3 of the 3 above conditions equaling more than 50%, part of which may be zoned FP. Petitioner shall supply evidence of this percentage. (Amend 52)

(c) 12 single-family residential ***lots*** shall be the maximum proposed for any ***rural estate subdivision***.

(d) ***Lots*** created through RE zoning and simultaneous ***rural estate subdivision***, shall be a minimum of 1 acre of either RE-zoned land, or 1 acre of RE- and FP-zoned land of which at least 30,000 sq.ft. is zoned RE, exclusive of any outlot containing drainage ***easements*** and/or ***rural estate roads***, and exclusive of any ***public street right-of-way***, within a maximum ***zone density*** of no more than 1 ***dwelling unit*** per 2 acres within the ***rural estate subdivision***.

(e) Each ***lot*** shall be accessed only from a ***rural estate road*** within the proposed RE-zoned site. Petitioner shall demonstrate that any ***rural estate road*** would be sited to minimize damage to existing trees and topography.

(f) A ***rural estate road*** shall be built to the specific standards found in the *Unified Subdivision Ordinance* and below in 2-28-14-g and 2-28-14-h.

(g) If it is to be held privately by a homeowners' association, the ***rural estate road*** shall:

(1) have a minimum 20' pavement width, within a minimum 52'-wide outlot;

(2) have either two 4' or wider grassed shoulders or curb and gutter alongside the pavement;

(3) if shoulders, have side ditches with a maximum 3:1 slope;

(4) when required by the County Drainage Board, have additional easements platted beyond the edge of the outlot; and

(5) should it be a ***cul-de-sac***, end in a turnaround. If looped, this turnaround shall have a minimum 20' pavement width, surrounded by a 4' or wider grassed shoulder and side ditches or curb and gutter; if no curb and gutter, have side ditches with a maximum 3:1 slope, all situated in an outlot having a minimum 80' diameter. Should the ***rural estate road*** end in a hammerhead, each side shall conform to 2-28-14-g-1 through 2-28-14-g-4 above.

All cross section design standards shall be certified by developer's Registered Land Surveyor or Professional Engineer as complying with private ***rural estate road*** standards. A private ***rural estate road*** may, on a case-by-case basis, be dedicated and may be accepted for public maintenance at any time if it has been built or subsequently rebuilt to County Highway Department standards current at the time of the request.

(h) If it is to be a ***public street*** dedicated and accepted for public maintenance, the ***rural estate road*** shall:

(1) conform to all ***subdivision*** road standards as per the *Unified Subdivision Ordinance*; or

(2) conform to the following public ***rural estate road*** standards:

(A) a rural cross-section in a dedicated 52' minimum ***right-of-way***, with 20' of pavement, 4' grassed shoulders, and a drainage easement configured with 3:1 maximum side slopes with a 2' minimum ditch depth; and

(B) an appropriate rural cross-section ***cul-de-sac***, subject to County Highway Department standards.

(i) Water supply shall be by individual well or a central water supply.

(j) Sanitary effluent shall be handled either by individual or clustered sewage disposal system, approved by the County Health Department through the ***rural estate subdivision*** process.

(k) The County Drainage Board shall enforce all aspects of drainage, including side ditches if situated within a privately held outlot. However, the County Highway Department shall enforce side ditches in dedicated ***right-of-way***.

(l) A homeowners' association shall be created and appropriate documents recorded at the time of final plat recording. The association shall be responsible for maintaining any outlot, private ***rural estate road***, common area, and improvement for common usage, and for implementing any approved stormwater management, landscape and erosion control plans. Deeds transferring outlots and common areas to the homeowners' association shall be recorded at the time of final ***plat*** recording.

RE 2-28 RURAL ESTATE ZONES, cont'd. RE

2-28-15 *SUBDIVISION* OF PROPOSED RE-ZONED SITES:

(a) All requests for RE zoning shall be accompanied or preceded by a complete application for ***rural estate subdivision*** sketch plan review. The sketch plan shall consist only of land proposed to be rezoned RE, or land proposed to be rezoned RE plus land already zoned FP.

(b) To help determine the appropriateness of the rezoning request, this sketch plan, pursuant to the requirements of the *Unified Subdivision Ordinance*, shall be completed and revised as necessary no less than 12 days before the public hearing on the rezoning request.

3 PERMITTED *USE* TABLE

3-1 PERMITTED *USES*

A table of ***primary uses*** permitted in each kind of ***zone*** is shown in 3-2 which follows. Only one ***primary use building*** is permitted per ***lot***. Within the jurisdiction of this ordinance, the ***use*** of land and the ***buildings*** and ***structures*** on it, and of any new or ***altered buildings*** or ***structures*** on it, shall conform to the listings of this table.

3-1-1 *USES* PERMITTED BY RIGHT:

A ***primary use*** is permitted by right in a ***zone*** when the letter "P" appears in the Permitted ***Use*** Table at the intersection of the row containing the name of that ***use*** and the column containing the name of that ***zone***. Please note that the permitted use is subject to:

(a) the off-street auto and bicycle parking requirement referenced in the first column of the row on which the ***use*** appears;

(b) any special conditions referenced in the second column of the row on which the ***use*** appears; and

(c) any footnotes alongside the name of the use.

Requirements for all off-street parking groups listed in the first column are found in 4-6-3 through 4-6-9 below.

3-1-2 *USES* PERMITTED BY *SPECIAL EXCEPTION*:

A ***primary use*** is permitted by ***special exception*** in a ***zone*** when the letter "S" appears in the Permitted ***Use*** Table at the intersection of the row containing the name of that ***use*** and the column containing the name of that ***zone***. Please note that the permitted ***use*** must be granted a ***special exception*** by the ***ABZA*** as per 6-4-4 below, and is subject to:

(a) the off-street auto and bicycle parking requirement referenced in the first column of the row on which the ***use*** appears;

(b) any special conditions referenced in the second column of the row on which the ***use*** appears; and

(c) any footnotes alongside the name of the ***use***.

Requirements for all off-street parking groups listed in the first column are found in 4-6-3 through 4-6-9 below.

3-1-3 ACCESSORY USES AND BUILDINGS:

A ***use*** or ***building*** which is incidental to, and located on the same premises as a ***primary use***, may be permitted as an ***accessory use*** or ***building***. Permitted ***accessory uses*** and ***buildings*** are found in 4-1 below. Also if multiple ***buildings*** on the same premises are engaged in the same ***primary use***, all such ***buildings*** other than the one housing that ***use***'s managing or operating office, shall be considered ***accessory buildings***. Where multiple ***primary use***

buildings in single ownership occupy the same premises and are managed or operated from an office in one of those ***buildings***, all such ***buildings*** other than the one housing the operating or managing office shall be considered ***accessory buildings***.

3-1-4 *USES* NOT PERMITTED:

If neither a "P" nor an "S" appears in the Permitted ***Use*** Table at the intersection of the row containing the name of a ***use*** and the column containing the name of the ***zone***, then that ***use*** is not permitted in that ***zone***.

3-1-5 PERMITTED *USES* IN PLANNED DEVELOPMENT *ZONES*:

Because ***uses*** in a PD ***zone*** are negotiated and included in the ***zone*** itself, the Permitted ***Use*** Table in 3-2 below does not apply.

3-1-6 PERMITTED *USE* TABLE FORMAT:

(a) Except for the section on residential ***uses***, the Permitted ***Use*** Table is organized in conformance with the 1987 *Standard Industrial Classification Manual*, assembled and published by the federal Office of Management and Budget. The *SIC Manual*, hereby included by reference, is thus part of this ordinance which shall not be administered without it.

(b) In this table, nearly every permitted ***primary use*** (except for residential ***uses***) is assigned an SIC Group number of either 2, 3 or 4 digits. Four-digit groups are more specific than 3-digit groups, which in turn are more specific than 2-digit groups. For purposes of the Permitted ***Use*** Table, each ***use*** shall be classified in the most specific SIC Group listed.

(c) ***Uses*** not assigned an SIC Group number are shown in quotes, and are defined in 1-10 above.

(d) The word "except" followed by a colon, found directly under many SIC Group numbers, means that any indented listings of specifically named primary ***uses*** that follow "except:" shall be considered separately, and not as part of the listing from which they have been excepted.

(e) For ease of use, some items in the table have been grouped together because of related functions. Thus ***trash transfer stations*** (which might otherwise be found under SIC 4212), and ***junk yards*** and scrap and waste material (which might otherwise be found under 5093), have been included below SIC 4953 with other forms of refuse management.

(f) The major groupings of ***uses*** within the Permitted ***Use*** Table are as follows:

3-2-1 Residential ***Uses***
3-2-2 Agriculture, Forestry and Fishing
3-2-3 Mining
3-2-4 Construction
3-2-5 Manufacturing
3-2-6 Transportation, Communications, Electric, Gas and Sanitary

3-2-7 Wholesale Trade Services
3-2-8 Retail Trade
3-2-9 Finance, Insurance and Real Estate
3-2-10 Services
3-2-11 Public Administration

3-1-7 PERMITTED *USE* TABLE ADMINISTRATION:

(a) ***Administrative Officers*** shall determine the appropriate SIC Group for a given use by means of the Permitted ***Use*** Table and the *SIC Manual*. As a further aid, the Alphabetic Index in the *SIC Manual* lists a 4-digit number for virtually all activities.

(b) The nature of ***uses*** will be as they are defined in the *SIC Manual*. Exceptions are those permitted ***primary uses*** listed in the table in quotes. These are defined in 1-10 above.

(c) Where the name of a permitted ***primary use*** appears in the *SIC Manual* both as a title next to an SIC Group number and as a listing under that title, the item in the Permitted ***Use*** Table refers to the group title and all uses listed below it. It does not refer to the one specific listing below the title that shares its name.

(d) SIC Major Groups 01 and 02 (Agricultural Production --- Crops, and Agricultural Production --- Livestock and Animal Specialties) are meant to identify ***primary uses*** operated for commercial purposes. The introductory paragraphs in the *SIC Manual* for these 2 groups dealing with classification based on "50 percent or more of the value of sales", are to be disregarded in favor of a measure based on predominant commercial ***use*** of the land.

(e) ***Primary uses*** that are neither listed in the Permitted ***Use*** Table nor classified in the Alphabetic Index of the *SIC Manual*, may be permitted by an ***Administrative Officer*** in a ***zone*** in which similar uses are permitted. The ***Administrative Officer*** shall find the characteristics of such an unlisted ***use*** to be:

(1) consistent with the purpose and description of the ***zone*** as per Chapter 2 of this ordinance;

(2) compatible with the permitted ***uses*** in the ***zone***; and

(3) similar in traffic generation, and noise, vibration, dust, odor, glare and heat producing properties.

(f) Footnotes appearing in the Permitted ***Use*** Table are not subject to variance by the ***ABZA*** or its division. Doing so would create a ***use variance***, prohibited by state statute (*I.C. 36-7-4-916* and *918.3*).

(g) As used in the footnotes to the Permitted ***Use*** Table, the word "equipment" includes trucks, except all pick-up trucks and any other trucks with a hauling capacity up to one ton.

(Am 27)

Parking Groups	Special Conditions	SIC Group	PERMITTED PRIMARY USES	Residential Zones R1	R1A	R1B	R1U	R1Z	R2	R2U	R3	R3U	R3W	R4W	Commercial Zones NB	NBU	OR	MR	GB	HB	CB	CBW	Ind.Zns.[1] I1	I2	I3	Rural Zones A	AA	AW	RE	FP
3-2-1 RESIDENTIAL USES:																														
1	4-11-1(Am.6,15)	----	"Single-family dwelling"[52] (Amend 6)	P	P	P	P	P	P	P	P	P	P	P		P		P			P	P				P	P	P	P	
1	4-11-1(Am.6,15)	----	"Zero-lot-line dwelling"					P																						
1	4-11-1 (Am.15)	----	"Manufactured home"	P	P	P	P	P	P	P	P	P	P	P		P		P								P	P	P	P	
1	4-11-1(Am.6,15)	----	"Two-family dwelling"[52] (Amend 6)						P	P	P	P	P	P		P		P			P	P				P				
2 / a		----	"Multi-family dwelling"[52] (Amend 6, 18)								P	P[56]	P[56]	P		P		P			P	P								
3 / b	4-11-1(Am.6,15)	----	"Shared housing"[52] (Amend 6, 18)								P	P[56]	P[56]	P		P		P			P	P								
3 / b		----	"Fraternity, sorority and student cooperative"								P	P	P	P				P								P				
1		----	"Mobile home"[2]																							P	P	P		
1	5-4	----	"Mobile home park/Manufactured home community"[2]								P															S				
3-2-2 AGRICULTURE, FORESTRY AND FISHING:																														
4	2-26 if FP	01 except:	Agricultural production—crops	P	P	P		P	P		P				P		P	P	P	P			P	P	P	P	P	P	P	P
5		----	"Commercial greenhouses"[3]																P				P	P	P	P		P		
4	2-26 if FP, 4-11-3	02 except:	Agricultural production -- livestock[2]																P	P			P	P	P	P	P	P		P
4	4-4-9	021	"Confined feeding operation"[2]																				P	P	P	P	P	P		
6	4-11-3	0279	Cat farms[4]																							S	S	S		
6	4-11-3	0279	Dog farms[4]																							S	S	S		
6		0279	Laboratory animal farms (e.g., rats, mice, guinea pigs) [4] (Amend 39)														S						P	P	P	S		S		
4		07 except:	Agricultural services[5]														P		P		P		P	P	P	P		P		
4		0721	Aerial dusting and spraying																				S	S	S	S				
7		0741	Veterinary services for livestock																P	P						P		S		
7	4-11-3	0742	Veterinary services for animal specialties[6]														P[57]		P	P	P					P		S		
8	4-11-3	0752	Dog grooming												S	S			P		P	P				P		P		

PkngGps	SpecConds	SIC	PERMITTED PRIMARY USES	R1	R1A	R1B	R1U	R1Z	R2	R2U	R3	R3U	R3W	R4W	NB	NBU	OR	MR	GB	HB	CB	CBW	I1	I2	I3	A	AA	AW	RE	FP

See 4-6-3 / 4-6-7 below for Parking Group requirements for automobiles / bicycles. SIC Group refers to economic activities listed in 1987 *Standard Industrial Classification Manual*. Primary uses in quotes are defined in 1-10 above. Footnotes follow table. See 3-1-6 and 3-1-7 for more information on how to use this table.

(Am 27)

Parking Groups	Special Conditions	SIC Group	PERMITTED PRIMARY USES	Residential Zones R1	R1A	R1B	R1U	R1Z	R2	R2U	R3	R3U	R3W	R4W	Commercial Zones NB	NBU	OR	MR	GB	HB	CB	CBW	Ind.Zns.[1] I1	I2	I3	Rural Zones A	AA	AW	RE	FP
6	4-11-3	----	"Kennels" (BG, CH, DTN, TIPP.CO) (Amend 16, 18)																							S	S	S		
6	4-11-3	0752	Boarding kennels[7] (Amend 16, 18)																P	P						S	S	S		
6	4-11-3	----	"Breeding kennels" [7] (Amend 16, 18)																							S	S	S		
9	2-26 if FP, 4-11-2	0752	Boarding, and/or training horses[2] (Amend 7, 46)	P															P	P			P	P	P	P	P	P		P
10	4-11-3	0752	Animal shelters, dog pounds																P	P						S	S	S		
10	4-11-3	0752	all other Animal specialty services, except veterinary[7]																							S	S	S		
4		078	Landscape and horticultural services (Amend 31)																P				P	P	P	P		P		
8		0781	Landscape counseling and planning												P	P	P		P		P	P	P	P		P		P		
4	2-26 if FP	08 except:	Forestry[2]	P	P	P		P	P		P				P		P		P	P			P	P	P	P	P	P	P	P
8		085	Forestry services[5] (Amend 5)														P		P		P		P	P		P		P		
4	2-26 if FP	09	Fishing, hunting and trapping																							P	P	P		P
3-2-3 MINING:																														
11	2-26 if FP, 4-11-4, 4-9-7, 4-4-8	10	Metal mining																						S	S	S	S		S
11	2-26 if FP, 4-11-4, 4-9-7, 4-4-8	12	Coal mining																						S	S	S	S		S
11	2-26 if FP, 4-11-4, 4-9-7, 4-4-8	13	Oil and gas extraction																						S	S	S	S		S
11	2-26 if FP, 4-9-7, 4-4-8, 4-11-4	14	Mining and quarrying of nonmetallic minerals, except fuels																						S	S	S	S		S
3-2-4 CONSTRUCTION:																														
6	4-4-11, 4-9-9	15	Building construction -- general contractors and operative builders[8] (Amend 36)												P	P	P		P		P	P	P	P	P	S	S	S		
6		16 except:	Heavy construction other than building construction -- contractors																				P	P	P					
6	4-9-7, 4-4-8	1611	Asphalt or concrete paving: roads, highways, public sidewalks, and streets—contractors[8,9]												P	P	P		P		P	P	P	P	P	S	S	S		

PkngGps	SpecConds	SIC	PERMITTED PRIMARY USES	R1	R1A	R1B	R1U	R1Z	R2	R2U	R3	R3U	R3W	R4W	NB	NBU	OR	MR	GB	HB	CB	CBW	I1	I2	I3	A	AA	AW	RE	FP

See 4-6-3 / 4-6-7 below for Parking Group requirements for automobiles / bicycles. SIC Group refers to economic activities listed in 1987 *Standard Industrial Classification Manual*. Primary uses in quotes are defined in 1-10 above. Footnotes follow table. See 3-1-6 and 3-1-7 for more information on how to use this table.

(Am 27)

Parking Groups	Special Conditions	SIC Group	PERMITTED PRIMARY USES	Residential Zones R1	R1A	R1B	R1U	R1Z	R2	R2U	R3	R3U	R3W	R4W	Commercial Zones NB	NBU	OR	MR	GB	HB	CB	CBW	Ind.Zns.[1] I1	I2	I3	Rural Zones A	AA	AW	RE	FP
6	4-4-11, 4-9-9	17	Construction—special trade contractors[8] (Amend 36)												P	P	P		P		P	P	P	P	P	S	S	S		
3-2-5 MANUFACTURING:																														
12 / c	4-10	20	Food and kindred products																				P	P	P					
		except:																												
12 / c	4-10	2048	Prepared feed and feed ingredients for animals and fowls, except dogs and cats[60]																				S	S	S	S		S		
12 / c	4-10	205	Bakery products[10]												P	P			P		P	P	P	P	P					
56/c	4-4-12	----	"Winery"(Amend 43)(also includes SIC 2084 Wine, Brandy, & Brandy Spirits) [58]																P	P	P	P	P	P	P	S	S	S		
12 / c	4-10	21	Tobacco products																				P	P	P					
12 / c	4-10	22	Textile mill products																				P	P	P					
12 / c	4-10	23	Apparel and other finished products made from fabrics and similar materials[10]												P	P			P		P	P	P	P	P					
12 / c	4-10	24	Lumber and wood products, except furniture																				P	P	P					
		except:																												
12 / c	4-10	2434	Wood kitchen cabinets[10]																P		P	P	P	P	P					
12 / c	4-10	25	Furniture and fixtures																				P	P	P					
		except:																												
12 / c	4-10	251	Household furniture[10]												P	P			P		P	P	P	P	P					
12 / c	4-10	26	Paper and allied products[10]												P	P			P		P	P	P	P	P					
12 / c	4-10	27	Printing, publishing and allied industries														P		P		P	P	P	P	P					
12 / c	4-10	28	Chemicals and allied products														P								P					
12 / c	4-10	29	Petroleum refining and related industries																						P					
12 / c	4-10	30	Rubber and miscellaneous plastics products														P						P	P	P					
12 / c	4-10	31	Leather and leather products[10]												P	P			P		P	P	P	P	P					
12 / c	4-10	32	Stone, clay, glass and concrete products														P						P	P	P					
		except:																												
12 / c	4-10	326	Pottery & related products[10]												P	P			P		P	P	P	P	P					
12 / c	4-10	3273	Ready-mixed concrete (Amend 53)[62]																						P	S	S	S		
PkngGps	SpecConds	SIC	PERMITTED PRIMARY USES	R1	R1A	R1B	R1U	R1Z	R2	R2U	R3	R3U	R3W	R4W	NB	NBU	OR	MR	GB	HB	CB	CBW	I1	I2	I3	A	AA	AW	RE	FP

See 4-6-3 / 4-6-7 below for Parking Group requirements for automobiles / bicycles. SIC Group refers to economic activities listed in 1987 *Standard Industrial Classification Manual*. Primary uses in quotes are defined in 1-10 above. Footnotes follow table. See 3-1-6 and 3-1-7 for more information on how to use this table.

(Am 27)

Parking Groups	Special Conditions	SIC Group	PERMITTED PRIMARY USES	Residential Zones R1	R1A	R1B	R1U	R1Z	R2	R2U	R3	R3U	R3W	R4W	Commercial Zones NB	NBU	OR	MR	GB	HB	CB	CBW	Ind.Zns.[1] I1	I2	I3	Rural Zones A	AA	AW	RE	FP
12 / c	4-10	33	Primary metal industries																						P					
12 / c	4-10	34	Fabricated metal products, except machinery and transportation equipment														P						P	P	P					
		except:																												
12 / c	4-10		3482-83 Ammunition																						P					
12 / c	4-10	35	Industrial and commercial machinery and computer equipment														P						P	P	P					
12 / c	4-10	36	Electronic and electrical equipment and components, except computer equipment														P						P	P	P					
12 / c	4-10	37	Transportation equipment																				P	P	P					
12 / c	4-10	38	Measuring, analyzing and controlling instruments; photographic, medical and optical goods; watches and clocks																											
		except:															P						P	P	P					
12 / c	4-10		387 Watches, clocks, clockwork operated devices, and parts[10]												P	P	P		P		P	P	P	P	P					
12 / c	4-10	39	Miscellaneous manufacturing industries[10]												S	S			P		P	P	P	P	P					
3-2-6 TRANSPORTATION, COMMUNICATIONS, ELECTRIC, GAS AND SANITARY SERVICES:																														
6		40	Railroad transportation[11]																						P					
		except:																												
8 / c			4013 Stations operated by or for railway companies												P		P		P	P	P	P	P	P	P					
6		41	Local and suburban transit and interurban highway passenger transportation[12]																P				P	P	P					
		except:																												
6			4121 Taxicabs																P		P		P	P	P					
8			---- Stations operated by or for local and intercity bus companies												P		P		P	P	P	P	P	P	P					
6		42	Motor freight transportation & warehousing[12]																P				P	P	P	S				
PkngGps	SpecConds	SIC	PERMITTED PRIMARY USES	R1	R1A	R1B	R1U	R1Z	R2	R2U	R3	R3U	R3W	R4W	NB	NBU	OR	MR	GB	HB	CB	CBW	I1	I2	I3	A	AA	AW	RE	FP

See 4-6-3 / 4-6-7 below for Parking Group requirements for automobiles / bicycles. SIC Group refers to economic activities listed in 1987 *Standard Industrial Classification Manual*. Primary uses in quotes are defined in 1-10 above. Footnotes follow table. See 3-1-6 and 3-1-7 for more information on how to use this table.

(Am 27)

Parking Groups	Special Conditions	SIC Group	PERMITTED PRIMARY USES	Residential Zones R1	R1A	R1B	R1U	R1Z	R2	R2U	R3	R3U	R3W	R4W	Commercial Zones NB	NBU	OR	MR	GB	HB	CB	CBW	Ind.Zns.[1] I1	I2	I3	Rural Zones A	AA	AW	RE	FP
		except:																												
8		4215	Courier services, except by air[13,14]												P		P	P	P	P	P	P	P	P	P					
6		4221	Farm product warehousing and storage																				P	P	P	S				
13	4-9-3-a (Amend 5)	4225	Miniwarehouse and self-storage warehousing	(Amend 1)											S				P				P	P	P	S				
14 / c		43	US Postal Service[14,15]												P	P	P	P	P	P	P	P	P	P	P	S				
6		44	Water transportation[16]																					P	P	S		S		S
15		45	Transportation by air																					S	S	S				
6	2-26 if FP	46	Pipelines, except natural gas	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
6		47	Transportation services[17]														P		P		P	P	P	P	P					
8 / c		472	Arrangement of passenger transportation												P	P	P		P		P	P	P	P						
8 / c		48	Communications[17]												P		P		P		P	P	P	P	P					
		except:																												
8	4-9-8, 4-11-7	----	"Primary communications towers"[18,19] (Amend 1)																				P	P	P	S		S		
8 / c	2-26 if FP	4813	Local telephone communications[19] (Amend 3)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
6		49	Electrical, gas and sanitary service[17,19]												P		P		P		P	P	P	P	P	P				
		except:																												
6	2-26 if FP	4911	Electrical power transmission[19]	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
6	2-26 if FP	4922	Natural gas transmission[19]	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
6	2-26 if FP	4941	Water supply systems[19]	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
6	2-26, 4-9-7, 4-4-8	4952	Sewerage systems[17,19]												P		P		P		P	P			P	P		P		P
6	4-9-7, 4-4-8	4953	Refuse systems[17,19,20] (Amend 1)												P		P		P		P	P			S	S				
6		4212	"Trash transfer stations"																						P					
16	2-26 if FP, 4-11-8	----	"Recycling collection facilities"	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
16		----	"Recycling processing facilities[21]																P				P	P	P					
6	2-26 if FP	4953	"Construction/demolition disposal sites"																						S	S	S	S		S
6	4-9-7, 4-4-8	5093	Scrap and waste materials																						P					
6	4-9-7, 4-4-8	5093	"Junk yards"																						P					
PkngGps	SpecConds	SIC	PERMITTED PRIMARY USES	R1	R1A	R1B	R1U	R1Z	R2	R2U	R3	R3U	R3W	R4W	NB	NBU	OR	MR	GB	HB	CB	CBW	I1	I2	I3	A	AA	AW	RE	FP

See 4-6-3 / 4-6-7 below for Parking Group requirements for automobiles / bicycles. SIC Group refers to economic activities listed in 1987 *Standard Industrial Classification Manual*. Primary uses in quotes are defined in 1-10 above. Footnotes follow table. See 3-1-6 and 3-1-7 for more information on how to use this table.

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Parking Groups	Special Conditions	SIC Group	PERMITTED PRIMARY USES	Residential Zones R1	R1A	R1B	R1U	R1Z	R2	R2U	R3	R3U	R3W	R4W	Commercial Zones NB	NBU	OR	MR	GB	HB	CB	CBW	Ind.Zns.[1] I1	I2	I3	Rural Zones A	AA	AW	RE	FP
3-2-7 WHOLESALE TRADE:																														
6		50	Wholesale trade—durable goods[8,12] except:																P				P	P	P					
17	4-9-7, 4-4-8	5015	Motor vehicle parts, used																						P					
18		5083	Farm machinery and equipment (sales and service)[22]																P				P	P	P	S	S	S		
6		51	Wholesale trade—nondurable goods[8,12] except:																P				P	P	P					
6		515	Farm-product raw materials																				P	P	P	S				
6	4-4-8	5191	Farm supplies[23]																				P	P	P	S	S	S		
6	4-4-8	5191	Fertilizer and fertilizer materials (including anhydrous ammonia)																				P	P	P	S	S	S		
3-2-8 RETAIL TRADE:																														
		52	Building materials, hardware, garden supply, and mobile home dealers: see 521 -- 527 below																											
18		521	Lumber and other building materials dealers																P				P	P	P					
8 / c		523	Paint, glass and wallpaper stores												P		P				P									
8 / c		525	Hardware stores												P		P				P									
5		526	Retail nurseries, lawn and garden supply stores[54] (Amend 13)												P				P							P				
18		527	Mobile home dealers																P											
8 / c		53	General merchandise stores																P		P									
	4-6-5, 4-6-9	----	"Outlet malls"																P	P										
8 / c		54	Food stores												P		P		P	P	P									
18		55	Automotive dealers and gasoline service stations[59] (Amend 45) except:																P											
8 / c		553	Auto and home supply																											
PkngGps	SpecConds	SIC	PERMITTED PRIMARY USES	R1	R1A	R1B	R1U	R1Z	R2	R2U	R3	R3U	R3W	R4W	NB	NBU	OR	MR	GB	HB	CB	CBW	I1	I2	I3	A	AA	AW	RE	FP

See 4-6-3 / 4-6-7 below for Parking Group requirements for automobiles / bicycles. SIC Group refers to economic activities listed in 1987 *Standard Industrial Classification Manual*. Primary uses in quotes are defined in 1-10 above. Footnotes follow table. See 3-1-6 and 3-1-7 for more information on how to use this table.

(Am 27)

Parking Groups	Special Conditions	SIC Group	PERMITTED PRIMARY USES	Residential Zones R1	R1A	R1B	R1U	R1Z	R2	R2U	R3	R3U	R3W	R4W	Commercial Zones NB	NBU	OR	MR	GB	HB	CB	CBW	Ind.Zns.[1] I1	I2	I3	Rural Zones A	AA	AW	RE	FP
			stores[24, 55] (Amend 17)												P	P			P	P	P									
8	4-4-10 (Am. 23B)	554	"Gasoline srvc. stations"												P	P			P	P	P									
8		554	"Card lock systems for commercial fleets"																P	P				P	P					
8		554	"Truck stops"[25]																	P				P	P					
8 / c		56	Apparel and accessory stores (including retail custom tailors and seamstresses)												P	P			P		P	P								
20		57	Home furniture, furnishings and equipment stores												P	P			P		P	P								
19 / c		58	Eating and drinking places[26,27] (WLAF)												P	P	P	P	P	P	P	P								
19 / c		58	Eating and drinking places (No drive-in or drive-thru service) [27] (Amend 25) (LAF, TCO, BG, DTN, CH)												P	P	P	P	P	P	P	P								
19 / c		58	Eating and drinking places (With drive-in or drive-thru service) [27] (Amend 25) (LAF, TCO, BG, DTN, CH)												S		P	S	P	P										
		59	Miscellaneous retail: see 591 -- 5984 below																											
8 / c		591	Drug stores and proprietary stores[28]												P	P		P	P	P	P	P								
8 / c		592	Liquor stores												P	P			P		P	P								
20 / c		593	Used merchandise stores												P	P			P		P	P								
8 / c		5941	Sporting goods stores and bicycle shops												P	P			P		P	P								
8 / c		5942	Book stores												P	P			P		P	P								
		except:																												
8 / c	4-11-5	5942	"Adult bookstores"																P		P									
8 / c		5943	Stationery stores												P	P			P		P	P								
8 / c		5944	Jewelry stores												P	P			P		P	P								
8 / c		5945	Hobby, toy and game shops												P	P			P		P	P								
8 / c		5946	Camera and photographic supply stores												P	P			P		P	P								
8 / c		5947	Gift, novelty and souvenir shops												P	P			P		P	P								
8 / c		5948	Luggage and leather goods stores												P	P			P		P	P								
8 / c		5949	Sewing, needlework and piece goods store												P	P			P		P	P								
8 / c		596	Nonstore retailers												P	P			P		P	P								
6		598	Fuel dealers																					P	P					
PkngGps	SpecConds	SIC	PERMITTED PRIMARY USES	R1	R1A	R1B	R1U	R1Z	R2	R2U	R3	R3U	R3W	R4W	NB	NBU	OR	MR	GB	HB	CB	CBW	I1	I2	I3	A	AA	AW	RE	FP

See 4-6-3 / 4-6-7 below for Parking Group requirements for automobiles / bicycles. SIC Group refers to economic activities listed in 1987 *Standard Industrial Classification Manual*. Primary uses in quotes are defined in 1-10 above. Footnotes follow table. See 3-1-6 and 3-1-7 for more information on how to use this table.

(Am 27)

Parking Groups	Special Conditions	SIC Group	PERMITTED PRIMARY USES	Residential Zones R1	R1A	R1B	R1U	R1Z	R2	R2U	R3	R3U	R3W	R4W	Commercial Zones NB	NBU	OR	MR	GB	HB	CB	CBW	Ind.Zns.[1] I1	I2	I3	Rural Zones A	AA	AW	RE	FP
		except:																												
6	4-4-8	5984	Liquefied petroleum gas (bottled gas) dealers																					P	P	S				
		599	Retail stores not elsewhere classified: see 5992 -- 5999 below																											
8 / c		5992	Florists												P	P			P		P	P								
8 / c		5993	Tobacco stores and stands												P	P			P		P	P								
8 / c		5994	News dealers and newsstands												P	P			P		P	P								
8 / c		5995	Optical goods stores												P	P			P		P	P								
8 / c		5999	Miscellaneous retail stores, not elsewhere classified[24]												P	P			P		P	P								
3-2-9 FINANCE, INSURANCE AND REAL ESTATE:																														
8 / c		60	Depository institutions												P	P	P		P	P	P	P	P	P						
---	4-11-9	----	"ATMs"												P	P	P		P	P	P	P	P	P						
8 / c		61	Nondepository credit institutions												P	P	P		P	P	P	P	P	P						
8 / c		62	Security and commodity brokers, dealers, exchanges and services												P	P	P		P		P	P	P	P						
8 / c		63	Insurance carriers												P		P		P		P	P	P	P						
8 / c		64	Insurance agents, brokers and service												P	P	P		P		P	P	P	P						
8 / c		65	Real estate[29]												P	P	P		P		P	P	P	P						
8 / c		67	Holding and other investment offices												P	P	P		P		P	P	P	P						
8 / c		----	Offices not elsewhere classified (Amend 8)												P	P	P		P	P	P	P	P	P						
3-2-10 SERVICES:																														
		70	Hotels, rooming houses, camps and other lodging places: see 701 -- 704 below																											
21		701	Hotels and motels[30]															S	P	P	P	P				S		S		
		except:																												
22	4-11-6	7011	"Bed and breakfasts"	S	S	S	S	S	S	S	P	P	P	P		P		P			P	P				P	P	P	S	
23 / c	(Amend 13)	702	Rooming and boarding houses								P	P	P	P		P		P			P	P								
24	2-26, 4-4-8	7032	Sporting and recreational camps[31]																							S		S		S
25	5-4, 4-4-8	7033	"Recreational vehicle parks and																											

PkngGps	SpecConds	SIC	PERMITTED PRIMARY USES	R1	R1A	R1B	R1U	R1Z	R2	R2U	R3	R3U	R3W	R4W	NB	NBU	OR	MR	GB	HB	CB	CBW	I1	I2	I3	A	AA	AW	RE	FP

See 4-6-3 / 4-6-7 below for Parking Group requirements for automobiles / bicycles. SIC Group refers to economic activities listed in 1987 *Standard Industrial Classification Manual*. Primary uses in quotes are defined in 1-10 above. Footnotes follow table. See 3-1-6 and 3-1-7 for more information on how to use this table.

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Parking Groups	Special Conditions	SIC Group	PERMITTED PRIMARY USES	Residential Zones R1	R1A	R1B	R1U	R1Z	R2	R2U	R3	R3U	R3W	R4W	Commercial Zones NB	NBU	OR	MR	GB	HB	CB	CBW	Ind.Zns.[1] I1	I2	I3	Rural Zones A	AA	AW	RE	FP
	2-26 if FP		campgrounds"[31]																	S						S		S		S
26		704	Organizational hotels and lodging houses, on membership basis[32]																P	P	P	P				S		S		
4 / c		721	Laundry, cleaning and garment services[12]																P		P	P	P	P	P					
		except:																												
8 / c			7212 Garment pressing, and agents for laundries and drycleaners												P	P			P		P	P								
8 / c			7215 Coin-operated laundries and drycleaning												P	P			P		P	P								
			7219 Noncustom tailors and seamstresses												P	P			P		P	P								
8 / c		722	Photographic studios, portrait												P	P			P		P	P								
8 / c		723	Beauty shops[33]												P	P			P		P	P								
8 / c		724	Barber shops[34]												P	P			P		P	P								
8 / c		725	Shoe repair shops and shoeshine parlors												P	P			P		P	P								
8 / c		726	Funeral service and crematories:																											
8 / c		726	Funeral homes												P	P			P		P	P								
11 / c	(Amend 48 & 50)	726	Crematories[61]												S	S			S		S	S	S	P	P	S	S	S		
27	4-4-8	----	"Cemeteries"	P	P	P	P		P	P																P	P	P		
8 / c		729	Miscellaneous personal services												P	P			P		P	P								
		except:																												
8 / c	4-11-5	7299	"Massage establishments" (parlors)																P		P									
8 / c		731	Advertising												P	P	P		P		P	P	P	P	P					
		except:																												
8 / c			7312 Outdoor advertising services[35]												P	P	P		P		P	P	P	P	P					
NA	4-8-10 (Amend 5)	----	"Outdoor advertising signs"[51] (Amend 4)																P				P	P	P					
8 / c		732	Consumer credit reporting agencies, mercantile reporting agencies, adjustment &collection agencies												P	P	P		P		P	P	P	P						
8 / c		733	Mailing, reproduction, commercial art and photography and stenographic services[10]												P	P	P		P		P	P	P	P	P					
PkngGps	SpecConds	SIC	PERMITTED PRIMARY USES	R1	R1A	R1B	R1U	R1Z	R2	R2U	R3	R3U	R3W	R4W	NB	NBU	OR	MR	GB	HB	CB	CBW	I1	I2	I3	A	AA	AW	RE	FP

See 4-6-3 / 4-6-7 below for Parking Group requirements for automobiles / bicycles. SIC Group refers to economic activities listed in 1987 *Standard Industrial Classification Manual*. Primary uses in quotes are defined in 1-10 above. Footnotes follow table. See 3-1-6 and 3-1-7 for more information on how to use this table.

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Parking Groups	Special Conditions	SIC Group	PERMITTED PRIMARY USES	Residential Zones R1	R1A	R1B	R1U	R1Z	R2	R2U	R3	R3U	R3W	R4W	Commercial Zones NB	NBU	OR	MR	GB	HB	CB	CBW	Ind.Zns.[1] I1	I2	I3	Rural Zones A	AA	AW	RE	FP
4		734	Services to dwellings and other buildings												P	P			P		P	P	P	P	P					
		except:																												
4		7342	Disinfecting and pest control services[35]												P	P			P		P	P	P	P	P					
18		735	Miscellaneous equipment rental and leasing[10,12]												P	P			P		P	P	P	P	P					
		except:																												
18		7352	Medical equipment renting and leasing[10]												P	P		P	P		P	P	P	P					
8 / c		736	Personnel supply services												P	P	P		P		P	P	P	P	P					
8 / c		737	Computer programming, data processing and other computer related services												P	P	P		P		P	P	P	P						
8 / c		738	Miscellaneous business services[12,35]												P	P	P		P		P	P	P	P						
		except:																												
8 / c		7384	Photofinishing laboratories[12]												P	P	P		P		P	P	P	P						
		75	Automotive repair services and parking: see 751 -- 754 below																											
18		751	Automotive rental and leasing, without drivers																P											
4 / d		752	Automobile parking[36]																		P	P								
8		753	Automotive repair shops[37]																P	P	P		P	P						
6		754	Automotive services except repair																P	P			P	P						
8		----	"Truck tire mobile sales and service" [37]																	P			P	P	P					
8		76	Miscellaneous repair shops[38]												P	P			P		P	P	P	P	P	S				
		except:																												
8		7699	Farm machinery and -equipment service and repair[22]																P				P	P	P	S	S	S		

PkngGps	SpecConds	SIC	PERMITTED PRIMARY USES	R1	R1A	R1B	R1U	R1Z	R2	R2U	R3	R3U	R3W	R4W	NB	NBU	OR	MR	GB	HB	CB	CBW	I1	I2	I3	A	AA	AW	RE	FP

See 4-6-3 / 4-6-7 below for Parking Group requirements for automobiles / bicycles. SIC Group refers to economic activities listed in 1987 *Standard Industrial Classification Manual*. Primary uses in quotes are defined in 1-10 above. Footnotes follow table. See 3-1-6 and 3-1-7 for more information on how to use this table.

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Parking Groups	Special Conditions	SIC Group	PERMITTED PRIMARY USES	Residential Zones R1	R1A	R1B	R1U	R1Z	R2	R2U	R3	R3U	R3W	R4W	Commercial Zones NB	NBU	OR	MR	GB	HB	CB	CBW	Ind.Zns.[1] I1	I2	I3	Rural Zones A	AA	AW	RE	FP
4 / c		78	Motion pictures														P		P		P	P	P	P						
		except:																												
28 / c		7832	Motion picture theaters, except drive-ins												P				P		P	P								
8 / c	4-11-5	----	"Adult motion picture theaters" and "adult mini motion picture theaters", except drive-ins																P		P									
4		7833	Drive-in motion picture theaters																S											
8	4-11-5	----	"Adult drive-in motion picture theaters"																S											
8 / c		784	Video tape rental												P	P			P		P	P								
		79	Amusement and recreation services: see 791 -- 7941 below																											
8 / c		791	Dance studios, schools and halls																P		P	P								
29 / c		792	Theatrical producers (except motion picture), bands, orchestras and entertainers														P		P		P	P								
		except:																												
30		7922	Summer theatres (except dinner theatres)																							S		S		
31 / c		793	Bowling centers																P		P	P								
8 / c	4-4-8	7941	Professional sports clubs and promoters														P		P		P	P								
		except:																												
32 / c	4-4-8	7941	Arenas and stadiums																		S	S				S				
32 / c	4-9-7-f if Motorized, 4-4-8	7948	Racing, including track operation																							S				
		799	Miscellaneous amusement and recreation services: see 7991 -- 7999 below																											
8 / c		7991	Physical fitness facilities												P		P		P		P	P								
33	2-26 if FP	7992	Public golf courses	S																						S		S		S
34 / c		7993	Coin-operated amusement devices (Amend 5)												P	P			P		P	P								
		except:																												

PkngGps	SpecConds	SIC	PERMITTED PRIMARY USES	R1	R1A	R1B	R1U	R1Z	R2	R2U	R3	R3U	R3W	R4W	NB	NBU	OR	MR	GB	HB	CB	CBW	I1	I2	I3	A	AA	AW	RE	FP

See 4-6-3 / 4-6-7 below for Parking Group requirements for automobiles / bicycles. SIC Group refers to economic activities listed in 1987 *Standard Industrial Classification Manual*. Primary uses in quotes are defined in 1-10 above. Footnotes follow table. See 3-1-6 and 3-1-7 for more information on how to use this table.

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Parking Groups	Special Conditions	SIC Group	PERMITTED PRIMARY USES	Residential Zones R1	R1A	R1B	R1U	R1Z	R2	R2U	R3	R3U	R3W	R4W	Commercial Zones NB	NBU	OR	MR	GB	HB	CB	CBW	Ind.Zns.[1] I1	I2	I3	Rural Zones A	AA	AW	RE	FP
34 / c	4-11-5	7993	"Adult motion picture arcade"																P		P									
35 / c	4-4-8	7996	Amusement parks																							S		S		
36 / c	4-4-8	7997	Membership sports and recreation clubs[39] (Amends 5, 31)												P				P		P	P				S		S		
		except:																												
33	2-26 if FP	7997	Golf and country clubs, membership	S																						S	S	S		
37	4-4-8	7997	Flying fields maintained by aviation clubs																					S	S	S				
40	2-26 if FP 4-11-2	7997	Riding clubs, membership																							S	S	S		S
38 / c		7997	Swimming clubs	S	S	S		S	S		S				P				P		P	P							S	
38 / c		7997	Tennis clubs (Amend 31)	S	S	S		S	S		S				P				P		P	P	S	S	S	S			S	
39 / c	4-4-8 4-9-7	7999	Amusement and recreation services, not elsewhere classified (indoor)[40] (Amend 31)												P	P			P		P	P	S	S	S					
		except:																												
8 / c	4-11-5	----	"Adult live entertainment arcade																P		P									
8 / c	4-11-5	----	"Adult cabaret" (Amend 31)																P											
40	2-26 if FP, 4-9-7-f if gocarts 4-4-8	7999	Amusement and recreation services, not elsewhere classified (outdoor)[41] (Amend 31)																S				S	S	S	S		S		S
		except:																												
40	4-11-2, 2-26, 4-4-8	7999	Riding stables																							S	S	S		S
		80	Health svces.: see 801 -- 809 below																											
41 / c		801	Offices and clinics of doctors of medicine[42]												P	P	P	P	P		P	P								
41 / c		802	Offices and clinics of dentists[42]												P	P	P	P	P		P	P								
41 / c		803	Offices and clinics of doctors of osteopathy[42]												P	P	P	P	P		P	P								
41 / c		804	Offices and clinics of other health practitioners[42]												P	P	P	P	P		P	P								
42 / c		805	Nursing and personal care facilities								P	P	P	P	P			P	P		P	P								
43 / c		806	Hospitals															P	P											
8 / c		807	Medical and dental laboratories[42]												P	P	P	P	P		P	P	P	P						

PkngGps	SpecConds	SIC	PERMITTED PRIMARY USES	R1	R1A	R1B	R1U	R1Z	R2	R2U	R3	R3U	R3W	R4W	NB	NBU	OR	MR	GB	HB	CB	CBW	I1	I2	I3	A	AA	AW	RE	FP

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Parking Groups	Special Conditions	SIC Group	PERMITTED PRIMARY USES	Residential Zones R1	R1A	R1B	R1U	R1Z	R2	R2U	R3	R3U	R3W	R4W	Commercial Zones NB	NBU	OR	MR	GB	HB	CB	CBW	Ind.Zns.[1] I1	I2	I3	Rural Zones A	AA	AW	RE	FP
8 / c		808	Home health care services[42]												P	P	P	P	P		P	P								
8 / c		809	Miscellaneous health and allied services, not elsewhere classified												P	P	P	P	P		P	P								
8 / c		81	Legal services[42]												P	P	P		P		P	P								
		82	Educational services: see 821 -- 829 below																											
44 / e		821	Elementary and secondary schools	P	P	P	P	P	P	P	P	P	P	P	P	P			P											
8 / c		822	Colleges, universities, professional schools and junior colleges[43]	S	S	S		S	S		S		S	S	P		P		P		P	P								
45 / c		823	Libraries								S	S	S	S	P	P	P		P		P	P								
8 / c		824	Vocational schools[44,45]												P	P	P	P	P		P	P	P	P						
8 / c		829	Schools and educational services, not elsewhere classified[44]												P	P	P		P		P	P								
		83	Social services: see 832 -- 839 below																											
8 / c		832	Individual and family social services												P	P	P	P	P		P	P								
		except:																												
46 / c		8322	Community, neighborhood, senior citizen and youth centers (indoor only)[53] (Amend 9)	S	S	S	S	S	P	P	P	P	P	P	P	P	P	P	P		P	P								
46 / c		8322	Community, neighborhood, senior citizen and youth centers (indoor and outdoor, or outdoor only)[53] (Amend 9)	S	S	S	S	S	S	S	P	P	P	P	P	P	P	P	P		P	P								
8 / c		833	Job training and vocational rehabilitation services(Amend 40)												P	P	P	P	P		P	P	P	P	P	S		S		
		except:																												
8 / c		8331	"Sheltered workshop and rehabilitation centers"						S	S	S	S	S	S	P	P	P	P	P		P	P	P	P	P					
		835	Child care services: see 835s below																											
47		835	"Child care homes"[46]	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
48 / c		835	"Child care centers"								S	S	S	S	P	P	P	P	P	P	P	P	P	P	P					

PkngGps	SpecConds	SIC	PERMITTED PRIMARY USES	R1	R1A	R1B	R1U	R1Z	R2	R2U	R3	R3U	R3W	R4W	NB	NBU	OR	MR	GB	HB	CB	CBW	I1	I2	I3	A	AA	AW	RE	FP

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Parking Groups	Special Conditions	SIC Group	PERMITTED PRIMARY USES	Residential Zones R1	R1A	R1B	R1U	R1Z	R2	R2U	R3	R3U	R3W	R4W	Commercial Zones NB	NBU	OR	MR	GB	HB	CB	CBW	Ind.Zns.[1] I1	I2	I3	Rural Zones A	AA	AW	RE	FP
49 / c		836	Residential care (Amend 40) except:								S	S	S	S		P		P			P	P				S		S		
1		----	"Group homes"	S	S	S	S	S	S	S	S	S	S	S		P		P			P	P							S	
8 / c		839	Social services, not elsewhere classified												P	P	P	P	P		P	P								
		84	Museums, art galleries and botanical and zoological gardens: see 841 -- 842 below																											
18 / c		841	Museums and art galleries (Amend 9)	S	S	S	S	S	P	P	P	P	P	P	P	P	P		P		P	P				P		P		
50 / c	2-26 if FP	842	Arboreta and botanical or zoological gardens[47]	S	S	S	S	S	S	S	S	S	S	S	P	P	P		P		P	P				P		P	S	P
51 / c	2-26 if FP	----	"Public parks"	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P
8 / c		86	Membership organizations[48] except:												P	P	P		P		P	P	P	P						
52 / c		866	Religious organizations	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P				P	P	P		
8 / c		87	Engineering, accounting, research, management and related services except:												P	P	P		P		P	P	P	P						
4 / c		873	Agricultural research, commercial												P	P	P		P		P	P	P	P		P	P	P		
55 / c (Amend 7)		873	Research, development and testing services (other than Agricultural research, commercial) (Amend 7)												P	P	P		P		P	P	P	P						
53 / c		8744	Adult correctional facilities and jails; privately operated																S							S				
8 / c		89	Services, not elsewhere classified												P	P	P		P		P	P								
8 / c		----	Offices not elsewhere classified (Amend 8)												P	P	P		P	P	P	P	P	P						
3-2-11 PUBLIC ADMINISTRATION:[49]																														
8 / c		91	Executive, legislative and general government, except finance[50]	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P		P	P				P	P	P	P	
8 / c		92	Justice, public order and safety except:												P	P	P		P		P	P								
8 / c		9221	Police protection	S	S	S	S	S	S	S	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	S	S	S		
PkngGps	SpecConds	SIC	PERMITTED PRIMARY USES	R1	R1A	R1B	R1U	R1Z	R2	R2U	R3	R3U	R3W	R4W	NB	NBU	OR	MR	GB	HB	CB	CBW	I1	I2	I3	A	AA	AW	RE	FP

See 4-6-3 / 4-6-7 below for Parking Group requirements for automobiles / bicycles. SIC Group refers to economic activities listed in 1987 *Standard Industrial Classification Manual*. Primary uses in quotes are defined in 1-10 above. Footnotes follow table. See 3-1-6 and 3-1-7 for more information on how to use this table.

(Am 27)

Parking Groups	Special Conditions	SIC Group	PERMITTED PRIMARY USES	Residential Zones R1	R1A	R1B	R1U	R1Z	R2	R2U	R3	R3U	R3W	R4W	Commercial Zones NB	NBU	OR	MR	GB	HB	CB	CBW	Ind.Zns.[1] I1	I2	I3	Rural Zones A	AA	AW	RE	FP
53 / c		9223	Correctional institutions (Amend 3)																S		S		S	S	S	S				
54 / c		9224	Fire protection	S	S	S	S	S	S	S	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	S	S	S		
8 / c		93	Public finance, taxation and monetary policy												P	P	P		P		P	P								
8 / c		94	Administration of human resource programs												P	P	P		P		P	P								
8 / c		95	Administration of environmental quality and housing programs												P	P	P		P		P	P								
		except:																												
8 / c		9531	Administration of housing programs	S	S	S	S	S	S	S	P	P	P	P	P	P	P		P	P	P	P				S	S	S		
8 / c		96	Administration of economic programs												P	P	P		P		P	P								
		97	National security and international affairs: see 971 -- 972 below																											
8 / c		971	National security																S		S		S	S	S	S				
		except:																												
8 / c		----	"Military recruiting offices"												P	P	P		P		P	P								
8 / c		972	International affairs												P	P	P		P		P	P								

PkngGps	SpecConds	SIC	PERMITTED PRIMARY USES	R1	R1A	R1B	R1U	R1Z	R2	R2U	R3	R3U	R3W	R4W	NB	NBU	OR	MR	GB	HB	CB	CBW	I1	I2	I3	A	AA	AW	RE	FP

See 4-6-3 / 4-6-7 below for Parking Group requirements for automobiles / bicycles. SIC Group refers to economic activities listed in 1987 *Standard Industrial Classification Manual*. Primary uses in quotes are defined in 1-10 above. Footnotes follow table. See 3-1-6 and 3-1-7 for more information on how to use this table.

FOOTNOTES TO 3-2:

1 ***Industrial zones*** are differentiated by relative impact on surrounding ***uses***, as measured by the amount of activity that is conducted outdoors. Thus, I1 = low impact = activities conducted entirely indoors with an attached loading facility; I2 = moderate impact = indoor activity except for outdoor loading operations; and, I3 = high impact = activities, including storage, conducted indoors or out.

2 Permitted in unincorporated Tippecanoe County only.

3 Permitted in ***industrial zones*** only without retail sales.

4 Boarding kennels, breeding of animals other than own stock (and other than cattle, hogs, sheep, goats and poultry), and training of pets and other animal specialties are classified in SIC 0752: Animal specialty services, except veterinary.

5 Permitted in designated ***commercial zones*** with no outdoor operation or storage of materials, chemicals or equipment and with no animals on premises, and in ***industrial zones*** only to the extent of outdoor activity indicated in Footnote 1.

6 May include grooming and boarding facilities as ***accessory uses***.

7 May include grooming facilities as ***accessory uses***.

8 Permitted in NB, NBU, OR, CB and CBW ***zones*** only with no outdoor operation or storage of materials and equipment, and maximum ***gross floor area*** of 5000 square feet. Permitted by Special Exception in A, AA and AW ***zones*** on 5 acres or more, with maximum ***gross floor area*** of 5000 square feet. (Amend 36)

9 Permitted by right in GB, I1 and I2 ***zones*** as offices only; batch plants in GB, I1 and I2 ***zones*** require ***special exceptions***. Permitted by ***special exception*** in designated ***rural zones*** as temporary batch plants only.

10 Permitted in designated ***commercial zones*** only with no outdoor operation or storage of materials and equipment, and maximum first floor area of 5000 sq.ft. Maximum first floor area may be increased up to 10000 sq.ft. if there is a retail element included.

11 Railroad ***right-of-way*** permitted in all ***zones***.

12 Permitted in GB ***zones*** only on ***lots*** up to 2 acres in area.

13 Permitted in NB, MR, CB and CBW ***zones*** only with no outdoor operation or storage of materials and equipment, and maximum ***gross floor area*** of 5000 sq.ft.

14 Permitted in OR, GB and HB ***zones*** only on ***lots*** up to 2 acres in area.

15 Permitted in NB, NBU, MR, CB, and CBW ***zones*** only with no outdoor operation or storage of materials and equipment, and maximum ***gross floor area*** of 5000 sq.ft.

16 Permitted in FP ***zones*** only as docking facilities.

17 Permitted in designated ***commercial zones*** as offices only.

18 In addition, government agencies may operate ***primary communications towers*** by right in all R3, R3U, R3W, R4W, ***commercial*** and ***industrial zones***, and by ***special exception*** in all other ***residential zones*** and all ***rural zones***.

19 Except (A) public utilities under the authority and continuing jurisdiction of the IURC, which shall include any business actively regulated by a government agency and required by law to (1) serve all members of the public, (2) charge reasonable rates subject to review by a regulatory body, (3) file tariffs specifying all of the charges, and (4) modify service only with the approval of the regulatory body, and except (B) utilities owned by municipalities (Amend 26).

20 Sludge disposal as an application to ***farm*** fields is ***accessory*** to the agricultural ***use***.

21 Permitted in GB, I1 and I2 ***zones*** only if all processing of ***recyclable materials*** is performed inside a noiseproof ***building*** with no outdoor storage of ***recyclable materials*** or equipment. In I3 ***zones***, if operations include outdoor storage of ***recyclable materials***, then either an opaque fence or wall or a tight screen planting effective at all times is required, sufficient to block the view of ***recyclable materials*** from all abutting ***uses***.

22 Includes no licensed vehicles other than non-motorized vehicles.

23 Farm-based sales of field seeds by the owner and/or operator of that ***farm*** is permitted by right in A, AA and AW ***zones***.
24 Except as noted in Footnote 55 (Amend 17), permitted in NB, NBU and CB ***zones*** (SIC 553), or NB, NBU CB and CBW (SIC 5999) only with no outdoor operation or storage of materials or equipment.
25 Permitted in HB ***zones*** but not within 1000' of a ***residential zone*** or ***use***.
26 **(WLAF)** Permitted in NB, NBU, OR, MR, CB and CBW ***zones*** only with no drive-in and/or drive-thru service provided.
27 Permitted in NB, NBU and MR ***zones*** only without live entertainment. Permitted in MR ***zones*** only under SIC 5812: Eating Places, and not SIC 5813: Drinking Places (Alcoholic Beverages).
28 Permitted in MR ***zones*** as establishments engaged only in the retail sale of prescription drugs, proprietary drugs and nonprescription medicines, which shall not carry related lines, such as cosmetics, toiletries, tobacco and novelty merchandise.
29 On-premise rental offices are ***accessory uses***, permitted in any ***zone*** in which the ***primary use*** is permitted.
30 Permitted in designated ***rural zones*** only on tracts of 20 acres or more, and in (Amend 24) CBW ***zones*** only with all parking contained within the ***primary use building*** or an associated parking structure.
31 Permitted in FP ***zones*** (excluding the ***regulatory floodway***) with permission of the Indiana State Board of Health.
32 ***Fraternities, sororities and student cooperatives*** are listed with residential ***uses***, above.
33 Beauty culture and cosmetology schools not permitted in NB and NBU ***zones***.
34 Barber colleges not permitted in NB and NBU ***zones***.
35 Except in GB ***zones***, permitted in designated ***commercial zones*** as offices only.
36 This does not include parking (required or otherwise) which is reserved for specific ***primary uses***, and is thus ***accessory*** to those ***uses***.
37 All work, materials and equipment shall be indoors.
38 Permitted in NB, NBU, CB and CBW ***zones*** only with no outdoor operation or storage of materials and equipment, and maximum ***gross floor area*** of 5000 sq.ft.
39 In ***commercial zones***, permitted indoors only (Amend 31).
40 Permitted in NB and NBU ***zones*** only with maximum ***gross floor area*** of 5000 sq.ft.
41 Permitted by ***special exception*** in FP ***zones*** only as bathing beaches, canoe rentals, and fishing piers and lakes, and then only in accordance with Footnote 31 above if in an FP ***zone***.
42 Permitted in NBU ***zones*** only with maximum ***gross floor area*** of 5000 sq.ft.
43 Does not include Purdue University, IVY Tech, and other educational institutions of the State of Indiana, which cannot be restricted or regulated by this ordinance.
44 Permitted in NB and NBU ***zones*** only with no outdoor operation or storage of materials and equipment, and maximum ***gross floor area*** of 5000 sq.ft.
45 Permitted in MR ***zones*** only as nursing schools. Flying instruction is an ***accessory use*** to SIC 45, Transportation by air.
46 Does not include ***accessory child care***.
47 Zoological gardens permitted only on tracts of 10 acres or more.
48 Youth associations (YWCA, YMCA, YWHA, YMHA, etc.) are classified under SIC 8322 above.
49 Does not include any state agency, or the use of property owned or occupied by the State of Indiana or any state agency.
50 Permitted in designated ***residential zones*** and ***rural zones*** only as township trustees' offices.
51 Permitted in West Lafayette in I2 and I3 ***zones*** only. (Amend 4)
52 Residential ***uses*** in the ***Courthouse Proximate Area***, NBU and CBW ***zones*** shall be located above the non-residential ground floor, except that one handicapped ***accessible dwelling unit*** may be located on the ground floor of non-elevator ***buildings*** in addition to non-residential ***uses***. (Amendments 6, 10, 12)

FOOTNOTES TO 3-2, continued:

53 Includes all ancillary services.

54 Establishments engaged in the sale of unpackaged mulches, soil, soil conditioners, landscape rock, or fertilizers are permitted only in the GB zone by right and only where all such products are kept within effective containment structures and where a permanent office is maintained. Sales of such products with no containment structures are only permitted in the I3 and A ***zones*** by right. (Amend 13 and Amend 47)

55 ***Uses*** engaged in both selling and installing such automotive parts as tires, transmissions, mufflers, brake linings, and glass are classified in Services, SIC 753 Automotive repair shops. (Amend 17)

56 R3U and R3W ***zones*** are subject to ***density*** caps. These can be found in subsections 2-9-4 and 2-10-4 respectively. A ***density*** higher than the caps permit would constitute a ***use variance***, prohibited by law. Recourse is to seek rezoning to R3 and R4W respectively, which are uncapped. (Amend 18)

57 All operations shall be conducted entirely indoors. (Amend 42)

58 In A, AW, AA, I1, I2, and I3 zones, a ***winery*** must produce a minimum of 200 gallons of wine and/or brandy per year. Attendance at private events is limited to 85 persons per event. Public events are limited to 3 event days per month and 15 event days per calendar year. Private events at which attendance exceeds 85 persons shall be considered a public event. Sales and marketing promotions that do not encourage an extended visit on the property shall not be considered a public event. (Amend 43)

59 Except where otherwise prohibited, the sale of a ***family vehicle*** is allowed in any ***zone*** on property on which the vehicle's owner resides. (Amend 45)

60 Allowed in the A and AW zones by special exception only if the volume of feed produced is less than 3000 tons per year. (Amend 46)

61 This use is permitted by special exception in NB, NBU, GB, CB, and CBW zones only in association with a funeral home. (Amend 50)

62 Only permitted by special exception in A, AA, and AW when in conjunction with an approved mining operation on the same site and subject to the same fencing, ***setbacks, bufferyard*** and reclamation requirements as the mining operation. (Amend 53)

4 ADDITIONAL *USE* RESTRICTIONS

4-1 *ACCESSORY USES, ACCESSORY STRUCTURES* AND *ACCESSORY BUILDINGS* (Amends 16, 16A)

(a) An ***accessory use, accessory structure*** or ***accessory building*** is incidental to and associated with a ***primary use*** on the same ***lot***. ***Accessory uses, accessory structures*** and ***accessory buildings*** are permitted in all ***zones*** in which their associated ***primary uses*** are permitted. However, only a ***use*** or ***building*** accessory to a ***single-family residence*** may be erected prior to construction of its ***primary use***.

(b) ***Accessory uses, accessory structures*** and ***accessory buildings*** associated with ***residential uses*** permitted in ***residential, commercial,*** and ***rural zones*** are included in the list that follows. Each is followed by a designation in parentheses indicating its ***setback*** requirements: 'standard,' '***street frontage*** only,' 'as otherwise noted,' or 'none.' Standard ***setbacks*** by ***zone*** can be found in 4-2-2 below. Additional information regarding ***setbacks*** is noted in 4-4-1 through 4-4-7 below.

(1) detached garages and carports (standard);
(2) storage buildings over 120 sq.ft. or of any size if situated on a permanent foundation (standard);
(3) children's play equipment and playhouses, (***street frontage*** only);
(4) gazebos (standard);
(5) private ***swimming pools*** and bathhouses (standard);
(6) bird baths, bird houses, statuary, trellises, and flagpoles (none);
(7) dog houses (***street frontage*** only);
(8) outdoor cooking stoves and woodpiles for home use (***street frontage*** only);
(9) fences and hedges:
    (A) not exceeding 42" in height (none); and
    (B) exceeding 42" in height (***street frontage*** only);
(10) trees, shrubs, plants, flowers and elements of landscape design (none);
(11) curbs, walks, driveways and retaining walls (none);
(12) loading and ***parking spaces*** (as regulated in 4-6-18-a-1 and 4-6-14 below);
(13) mail and newspaper delivery boxes, name plates and lampposts (none);
(14) ***signs*** (as regulated in 4-8 below);
(15) ***accessory communications towers*** (as regulated in 4-11-7 below)***;***
(16) root cellars and underground shelters (***street frontage*** only);
(17) seasonal roadside stands selling produce grown only on the premises (***residential zones***), and seasonal roadside stands selling produce (***commercial*** and ***rural zones***) (none);(Amend 34)

(18) storage of ***recreational vehicles***, boats and boat trailers (as regulated in 4-4-6-a below);
(19) outside play areas for ***accessory child care*** and ***babysitting*** (***street frontage*** only);
(20) ***home occupations*** (standard);
(21) ***rural home occupations*** and related outside storage other than ***uses*** in 4-1-b-17 above (standard); (Amend 34)
(22) on-premise rental offices (standard);
(23) ***recycling collection facilities*** (only at permitted institutional ***uses*** such as schools, churches, fire stations and government offices, or apartment complexes, as regulated in 4-11-8 below);
(24) homeowner, ***condominium*** and tenant associations (standard);
(25) up to 2 horses (none); and
(26) other ***accessory buildings*** (standard).

(c) ***Accessory uses, accessory structures*** and ***accessory buildings*** associated with nonresidential ***uses*** permitted in ***residential, commercial,*** and ***rural zones*** are included in the list that follows. Each is followed by a designation in parentheses indicating its ***setback*** requirements: 'standard,' '***street frontage*** only,' 'as otherwise noted,' or 'none.' Standard ***setbacks*** by ***zone*** can be found in 4-2-2 below. Additional information regarding ***setbacks*** is noted in 4-4-1 through 4-4-7 below.

(1) detached garages and carports (standard);
(2) storage buildings (standard);
(3) children's play equipment and playhouses, (***street frontage*** only);
(4) private ***swimming pools*** and bathhouses (standard);
(5) statuary, trellises, flagpoles and woodpiles (none);
(6) fences and hedges (none, except in ***residential zones***; see 4-1-b-9 above);
(7) trees, shrubs, plants, flowers and elements of landscape design (none);
(8) ***farm***-based sale of agricultural seed (standard);
(9) root cellars and underground shelters (***street frontage*** only);
(10) seasonal ***farm*** roadside stands selling produce (none); (Amend 34)
(11) curbs, walks, driveways and retaining walls (none),
(12) loading and ***parking spaces*** (as regulated in 4-6-18-a-1 and 4-6-14 below);
(13) mail and newspaper delivery boxes, name plates and lampposts (none);
(14) ***signs*** (as regulated in 4-8 below);
(15) ***accessory communications towers*** (as regulated in 4-11-7 below);
(16) at permitted hotels, motels and office buildings: restaurants, newsstands, drug stores, gift shops, ***swimming pools***, tennis courts, clubs and lounges (Amend 5) (standard);

(17) employee restaurants and cafeterias at permitted nonresidential ***uses*** (standard);
(18) retail sales at permitted industrial ***uses*** (standard);
(19) on-premise rental offices(standard);
(20) ***recycling collection facilities*** (as regulated in 4-11-8 below);
(21) a ***caretaker's residence*** (standard);
(22) automatic teller machines (ATMs), located on a bank or other primary use building (standard); (Not an ***accessory use*** if free-standing, unless located on the same ***lot*** as the bank it serves);
(23) other ***accessory buildings*** (standard); and
(24) ***rural home occupations*** and related outside storage other than ***uses*** in 4-1-c-10 above (standard). (Amend 34)

4-2 STANDARD DIMENSIONAL REQUIREMENTS

Except as in 4-3 through 4-5 below, no ***primary use*** shall be erected either:

(a) on a ***lot*** failing to meet the ***lot area*** and ***lot width*** standards; or
(b) in any configuration that fails to meet the ***lot coverage***, ***building height*** and ***setback*** standards,

all of which are summarized in the following tables (4-2-1 and 4-2-2). These tables combine the *Zone Regulations* for all non-PD zones, as they appear in 2-1 through 2-26.

4-2-1 SUMMARY OF STANDARD AREA, WIDTH, COVERAGE, AND HEIGHT REQUIREMENTS: (Amend 41)

ZONE	MINIMUM *LOT AREA*[1] (sq.ft)		MINIMUM *LOT WIDTH*[1] (ft.)	MAXIMUM LOT COVERAGE BY ALL BUILDINGS (pct.)	MINI-MUM VEGE-TATIVE COVER (pct.)	(Amend 10) MAXIMUM BLDG. HEIGHT (ft.)
	PER *USE*	PER D.U.[2]				
R1	10000	----	75[12]	30	40	35[9]
R1A	7500	----	60	30	40	35[9]
R1B	6000	----	50	35	35	35[9]
R1U	4000	----	40	40	30	35[9]
R1Z	5000	----	48[3]	40	30	35
R2	SF :7500	TF: 3750	60	30	30	35[9]
R2U	SF: 4000	TF: 3000	SF: 40 TF: 60	35	30	35[9]
R3	SF: 6000 MF: none	TF: 3000 2000[4]	60 70	40	30	35[9]
R3U	SF: 4000 MF: none	TF: 3000 2000[4]	SF: 40 TF: 60 70	40	30	35[9]
See next pages for abbreviations and footnotes.						

4-2-1 SUMMARY OF STANDARD AREA, WIDTH, COVERAGE, AND HEIGHT REQUIREMENTS (cont'd.):

ZONE	MINIMUM *LOT AREA*[1] (sq.ft)		MINIMUM *LOT WIDTH*[1] (ft.)	MAXIMUM LOT COVERAGE BY ALL BUILDINGS (pct.)	MINI-MUM VEGE-TATIVE COVER (pct.)	(Amend 10) MAXIMUM BLDG. HEIGHT (ft.)
	PER *USE*	PER D.U.[2]				
R3U	SF: 4000 MF: none	TF: 3000 2000[4]	SF: 40 TF: 60 70	40	30	35[9]
R3W **R4W**	SF: 6000 MF: none UP: none	TF: 3000 2000[4] [6]	60 70 70	40	30	[5]
NB	none	----	none	50	20	35
NBU (Ams 5, 10)	none UP: none	none [6]	none 70	60 40	none 30	35[9] [5]
OR	30000	----	100	25	30	50
MR	SF: 4000 MF: none NR: none	TF:2500 2000[4]	40 60 40	40	30	35 35 60
GB	none	----	none	60	10	35
HB	none	----	none	40	20	35
CB	none	none	none	100	----	100
CBW	none UP: none	none [6]	none none (Am 18)	100	----	35[7] 35[7]
I1	10000	----	75	25	30	35
I2	10000	----	75	35	25	50
I3	10000	----	75	45	20	100
A	SF: 15000 NR: none	TF: 7500 ----	100 none	20	50	35 none
AA **AW**	SF: 10000 NR: none	----	100 none	10	75	35[8]
FP	none	----	none	5	90	35[8]
RE (Amend 27)	**10**	2 acres	100[11]	10	80	35[8]

ABBREVIATIONS:

D.U. = ***dwelling unit***
SF = ***single-family dwelling***
TF = ***two family dwelling***
MF = ***multi-family dwelling***
UP = ***university-proximate multi-family residence***
NR = nonresidential ***use***

FOOTNOTES TO 4-2-1:

1 For ***uses*** served by sanitary sewer only. Minimum ***lot area*** and ***width*** for ***uses*** not served by sanitary sewer will be as approved by the Tippecanoe County Health Department and the Division of Sanitary Engineering, Indiana State Department of Health, on a lot-by-lot basis, and will in no case be less than 30,000 sq.ft. (Amend 31)

2 Applies only to ***two-family*** and ***multi-family dwellings*** in ***zones*** which permit them. Also applies to minimum ***density*** – area per ***dwelling unit*** – in a ***rural estate subdivision*** (Amend 27).

3 Except 60' for a ***perimeter lot*** outside the ***urbanized sewered area***.

4 2000 sq.ft. for each of the first 3 ***dwelling units***; 1000 sq.ft. for each one above 3.

5 The height of the finished floor of the upper ***story*** cannot exceed 14'.

6 For lot-area-per-dwelling-unit requirements for ***university-proximate residences*** in ***multi-family dwellings***, see 4-3-3.

7 Also limited to 3 ***stories***, all or any part of which are above grade at the front elevation.

8 Refers to residential ***buildings*** only.

9 Or to original height if being repaired, restored or rehabilitated (Amend 10).

10 As determined by the Tippecanoe County Health Department – as per its *Ordinance No. 99-30CM* or its successors – on a lot-by-lot basis, but in no case less than 1 acre, at least 30,000 sq.ft. of which is zoned RE, exclusive of any outlot containing drainage ***easements*** and/or ***rural estate roads***, and exclusive of any ***public street right-of-way***. Footnote 1 above does not apply. (Amend 27)

11 See 2-28-5 for ***lots*** fronting on a cul-de-sac, and for ***flag lots***. (Amend 27)

12 See 2-1-5 MINIMUM ***LOT WIDTH*** for lots with 50' radius across the entire front measured at the property line, minimum lot widths can be 65' measured at the building setback. (Amend 44)

4-2-2 SUMMARY OF STANDARD *SETBACK* REQUIREMENTS:

ZONE	ALONG STREET FRONTAGE				NOT ALONG STREET FRONTAGE			
	(Amends 16, 16a)MINIMUM SETBACK[1] FOR PRIMARY USE BLDG, ACC.USE / STR / BLDG				MINIMUM REAR SETBACK		MINIMUM SIDE SETBACK	
	LO[3]	CO	SE	PR	PrmUB	AccUSB[2]	PrmUB	AccUSB
	(Amend 8)				(Amend 5, 16, 16A)			
R1 R1A	25	30	40	60	25	10	6	6
R1B (Am 44)	25	30	40	60	25	10	5[12]	5[12]
R1U[3] (Am 30)	15	15	15	15	20	6	6	4
R1Z	20[4]	30	40	60	10[6]	6[6]	[5]	[5]
R2	25	30	40	60	25	10	6	6
R2U[3] (Am 30)	15	15	15	15	20	6	6	4

4-2-2 SUMMARY OF STANDARD *SETBACK* REQUIREMENTS, (cont'd.):

ZONE	ALONG STREET FRONTAGE				NOT ALONG STREET FRONTAGE			
	(Amends 16, 16a)MINIMUM SETBACK[1] FOR PRIMARY USE BLDG, ACC.USE / STR / BLDG				MINIMUM REAR SETBACK		MINIMUM SIDE SETBACK	
	LO[3]	CO	SE	PR	PrmUB	AccUSB[2]	PrmUB	AccUSB
	(Amend 8)				(Amend 5, 16, 16A)			
R3	25	30	40	60	25	10	6	6
R3U[3] (Am 30)	15	15	15	15	20	6	6	4
R3W[11] R4W[11] (Am 37)	25	30	40	60	25	10	6	6
NB	25	30	40	60	15	15	0[8]	0[8]
NBU (Am 10)	0	0	0	0	15	10	0[8]	0[8]
OR	25	30	40	60	25	10	20	20
MR: SF, TF MF NRES	25	30	40	60	25	6 10 25	6 6 0[8]	6 6 0[8]
GB HB	25	30	40	60	15[9]	15[9]	0[7]	0[7]
CB CBW	0	0	0	0	0	0	0	0
I1, I2 I3	25	30	40	60	15[9]	15[9]	0[7]	0[7]
A, AA AW, FP	25	30	40	60	25	10	6	6
RE[10] (Am 27)	25	30	40	60	25	25	6	6

ABBREVIATIONS:

LO = ***local street*** or ***place***
CO = ***collector street***
SE = ***secondary arterial***
PR = ***primary arterial***

RES = residential ***use***
SF = ***single-family dwelling***
TF = ***two-family dwelling***
MF = ***multi-family dwelling***
NRES = non-residential ***use***

PRIM. USE BLDG., PrmUB = ***primary use building***

ACC. USE/STR/BLDG, AccUSB = ***accessory use***, ***structure*** or ***building*** (Amends 16, 16A)

FOOTNOTES TO 4-2-2:

1 Minimum ***setbacks*** along ***street frontages***, whether ***front***, ***rear*** or ***side setbacks***, depend on the classification of the ***street*** which the ***setbacks*** abut. See abbreviations above for street classifications.

2 In ***zones*** requiring a ***rear setback***, that ***setback*** may be reduced -- but not to less than 3' for a residential ***use***, 10' for a nonresidential ***use*** -- by counting ½ the width of an abutting public ***alley*** as part of the ***setback***.

3 See 4-4-1 below on ***setback*** averaging.

4 Except 25' for a ***perimeter lot***.

5 There can be no ***setback*** along the designated ***zero-lot-line*** side. The minimum ***setback*** along the non-**ZLL** side is 12', except 17' for a ***perimeter lot*** outside the ***urbanized sewered area***.

6 Minimum ***rear setback*** for a ***primary use building*** is 10' when abutting an R1Z ***zone***; it is 20' abutting any other ***zone***. Minimum ***side setback*** for an ***accessory use building*** is 6' abutting R1Z, R1U, R2U and R3U ***zones***; it is 10' abutting any other ***zone***.

7 Minimum ***side setback*** is 30' if the ***side lot line*** abuts a residential ***zone*** or ***use***. (Amend 43)

8 Minimum ***side setback*** is 10' if the ***side lot line*** abuts a residential ***zone*** or ***use.***

9 Minimum ***rear setback*** is 40' if the ***rear lot line*** abuts a residential ***zone*** or ***use***. (Amend 43)

10 25', measured as per 2-28-7 above. (Amend 27)

11 Except for South and/or North River Road, the minimum setback from a road for properties within the ***urbanized sewered area*** of West Lafayette is 20' or the average ***setback*** on the ***block*** face, but never less than 10'. (See 4-4-1 below on setback averaging.) (Amend 37)

12 See 4-4-5 below on setbacks on ***structural projections*** and ***stoops.*** (Amend 44)

4-3 *LOT AREA* AND *LOT WIDTH*

4-3-1 *LOTS* NOT SERVED BY SANITARY SEWER:

As stated in Footnote 1 to the table in 4-2-1, minimum ***lot areas*** and ***lot widths*** shown are only for ***primary uses*** served by sanitary sewer. Minimum ***lot areas*** and ***lot widths*** for ***primary uses*** not served by sanitary sewer:

(a) shall be as approved by the Tippecanoe County Health Department (and the Division of Sanitary Engineering, Indiana State Department of Health except for ***single-*** and ***two-family residences***), on a lot-by-lot basis; and

(b) shall in no case be less than 30,000 sq.ft.

4-3-2 SUBSTANDARD *LOTS*:

A ***single-family dwelling*****,** or a nonresidential ***use*** may be located on a ***lot*** that fails to meet its ***zone***'s minimum ***lot area*** and/or ***lot width*** standards if:

(a) the use is permitted in the ***zone*** by right or by ***special exception***; and

(b) the ***zone***'s ***lot coverage***, ***setback*** and ***building height*** standards and the ***use***'s parking and ***bufferyard*** requirements can still be met; and

(c) the ***lot*** is served by sanitary sewer or, within the platted portions of unincorporated Buck Creek, Colburn, Americus, Stockwell, Romney, West Point/Glenhall, Odell and Montmorenci, has been approved for that use by the Tippecanoe County Health Department; and

(d) The legally created ***lot*** was either recorded in separate ownership or included in a recorded ***subdivision*** on or before January 2, 1998, the effective date of this ordinance (Amend 18).

4-3-3 *LOT AREA* FOR *UNIVERSITY-PROXIMATE RESIDENCES* IN *MULTI-FAMILY DWELLINGS*:

UNIT TYPE	LIVING AREA (sq.ft.)	*LOT AREA*, EACH OF FIRST 3 UNITS (sq.ft.)	*LOT AREA*, EACH ADDITIONAL UNIT (sq.ft.)
A	825 and over	2000	1000
B	650 - 824	1500	1000
C	470 - 649	1200	750
D	under 470	1000	500
Efficiency	---	800	500
For ***university-proximate multi-family*** projects containing more than one unit type, the 3 largest units shall be used to calculate "***lot area***, each of first 3 units".			

4-3-4 *LOTS* ON WHICH A RESIDENTIAL *USE* IS CHANGED:

A ***lot*** on which a residential ***use*** is changed by increasing the number of ***dwelling units***, shall meet its ***zone***'s ***lot area*** and ***lot width*** requirements for the higher number of units.

4-4 *SETBACKS*

4-4-1 AVERAGING *SETBACKS* ALONG *STREET FRONTAGES*:

For a ***primary use building***, the minimum ***setback*** along a ***street frontage*** is reduced to the average ***setback*** of the existing ***primary use buildings*** on that ***block*** face (but never less than 10') if:

(a) the frontage is along any ***street*** in an R1U, R2U or R3U ***zone***, or along any ***local street*** in any other ***zone*** requiring a ***setback*** along a ***street frontage***, or along any ***street*** in an R3W or R4W zone (except North and South River Road) located within the ***urbanized sewered area*** of West Lafayette (Amend 37); and

(b) at least half the ***lots*** in that ***block*** face are already occupied by ***primary use buildings***.

Any ***primary use building*** being removed to make way for a new ***primary use building*** cannot be included when calculating average ***setback*** along a ***street frontage*** for that new ***building***.

4-4-2 *SETBACKS* FOR MULTIPLE-FRONTAGE AND NON-FRONTAGE *LOTS*:

(a) A ***corner lot*** has just one ***front setback*** and one ***front lot line***, as defined in 1-10.

(b) A ***through lot*** has just one ***front setback*** marked by one ***front lot line***, as defined in 1-10, if the two abutting ***streets*** are classified differently in the street classification system. Unless deed restrictions specify otherwise, the ***lot line*** abutting the ***street*** classified *lower* in the street classification system shall be designated the ***front lot line***; it marks the ***front setback***. The ***lot line*** abutting the *higher* classified ***street*** shall be designated the ***rear lot line***; it marks the ***rear setback***. The street classification hierarchy from lowest to highest is: ***place***, ***local street***, ***collector street***, ***secondary arterial***, ***primary arterial***.

(c) A ***through lot*** has two ***front setbacks*** marked by two ***front lot lines***, as defined in 1-10, if both ***streets*** it abuts are classified *the same* in the street classification system.

(d) For a lot without ***street frontage***, the minimum ***front setback*** is 25', measured from a ***lot line*** designated as the ***front lot line***.

4-4-3 LOCATIONS WITH SPECIAL *SETBACKS*:

(a) The ***setback*** for ***primary use*** and ***accessory buildings*** from the ***right-of-way*** of North River Road (SR43 north of the Harrison Bridge) is 100':

(1) from the south ***right-of-way line*** of I-65 to 550' south of the south ***right-of-way line*** of Columbia Street,

(2) except for those ***lots*** also having a second ***frontage*** on Dehart and Robinson Streets, and

(3) except for those lots located on the east side of North River Road, south of the Harrison Bridge. (Amend 48)

(b) The ***setback*** from rivers, streams and other bodies of water for ***primary use*** and ***accessory buildings*** is 25', measured horizontally from the ***Flood Plain zone*** boundary and certified by a Registered Land Surveyor. This ***setback*** applies to all new construction begun after the adoption of this section, other than attached additions to existing structures either built in compliance with an ***improvement location permit***, or built before 1965.

4-4-4 *SETBACKS* FOR PORCHES, DECKS AND PATIOS (Amends 16, 16A, 47)**:**

(a) If roofed and not attached to a ***primary use building***, a porch, deck or patio is an ***accessory building***; it shall observe all minimum ***setbacks*** for ***accessory uses, structures and buildings*** prescribed in the table in 4-2-2 above.

(b) If roofed and attached to a ***primary use building***, a porch, deck or patio is part of that ***primary use building*** and not an ***accessory building***; it shall observe the minimum ***setbacks*** for ***primary use buildings*** prescribed in the table in 4-2-2 above.

(c) Whether attached to a ***primary use building*** or not, an unroofed porch, deck or patio is an ***accessory structure***; it may extend into a minimum ***rear setback*** to within 4' of a ***lot line*** if:

(1) its floor within the ***setback*** is no higher than 30" above its underlying grade; (Amend 47) and

(2) it is not enclosed higher than 3½' above that floor.

4-4-5 *SETBACKS* FOR *STRUCTURAL PROJECTIONS* AND *STOOPS*:

(a) The following ***structural projections*** may extend up to 2' into a minimum ***front***, ***rear*** or 6' ***side setback*** and no more than 1' into a minimum 5' ***side setback*** where permitted: eaves, overhangs, bay windows, greenhouse windows, window wells, window-mounted or wall-mounted air conditioners, fascia brick and exterior siding. (Amend 44 and 52)

(b) Balconies are ***structural projections*** that may extend up to 4' into a minimum ***rear setback***, but not at all into a minimum ***front*** or ***side setback***.

(c) ***Stoops*** may extend up to 4' into a minimum ***front*** or ***rear setback***. In a side yard, only at-grade ***stoops*** may extend up to 4' into the ***side setback***. (Amend 44)

4-4-6 *SETBACKS* FOR PARKING:

(a) Except in 4-4-6-b through 4-4-6-d below, required parking is not permitted in the ***front setback*** of any residential ***use***, or any residential ***zone*** (Amend 8). Optional parking is also not permitted in the ***front setback*** of any residential ***use***, except in driveways and turnarounds.

(b) A ***single-family dwelling*** may have one of its 2 required ***parking spaces*** in a driveway or turnaround in its ***front setback*** (but not under roof) if:

(1) its ***lot area*** and ***lot width*** do not exceed the minimums for R1B ***zones***; or

(2) the ***lot*** on which it is situated meets all requirements of 4-3-2 above.

(c) Required parking is permitted in the ***front setback*** in any ***residential*** or RE ***zone*** when it is used as a drop-off for a ***child care home*** on that same ***lot*** (Amend 27).

(d) Required parking is permitted in the ***front setback*** in any ***zone*** when it accommodates a ***home occupation*** within a ***dwelling*** on that same ***lot***.

(e) Neither required nor optional parking is permitted in any ***no-parking setback***. Except where crossed by driveways, a ***no-parking setback*** cannot be covered with ***impervious surface***, and is subject to landscape requirements of the jurisdiction in which it is located. Regarding the ***development*** of ***multi-family dwellings***, the ***no parking setback*** pertains only to the perimeter of the ***development***, and not to any internal ***lot lines*** (Amend 5).

(f) No ***parking space*** shall be located between a ***building*** and the ***right-of-way line*** of any adjoining ***street*** in NBU, CB or CBW ***zones***, except at sites surrounded on all sides by ***streets***.

(g) For all permitted ***uses*** other than ***single-*** and ***two-family dwellings***, ***parking spaces*** may be located in a required ***front setback*** in NB, OR, MR, GB, HB, I1, I2 and I3 ***zones***. However, these ***parking spaces***

cannot be placed within any ***no-parking setback***, 4-4-6-e above, nor any ***vision setback***, 4-4-7 below.

4-4-7 *VISION SETBACKS*:

(a) A ***vision setback*** shall be provided for all ***lots*** located at ***street*** intersections in all ***zones*** (Amend 8). This triangular ***vision setback*** is measured along the curbs of the 2 intersecting ***streets***, or the edge of their pavements if there are no curbs. The distance from the corner of the intersection shall be 40' in each direction; a diagonal connecting those two 40' line segments closes the triangle.

(b) A ***vision setback*** shall also be provided for all ***lots*** located at ***alley***/***street*** intersections in all ***zones*** except CB, CBW and NBU. This triangular ***vision setback*** is measured along the curb of the intersecting ***street*** (or pavement edge if there is no curb) and the pavement edge of the intersecting ***alley***. The distance from the corner of the intersection shall be 20' in each direction; a diagonal connecting those two 20' line segments closes the triangle.

(c) A ***vision setback*** shall also be provided for both sides of driveway/***street*** intersections in all ***zones***, for all ***primary uses*** required to provide 5 or more ***parking spaces***. This triangular ***vision setback*** is measured along the curb of the intersecting ***street*** (or pavement edge if there is no curb) and the pavement edge of the intersecting driveway. The distance from the corner of the intersection shall be 20' in each direction; a diagonal connecting those two 20' line segments closes the triangle.

4-4-8 *SETBACKS* FOR *OPEN USES*:

(a) The minimum ***setback*** for any ***open use***, other than those listed in 4-4-8-a-1 below, is 5' from the ***front lot line***, plus 5' from any ***side*** or ***rear lot line*** abutting a ***street*** or a ***residential*** or RE ***zone*** (Amend 27). Except where crossed by driveways, an ***open use setback*** cannot be covered with ***impervious surface***, and is subject to landscape requirements of the jurisdiction in which it is located. Any ***building*** associated with an ***open use*** shall observe the ***setbacks*** summarized in the table in 4-2-2.

4-4-8-a-1 *OPEN USES* REQUIRING SPECIAL *SETBACKS*:

SIC GROUP	*PRIMARY USE*	*FRONT SETBACK*	*REAR SETBACK*	*SIDE SETBACK*
10-14	**Mining**	For minimum ***setbacks***, see 4-9-7-c (Amend 5)		
1611	**Asphalt or concrete paving**			
4952	**Sewerage systems**			
4953	**Refuse systems**			
5015	**Motor vehicle parts, used**			
5093	**Scrap and waste materials**			
5093	**Junk yards**			

4-4-8-a-1 ***OPEN USES*** REQUIRING SPECIAL ***SETBACKS***, cont'd.

SIC GROUP	*PRIMARY USE*	FRONT SETBACK	REAR SETBACK	SIDE SETBACK
5093	***Construction/demolition disposal sites***	150'	150'	150'
5191	**Anhydrous ammonia sales**	150'	150'	150'
5984	**Liquefied petroleum gas dealers**	150'	150'	150'
7032	**Sporting and rec. camps**	100'	100'	100'
7033	***RV parks* and *campsites***	100'	100'	100'
7941	**Arenas and stadiums**	100'	100'	100'
7948	**Racing, including track operation,**	100'	100'	100'
	except Motorized vehicle racing	300'	300'	300'
7996	**Amusement parks**	100'	100'	100'
7997	**Flying fields maintained by aviation clubs**	150'	150'	150'
7997	**Gun and shooting clubs**	STD	300'	300'
7999	**Archery ranges**	STD	150'	150'
7999	**Day camps**	100'	100'	100'
7999	**Fairs, agricultural**	150'	150'	150'
7999	**Fireworks display service**	150'	150'	150'
7999	**Gocart raceway operation**	300'	300'	300'
7999	**Golf driving ranges**	STD	50'	50'
7999	**Horse shows**	STD	100'	100'
7999	**Ice skating rink**	STD	50'	50'
7999	**Rental of saddle horses**	STD	100'	100'
7999	**Riding academies and schools**	STD	100'	100'
7999	**Shooting ranges**	STD	300'	300'
7999	**Skeet shooting facilities**	STD	300'	300'
7999	**Trapshooting facilities**	STD	300'	300'
7999	**Waterslides**	100'	100'	100'
7999	**Wave pools**	100'	100'	100'
------	**Cemeteries**	STD	50'	50'

A designation of "STD" means that the appropriate ***zone***'s standard minimum ***setback***, as it appears in the table in 4-2-2, is applied to the ***open use***.

4-4-9 ***CONFINED FEEDING OPERATION SETBACKS*:**

(a) Because of the potential for negative impacts, a ***confined feeding operation*** constructed after the effective date of this ordinance shall be separated from some surrounding ***uses***, ***zones*** and elements of the built and natural environment by a ***confined feeding operation setback***. This

separation, listed in 4-4-9-a-1 below, shall be measured from that ***use*** to the enclosure which defines the ***confined feeding operation***. (Amend 2)

4-4-9-a-1 TABLE OF *CONFINED FEEDING OPERATION SETBACKS*:

***USE*, *ZONE*, OR ENVIRONMENTAL ELEMENT**	***CFO SETBACK***
Flood plain (FP) ***zone***	100'
Local street, ***collector street*** or ***secondary arterial***	50'
Primary arterial	60'
Water well, other than one serving only the confined feeding operation	100'
Stream, ditch or other body of water	300'
Residential zone	1000'
Dwelling (other than that of an on-site owner or caretaker) (Amend 2)	1000'
School, church or other place of public assembly	1000'

(b) In the presence of an existing ***confined feeding operation***, a new ***dwelling*** (other than that of an on-site owner or caretaker), new school, new church or other place of public assembly shall not be built within 1000' of that ***confined feeding operation***, measured from that ***primary use building*** to the enclosure which defines the ***confined feeding operation***.

(c) Expansion of a ***confined feeding operation*** which otherwise existed at the time this ordinance became effective or was amended shall still comply with ***Flood Plain*** (FP) ***zone, street/arterial***, water well, stream, ditch or other body of water, and ***residential zone setbacks*** as set forth in 4-4-9-a-1 above. (Amend 2)

4-4-10 *SETBACKS* FOR *GASOLINE SERVICE STATION CANOPIES*: (Amend 23B)

Whether attached or freestanding, the leading edge of a ***gasoline service station canopy*** shall be set at least 10' back from the edge of any ***right-of-way***.

4-4-11 *SETBACKS* FOR CONTRACTORS AND BUILDERS IN A, AA, & AW *ZONES*:

Outdoor storage of materials and equipment associated with ***primary uses*** SIC 15 and 17 shall be set back a minimum of 200' from a road right-of-way or front lot line, and 100' from side and rear lot lines when adjoining a residential ***use*** or ***residential zone***. (Amend 36)

4-4-12 *SETBACKS* FOR WINERIES (Amend 43)

A ***winery*** located in A, AA, and AW zones shall be subject to the ***setbacks*** for uses in GB zones. Unroofed outdoor tasting decks and patios are also subject to all setback requirements.

4-5 HEIGHT

4-5-1 EXCEPTIONS:

(a) In addition to the ***building height*** regulations shown in the table in 4-2-1 above, all ***structures*** are subject to the air space control height restrictions surrounding airports, as shown in 5-3-4 below.

(b) Height regulations, other than those indicated in 5-3-4 below, do not apply to these ***structures***:

(1) ***accessory communications towers***;
(2) ***antennas***;
(3) belfries;
(4) chimneys;
(5) church steeples;
(6) construction equipment;
(7) conveyors;
(8) cooling towers;
(9) cranes;
(10) elevator bulkheads;
(11) fire towers;
(12) flagpoles;
(13) monuments;
(14) ornamental towers or spires;
(15) penthouses (for machinery);
(16) power transmission towers;
(17) ***primary communications towers***;
(18) silos;
(19) smoke stacks;
(20) stage towers and scenery lofts;
(21) storage towers;
(22) tanks; and
(23) water towers.

(c) In any ***zone***, except R3W and R4W, and (Amend 18) except as precluded by 5-3-4 below, a ***building*** may be erected to a height in excess of the limits shown in the table in 4-2-1 above, if its ***setbacks*** exceed minimum requirements: 2' of additional height for each 1' of additional ***setback*** over the minimum requirement on all sides.

4-6 PARKING AND LOADING REQUIREMENTS

4-6-1 PURPOSES AND INTENT:

To reduce traffic problems and hazards, every permitted ***use*** shall provide enough on-site ***parking spaces*** to accommodate the number of motor vehicles and bicycles that ordinarily are attracted to that ***use***. This provides additional traffic lanes for major ***streets***, provides more traffic capacity on major ***streets***, allows faster emergency access, and allows narrower local streets to be

designed within ***subdivisions***. Secondary purposes include: minimizing development problems with neighboring ***uses***; providing for special parking needs for individuals with disabilities and bicyclists; providing adequate parking for all ***uses***; and, allowing flexibility in meeting the community's parking needs.

4-6-2 REQUIRED *PARKING SPACES*:

(a) **(LAFAYETTE, WEST LAFAYETTE, DAYTON, BATTLE GROUND, CLARKS HILL)** The following 7 tables indicate the minimum number of on-site ***parking spaces*** that shall be provided for residents, guests, employees and customers. The tables in 4-6-3 and 4-6-7 correspond to the parking group numbers and letters that appear in the first column next to every use in the Permitted Use Table (3-2 above). A parking group number alone is a reference to 4-6-3, automobile parking. A parking group number followed by a slash and a parking group letter, is a reference to first 4-6-3, automobile parking, and then 4-6-7, bicycle parking. Note that for West Lafayette's ***university-proximate residences***, the table in 4-6-4 supersedes 4-6-3, and the table in 4-6-8 supersedes 4-6-7. For ***integrated centers*** having ***gross leasable areas*** of at least 50,000 sq.ft., the table in 4-6-5 supersedes 4-6-3, and the table in 4-6-9 supersedes 4-6-7. The table in 4-6-6 provides requirements for ***parking spaces*** that are ***accessible*** to individuals with disabilities.

(a) **(TIPPECANOE COUNTY)** Tables 4-6-3 through 4-6-6 indicate the minimum number of on-site ***parking spaces*** that shall be provided for residents, guests, employees and customers. The table in 4-6-3 corresponds to the parking group numbers that appear in the first column next to every use in the Permitted Use Table (3-2 above). Note that for ***integrated centers*** having ***gross leasable areas*** of at least 50,000 sq.ft., the table in 4-6-5 supersedes 4-6-3. The table in 4-6-6 provides requirements for ***parking spaces*** that are ***accessible*** to individuals with disabilities.

(b) All partial space requirements shall be rounded to the next highest number of usable ***parking spaces***.

4-6-3 REQUIRED AUTO *PARKING SPACES* FOR ALL *USES* LISTED IN THE PERMITTED USE TABLE:

PARKING GROUP	REQUIRED AUTO *PARKING SPACES*
1	2 per ***dwelling unit***. (***University-proximate residences***: see 4-6-4.)
2	**(WEST LAFAYETTE., TIPPECANOE COUNTY, DAYTON, BATTLE GROUND, CLARKS HILL)** 2 per ***dwelling unit***. (***University-proximate residences***: see 4-6-4.) **(LAF.)** 1.5 per ***dwelling unit*** for ***efficiency*** and 1-***bedroom*** units; 1.75 per ***dwelling unit*** for 2-***bedroom*** units; 2 per ***dwelling unit*** for 3-or-more-***bedroom*** units.
3	0.75 per each occupant at capacity.

4-6-3 REQUIRED AUTO *PARKING SPACES* FOR ALL *USES* LISTED IN THE PERMITTED USE TABLE:

PARKING GROUP	REQUIRED AUTO *PARKING SPACES*
4	1 per employee on the largest shift.
5	1 per each 100 sq.ft. of retail sales area for the first 5,000 sq.ft., plus 1 per each 200 sq.ft. of retail sales area above 5,000 sq.ft.; Greenhouse sales area: 1 per each 1,000 sq.ft. plus 1 per each 500 sq.ft. of greenhouse sales area above 1,000 sq.ft.; Exterior nursery sales area: 1 per each 5,000 sq.ft. of exterior nursery sales area.
6	1 per employee on the largest shift, plus 1 per 200 sq.ft. of office, sales, or similar floor area.
7	5 per doctor.
8	1 per 200 sq.ft. of ***gross floor area***.
9	1 per 4 pens or stables.
10	1 per 10 animal spaces (cages or pens), but no fewer than 4.
11	1 per employee on the largest shift, 1 per each business vehicle, plus, Crematory: 2 additional spaces (Amend 48)
12	1 per each 1,000 sq.ft. of ***gross floor area***, plus 1 per each 200 sq.ft. of office, sales, or similar floor area; except 1 per 200 sq.ft. of ***gross floor area*** where limited to 5000 sq.ft. of ***gross floor area***.
13	3 per 200 storage units, with the spaces located adjacent to the leasing office, plus 2 for live-in manager.
14	5 per customer window, plus 1 per employee on the largest shift, and 1 per company vehicle.
15	1 per employee, plus 1 per each based or daily transient aircraft, and 1 per 200 sq.ft. of net floor area of waiting room.
16	1 per employee on the largest shift, plus queuing spaces required in 4-6-10 below; the ***Administrative Officer*** may determine if existing ***parking spaces*** and ***maneuvering aisles*** are sufficient to meet this requirement.
17	1 per employee on the largest shift, plus 1 per 400 sq.ft. of ***gross floor area***.
18	1 per 400 sq.ft. of ***gross floor area***.
19	1 per 100 sq.ft. of ***gross floor area***.
20	1 per 200 sq.ft. of ***gross floor area***; except 1 per 400 sq.ft. ***gross floor area*** for: Building materials, used; Furniture stores, new or secondhand; Furniture, antique; Floor covering stores; Drapery, curtain, and upholstery stores; and Household appliance stores.
21	1 per guest room, plus 1 per 100 sq.ft. of net floor area for eating and drinking places associated with the hotel or motel.

4-6-3 REQUIRED AUTO *PARKING SPACES* FOR ALL *USES* LISTED IN THE PERMITTED USE TABLE:

PARKING GROUP	REQUIRED AUTO *PARKING SPACES*
22	1 per guest room, plus 2 per permanent ***residence***.
23	1 per bed.
24	1 per employee on the largest shift, plus 1 per camp vehicle normally parked on the premises, plus no fewer than 5 visitor spaces.
25	1 per site plus 1.5 per site in a visitors' parking area.
26	1 per guest room.
27	1 per full time employee.
28	1 per 4 seats.
29	1 per 200 sq.ft. of net floor area of office, studio, or similar space, plus 1 per 4 theater seats.
30	1 per 4 patrons to the maximum capacity of the facility inclusive of both indoor, if any, and outdoor capability.
31	4 per lane, plus 1 per employee on the largest shift, plus 50% of the spaces otherwise required for ***accessory uses*** (e.g., eating and drinking places, game rooms, *etc*.).
32	3 per 4 employees, plus 1 per 4 seats.
33	6 per each green, plus 1 per employee on the largest shift, plus 50% of the spaces otherwise required for ***accessory uses*** (e.g., eating and drinking places).
34	1 per 2 devices.
35	6 spaces per 1,000 sq.ft. of ***gross floor area***, plus an additional 6 spaces per 1,000 sq.ft. of gross land area directly used for outdoor recreation.
36	1 per employee on the largest shift, plus: Handball and Racquetball clubs: 3 per court; Gun and Shooting clubs: 2 per shooting station.
37	1 per aircraft.
38	1 per employee on the largest shift, plus: Swimming clubs: 1 per 200 sq.ft. of pool surface and deck area; Tennis clubs: 3 per court.
39	1 per employee on the largest shift, plus: Archery ranges: 1 per target area; Billiard, pool, and ping pong parlors: 2 per table; Bingo parlors: 1 per 3 seats; Gymnastics instruction: 1 per 200 sq.ft. of ***gross floor area***; Handball and racquetball courts: 3 per court; Ice skating rinks: 1 per 200 sq.ft. of ***gross floor area***; Judo and karate instruction: 1 per 200 sq.ft. of ***gross floor area***; Shooting ranges and trapshooting facilities: 2 per shooting station.

4-6-3 REQUIRED AUTO *PARKING SPACES* FOR ALL *USES* LISTED IN THE PERMITTED USE TABLE:

PARKING GROUP	REQUIRED AUTO *PARKING SPACES*
40	1 per employee on the largest shift, plus: Archery ranges: 1 per target area; Canoe rentals: 1 per 2 canoes for rent; Day camps: 1 per camp vehicle normally parked on the premises, plus no fewer than 5 visitor spaces; Fishing piers and lakes: 2 per acre; Gocart raceway operations, skateboard parks, water slides, and similar uses: 1 per 300 sq.ft. of area, plus 1 per 200 sq.ft. of ***gross floor area***; Golf driving ranges: 1 per tee; Miniature golf courses and pitch-n-putt golf: 1 per hole; Riding stables: 1 per horse that could be kept at the stable when occupied to maximum capacity; River rafting: 1 per 4 rafts for rent; Shooting ranges and trapshooting facilities: 2 per shooting station.
41	1 per treatment room or dentist chair, plus 1 per each employee, doctor or dentist.
42	1 per 4 beds, plus 1 per employee.
43	1 per 2 beds, plus 1.5 per each emergency room examination table or bed, plus 1 per employee (other than doctors) on the largest shift, plus 1 per doctor assigned to the staff.
44	2 per elementary, middle or junior high school classroom, 8 per high school classroom.
45	1 per 200 sq.ft. net floor area for public ***use***, plus 1 per employee on the largest shift.
46	Spaces equal to 15% to 30% of total permitted occupancy based on ***use*** and location as determined by the ***Administrative Officer***.
47	2 per occupied ***dwelling unit***, plus 1 per nonresident provider, plus 1 for drop-off.
48	1 per 20 children for drop-off (not separated from an entrance by parking or traffic lanes), plus 1 per employee on the largest shift, plus 1 per 10 children, design or licensed capacity;
49	1 per each employee on the largest shift, plus 1 per each 5 clients; except 1 per 600 sq.ft. of ***gross floor area*** if clients are not permitted their own vehicles.
50	Arboreta and botanical gardens: 2 per acre; Zoos: 1 per 2,000 sq.ft. of land area.
51	As determined by the ***Administrative Officer***.
52	1 per 4 seats in the portion of the ***building*** to be used for services; if a school is included: Parking Group 44 or 52, whichever is greater.

4-6-3 REQUIRED AUTO *PARKING SPACES* FOR ALL *USES* LISTED IN THE PERMITTED USE TABLE:

PARKING GROUP	REQUIRED AUTO *PARKING SPACES*
53	1 per employee on the largest shift, plus 1 per 10 inmates at capacity.
54	1 per employee on the largest shift, plus 1 per 3 volunteer personnel on a normal shift, plus 1 per 200 sq.ft. of net floor area of business office.
55	1 per 500 sq.ft. of ***gross floor area*** (Amend 7).
56	1 per employee plus 1 per business vehicle plus 1 per 200 sq.ft. of ***gross floor area*** of reception, sales, and indoor rooms and outdoor tasting decks and/or patios. Additionally, for public events, grass or gravel overflow parking areas are required and shall be of sufficient size to accommodate all vehicles. Vehicles parked along public roads shall be evidence of non-compliance with this requirement. (Amend 43)
For permitted ***uses*** not covered by this table, required auto ***parking*** shall be as determined by the ***Administrative Officer***.	

4-6-4 REQUIRED AUTO *PARKING SPACES* FOR *UNIVERSITY-PROXIMATE RESIDENCES*:

UNIT TYPE	LIVING AREA (sq.ft.)	AUTO *PARKING SPACES* (per unit)
A	825 and over	3.0
B	650 - 824	2.25
C	470 - 649	1.6
D	under 470	1.1
Efficiency	------	1.0

4-6-5 REQUIRED AUTO *PARKING SPACES* FOR *INTEGRATED CENTERS* WITH *GROSS LEASABLE AREAS* OF 50,000 SQ.FT. OR MORE:

SIZE OF *INTEGRATED CENTER* (sq.ft. *GLA*)	REQUIRED AUTO *PARKING SPACES* per 1,000 sq.ft. *GLA*
50,000 - 400,000	4
400,000 - 600,000	4.5
600,000 and over	5

(a) Office uses occupying less than 10% ***gross leasable area (GLA)*** in an ***integrated center*** are included in the above standards. Additional office use beyond 10% ***GLA*** shall provide one ***parking space*** per each additional 200 sq.ft. ***GFA***.

(b) Motion picture theaters in ***integrated centers*** shall provide an additional 3 ***parking spaces*** per 100 seats if either:

(1) ***GFA*** for the ***integrated center*** is less than 100,000 sq.ft.; or

(2) ***GFA*** for the ***integrated center*** is between 100,000 and 200,000 sq.ft., and there are more than 450 motion picture theatre seats; or

(3) ***GFA*** for the ***integrated center*** is 200,001+ sq.ft., and there are more than 750 motion picture theatre seats.

(c) ***Integrated centers*** with ***GLAs*** under 50,000 sq.ft. shall provide ***parking spaces*** equal in sum to all the uses in that center.

4-6-6 REQUIRED *PARKING SPACES ACCESSIBLE* TO INDIVIDUALS WITH DISABILITIES:

TOTAL *PARKING SPACES* IN *PARKING AREA*	REQUIRED MINIMUM NUMBER OF *ACCESSIBLE PARKING SPACES*
1 -- 25	1
26 -- 50	2
51 -- 75	3
76 -- 100	4
101 -- 150	5
151 -- 200	6
201 -- 300	7
301 -- 400	8
401 -- 500	9
501 -- 1000	2% of total
1001+	20 + 1 for up to each 100 over 1000

(a) This requirement does not apply to ***single-*** and ***two-family dwellings***, nor any ***home occupation*** authorized therein.

(b) ***Accessible parking spaces*** shall be designated as reserved by a sign showing the accessibility symbol, as approved by the ***Administrative Officer***. One in every 8 ***accessible parking spaces***, but not less than 1, shall be designated "van accessible," unless all ***accessible parking spaces*** conform with "universal parking design" standards as permitted in 4-6-15-c-3. If the universal parking design is not used, then an additional "van accessible" ***sign*** shall be mounted below the accessibility symbol. These ***signs*** shall be located so they cannot be obscured by a vehicle in the parking space.

(c) ***Parking spaces*** designated for individuals with disabilities shall be located on the shortest possible ***accessible route*** to an ***accessible*** entrance of the ***building***. In off-site ***parking areas***, ***parking spaces*** for individuals with disabilities shall be located on the shortest possible ***accessible route*** to an ***accessible*** pedestrian entrance of the ***parking area***.

4-6-7 (LAFAYETTE, WEST LAFAYETTE, DAYTON, BATTLE GROUND, CLARKS HILL) REQUIRED BICYCLE *PARKING SPACES* FOR SPECIFIED *USES* LISTED IN THE PERMITTED USE TABLE:

PARKING GROUP	REQUIRED BICYCLE *PARKING SPACES*
a	1 per unit
b	0.75 per each occupant at capacity
c	5% of required auto ***parking spaces*** but not less than 2
d	5% of total auto ***parking spaces*** provided
e	1 per 3 elementary students eligible to bike to school; and 1 per 5 secondary students
No required bicycle ***parking spaces*** are required in the CB ***zone*** in Lafayette.	

4-6-8 (LAFAYETTE, WEST LAFAYETTE, DAYTON, BATTLE GROUND, CLARKS HILL) REQUIRED BICYCLE *PARKING SPACES* FOR *UNIVERSITY-PROXIMATE RESIDENCES*:

UNIT TYPE	LIVING AREA (sq.ft.)	BICYCLE *PARKING SPACES* (per unit)
A	825 and over	2.0
B	650 - 824	1.5
C	470 - 649	1.0
D	under 470	0.75
Efficiency	------	0.75

4-6-9 (LAFAYETTE, WEST LAFAYETTE, DAYTON, BATTLE GROUND, CLARKS HILL) REQUIRED BICYCLE *PARKING SPACES* FOR *INTEGRATED CENTERS* WITH *GROSS LEASABLE AREAS* OF 50,000 SQ.FT. OR MORE:

SIZE OF *INTEGRATED CENTER* (sq.ft. *GLA*)	BICYCLE *PARKING SPACES* per 1,000 sq.ft. *GLA*
50,000 and over	0.2

(a) ***Integrated centers*** with ***GLAs*** under 50,000 sq.ft. shall provide bicycle ***parking spaces*** equal in sum to all the uses in that center.

4-6-10 QUEUING REQUIREMENTS FOR DRIVE-UP SERVICES:

Drive-up services, including but not limited to bank tellers, photo pick-ups, car washes, ***recycling collection facilities***, fast food order and pick-ups, shall provide waiting space for vehicles. The requirements are:

(a) two 20'-long waiting spaces for each drive-up lane (including the space where the transaction takes place), plus

(b) 1 additional space per drive-up lane where such waiting space can be in a common lane for multiple drive-up windows.

Drive-up waiting space requirements are added to any off-street parking requirement.

4-6-11 EXCLUSIONS, REDUCTIONS, AND EXCEPTIONS:

(a) The off-street ***parking spaces*** specified in 4-6-3 above are not required in a CB ***zone*** (Amend 5), except for hotels, motels and newly constructed residential **buildings**, and except for places of public assembly as determined by the ***Administrative Officer*** (such as bingo parlors, motion picture theaters, etc.). If off-street ***parking spaces*** are required or provided, then they shall conform to the design standards in 4-6-15 below.

(b) For nonresidential ***uses*** in NBU ***zones***, off-street ***parking spaces*** are limited to no more than 60% of the requirements set in 4-6-3 above.

(c) To ensure design flexibility for projects included within Planned Development (PD) ***zones***, the provisions of this section do not apply.

(d) For individual permitted ***uses*** other than ***single-*** and ***two-family dwellings*** (including any ***home occupation*** authorized therein), the ***Administrative Officer***, upon receipt of an off-site parking **site plan**, as per 6-2-5-f below, may permit required or optional parking to be located off-site under certain circumstances. To be permitted, the ***Administrative Officer*** shall find that a request for off-site parking meets the following requirements (Amend 31):

(1) Off-site parking for commercial or industrial **uses** shall be located entirely within a **commercial** or **industrial zone.** There shall be no off-site parking in a **residential zone** unless it serves residential needs only.

(2) At least part of the ***parking area*** shall be located within 300' of the site. It shall be located so that it will adequately serve the ***use*** for which it is intended. In making this determination the ***Administrative Officer*** shall consider, among other factors:

(A) proximity of the off-site parking facilities;

(B) ease of pedestrian access to the off-site parking facilities; and

(C) the type of ***use*** the off-site parking facilities are intended to serve.

(3) A written agreement shall be drawn to the satisfaction of the attorney for the participating jurisdiction, executed by all parties concerned, assuring the continued availability of off-site parking facilities for the ***use*** they are intended to serve for as long as the ***use*** exists. The written agreement shall then be recorded in the Office of the County Recorder.

4-6-12 *PARKING AREA SITE PLAN*:

(a) Prior to constructing or modifying a ***parking area***, a petitioner shall submit a ***site plan*** to the ***Administrative Officer*** for approval. The ***Administrative Officer*** may require prior review of a traffic commission or

any other committee of the participating jurisdiction for its consideration and recommendations. This ***site plan*** shall show:

(1) boundaries of the property;
(2) location and size of ***buildings***;
(3) ***parking spaces*** for motor vehicles and bicycles;
(4) circulation patterns;
(5) ***accessible route*** for individuals with disabilities;
(6) design elements specified in 4-6-15 below; and
(7) for ***integrated centers*** with a ***GLA*** of 50,000 sq.ft. and greater, the total ***GFA*** and ***GLA***.

(b) Prohibitions imposed by this subsection make it unlawful to:

(1) construct ***buildings*** without an approved parking ***site plan***;
(2) make ***structural alterations*** without an approved parking ***site plan***; or
(3) change or occupy the ***use*** on a ***lot*** or in a ***building*** without an approved parking ***site plan***.

Owners and tenants shall conform to the parking ***site plan*** at all times after the approval is granted and construction completed. The ***parking area*** shall be maintained according to the requirements and standards of this section and as approved under the terms of the ***improvement location permit***.

4-6-13 PARKING AND CHANGES OF *USE*:

(a) Where a ***lot*** holds one or more ***buildings*** predating the effective date of this ordinance, and a change in permitted ***use*** that would not enlarge the ***building*** is proposed, then the number of ***parking spaces*** required in 4-6-3 through 4-6-9 above shall be provided for the new ***use***.

(b) Where an existing ***use*** is expanded, or an existing ***building*** is ***enlarged***, the number of ***parking spaces*** required in 4-6-3 through 4-6-9 above shall be provided for the expanded or ***enlarged*** portion only. However, no existing off-street ***parking spaces*** can be eliminated by the expansion or enlargement, unless they are replaced in accordance with the requirements of this section (Amend 31).

(c) Where paving of a ***parking area*** is required under 4-6-15 and 4-6-16 below, all ***parking spaces***, ***maneuvering spaces*** and ***maneuvering aisles*** shall be paved.

(d) The parking needs of individuals with disabilities shall be met according to the requirements of 4-6-6 above, including the provision of ***parking spaces*** and ***access aisles*** along an ***accessible route***.

4-6-14 *SETBACKS* FOR AUTO PARKING: (Amend 7)

(a) Except in 4-6-14-b through 4-6-14-d below, required parking is not permitted in the ***front setback*** of any residential ***use***, or any ***residential zone*** (Amend 13). Optional parking is also not permitted in the ***front setback*** of any residential ***use***, except in driveways and turnarounds.

(b) A ***single-family dwelling*** may have one of its 2 required ***parking spaces*** in a driveway or turnaround in its ***front setback*** (but not under roof) if:

(1) its ***lot area*** and ***lot width*** do not exceed the minimums for R1B ***zones***; or

(2) the ***lot*** on which it is situated meets all requirements of 4-3-2 above.

(c) Required parking is permitted in the ***front setback*** in any ***residential zone*** when it is used as a drop-off for a ***child care home*** on that same ***lot***.

(d) Required parking is permitted in the ***front setback*** in any ***zone*** when it accommodates a ***home occupation*** within a ***dwelling*** on that same ***lot***.

(e) Neither required nor optional parking is permitted in any ***no-parking setback***. Except where crossed by driveways, a ***no-parking setback*** cannot be covered with ***impervious surface***, and is subject to landscape requirements of the jurisdiction in which it is located. Regarding the ***development*** of ***multi-family dwellings***, the ***no parking setback*** pertains only to the perimeter of the ***development***, and not to any internal ***lot lines*** (Amend 5).

(f) No ***parking space*** shall be located between a ***building*** and the ***right-of-way line*** of any adjoining ***street*** in NBU, CB or CBW ***zones***, except at sites surrounded on all sides by ***streets***.

(g) For all permitted ***uses*** other than ***single-*** and ***two-family dwellings***, ***parking spaces*** may be located in a required ***front setback*** in NB, OR, MR, GB, HB, I1, I2 and I3 ***zones***. However, these ***parking spaces*** cannot be placed within any ***no-parking setback***, 4-6-14-e above, nor any ***vision setback***, 4-4-7 above.

4-6-15 AUTO *PARKING SPACE* AND *PARKING AREA* DESIGN STANDARDS:

(a) All auto ***parking spaces***, ***maneuvering spaces*** and ***maneuvering aisles*** shall be paved, except in A, AA, AW, FP and RE ***zones*** (Amend 27) and on ***farms*** in any ***zone***, where paving is optional. (However, ***mobile home parks*** in A zones shall also have paved auto ***parking spaces***, ***maneuvering spaces*** and ***maneuvering aisles***.) Paving shall be either bituminous pavement or portland cement concrete, or an alternative dustfree, durable and cohesive surface such as paving blocks or brick. Such alternative surface shall not be hazardous to pedestrians and shall be traversable by individuals with disabilities. Parking surfaces shall be kept in good condition (free from potholes, etc.) by the owner of the land.

(b) For all ***primary uses*** other than ***single-*** and ***two-family dwellings*** (including any ***home occupation*** authorized therein), auto ***parking space*** width and length, ***maneuvering aisle*** width and parking angle shall be measured as per the diagram in Appendix C.

(c) The dimensional requirements for auto ***parking spaces*** are as follows:

(1) Each off-street auto ***parking space*** required in 4-6-3 through 4-6-5 above shall consist of a rectangular area no less than 9' wide and 18' long, except 8' wide and 22' long for each parallel (0°) ***parking space***.

(2) For all permitted ***uses*** other than ***single-*** and ***two-family dwellings*** (including any ***home occupation*** authorized therein), each paved auto ***parking space*** shall be delineated by striping or other means acceptable to the ***Administrative Officer***. ***Parking space*** striping shall be kept clearly visible and distinct.

(3) ***Accessible parking spaces*** shall be at least 8' wide and 18' long, and shall have an adjacent ***access aisle*** at least 5' wide. "Van accessible" ***parking spaces*** shall be served by an ***access aisle*** at least 8' wide. These ***access aisles*** shall be part of an ***accessible route*** to the ***building*** or facility entrance. Two ***accessible parking spaces*** may share a common ***access aisle***. An alternative to the provision of a percentage of spaces with 8'-wide ***access aisles***, and the associated requirement in 4-6-6-b above to include additional ***signage***, is the allowance of "universal" ***parking space*** design. Under this design, *all* ***accessible parking spaces*** are 11 feet wide and 18' long with a 5 foot ***access aisle***.

(d) For all permitted ***uses*** other than ***single-*** and ***two-family dwellings*** (including any ***home occupation*** authorized therein):

(1) Each required off-street auto ***parking space*** shall open directly on an unobstructed ***maneuvering aisle***, the width of which is determined by the ***parking angle*** (measured between the centerline of the ***maneuvering aisle*** and the centerline of the ***parking space***), as shown in 4-6-15-d-2.

4-6-15-d-2 AUTO *PARKING AREA* DIMENSIONAL REQUIREMENTS:

PARKING ANGLE	ONE-WAY *MANEUVERING AISLE* WIDTH	TWO-WAY *MANEUVERING AISLE* WIDTH
76° -- 90°	22'	22'
61° -- 75°	18'	22'
46° -- 60°	17'	22'
0° -- 45°	12'	22'
A paved ***alley*** abutting auto ***parking spaces*** may be counted toward the required ***maneuvering aisle*** width.		

(1) Driveways shall be arranged for the free flow of vehicles at all times. All ***maneuvering spaces*** and ***maneuvering aisles*** shall be designed so that all vehicles can exit from and enter onto a ***public street*** by being driven forward.

(e) Plans for driveway improvements within public ***right-of-way*** are subject to the approval of the applicable local unit of government, or the Indiana Department of Transportation if along a State or Federal roadway.

(f) Wheel stops, low walls, or other physical barriers shall be provided for all ***parking area*** boundaries (except at points of ingress and egress), so that parked vehicles do not extend into adjacent properties, ***no-parking setbacks*** or public ***rights-of-way***. These barriers shall not reduce the clear width of an ***accessible route*** for individuals with disabilities. ***Parking areas*** shall be designed so that maneuvering vehicles do not extend over sidewalks or bump against or damage walls, vegetation, or other obstructions.

(g) "Van accessible" and "universal" ***parking spaces*** shall provide a minimum vertical clearance of 98" at the ***parking space*** and along at least one vehicle ***access route*** to such ***parking spaces*** from ***parking area*** entrance(s) and exit(s).

(h) Lighting requirements and restrictions for auto ***parking areas*** are intended to promote nighttime security while minimizing negative impacts. No ***parking area*** lighting shall be so intense or brilliant as to impair the vision of drivers, pedestrians or employees, or disturb the daily activities of adjoining or neighboring residents. These requirements and restrictions are as follows:

(1) Lighting used to illuminate an auto ***parking area*** shall be shielded, placed or otherwise designed to direct light toward the ***parking area*** surface, and away from adjacent ***residences*** and ***public streets***.

(2) The outdoor ***parking area*** associated with a ***multi-family dwelling*** shall be illuminated from 30 minutes after sunset until 30 minutes before sunrise (Amend 13).

(3) If open after sunset, the outdoor ***parking area*** associated with any other ***use*** shall be illuminated from 30 minutes after sunset until 30 minutes after closing, or until 30 minutes before sunrise if the ***use*** operates all night (Amend 13).

4-6-16 (LAFAYETTE, WEST LAFAYETTE, DAYTON, BATTLE GROUND, CLARKS HILL) BICYCLE PARKING DESIGN STANDARDS:

(a) The bicycle ***parking spaces*** required by 4-6-7 through 4-6-9 shall consist of racks or other stationary objects approved by the ***Administrative Officer***, to which bicycles can be locked by securing the frame and at least one wheel. Such a facility must be usable with both U-locks and cable locks. These types of facilities may be substituted:

(1) lockers, which consist of fully enclosed ***parking spaces*** accessible only to bicycle users;

(2) a check-in parking system, where bicycles are delivered to and left with an attendant with provision for identifying bicycle users; stored bicycles are accessible only to the attendant;

(3) monitored parking, which provides facilities within an area under constant surveillance; and

(4) restricted access parking, which provides facilities within a locked room or enclosure accessible only to users of bicycles parked inside.

(b) Bicycle parking facilities shall provide at least 2' of clearance on one side of each bicycle to permit users to lock bicycles to the facility. This space may be shared by adjacent bicycles.

(c) Except in parallel parking situations, each bicycle space shall open directly on an unobstructed ***maneuvering aisle*** at least 3' wide.

(d) Parking facilities shall support bicycles in a stable position.

(e) Bicycle parking shall be situated at least as conveniently as the most convenient auto ***parking area***. Bicycle and auto ***parking areas*** shall be separated by a physical barrier or sufficient distance to protect parked bicycles from damage from cars.

(f) All bicycle ***parking spaces*** and ***maneuvering aisles*** shall be paved, except in A, AA, AW, and FP ***zones*** and on ***farms*** in any ***zone***, where paving is optional. Paving shall be either bituminous pavement or portland cement concrete, or an alternative dustfree, durable and cohesive surface such as paving blocks or brick. Such alternative surface shall not be hazardous to pedestrians and shall be traversable by individuals with disabilities. Parking surfaces shall be kept in good condition (free from potholes, etc.) by the owner of the land.

(g) Where a bicycle ***parking area*** is not clearly visible to approaching riders, ***incidental signs*** shall indicate the facility's location.

4-6-17 BICYCLE PARKING FOR PRE-EXISTING *USES*:

Primary uses which predate the adoption of this section may convert one auto ***parking space*** to bicycle parking upon approval of the ***Administrative Officer***. These converted bicycle ***parking spaces*** shall conform to the design standards of 4-6-16 above.

4-6-18 OFF-STREET LOADING:

(a) The ***Administrative Officer*** shall determine the need for ***loading berths*** to be provided for newly erected or substantially ***altered buildings*** which receive or distribute materials or merchandise by truck, up to the maximums shown in 4-6-18-a-1 below.

4-6-18-a-1 *MAXIMUM LOADING BERTH* REQUIREMENTS:

SQUARE FEET OF *GROSS FLOOR AREA*	MAXIMUM NUMBER OF OFF-STREET *LOADING BERTHS* REQUIRED
0 -- 10,000	1
10,001 -- 40,000	2
40,001 -- 80,000	3
80,001 -- 120,000	4
120,001 -- 160,000	5
160,000+	5 + 1 for up to each 80,000 over 160,000

(b) Unless certified by the ***Administrative Officer*** under 4-6-18-c below, required off-street ***loading berths*** shall be located on the same ***lot*** as the ***use*** to be served. No portion of any vehicle using the ***loading berth*** shall project into a ***street*** or ***alley***. No permitted or required ***loading berth*** shall be located within 25' of the nearest ***street*** intersection, nor shall it be located in a required ***front***, ***side*** or ***no-parking setback*** adjoining a ***street***.

(c) In NBU, CB, and CBW ***zones***, the ***Administrative Officer*** may certify that there is a designated ***street*** or ***alley*** loading zone within 130' of the ***development***. In that case, no off-street ***loading berth*** need be provided. However, if no off-street ***loading berth*** is provided, all pick-ups and deliveries shall be made using the certified ***street*** or ***alley*** loading zone.

(d) Except in CB and CBW ***zones*** where this subsection does not apply, the ***Administrative Officer*** shall determine how off-street ***loading berths*** are to be screened from adjacent ***residential zones*** or ***uses***, employing one or more of the following means:

(1) a dense planting of evergreen plant materials which attain a mature height of at least 6'; or

(2) an opaque 6' fence; or

(3) landscaped earth ***berms***.

(e) The ***Administrative Officer*** shall determine the appropriate dimensions for required off-street ***loading berths*** up to the following maximums:

(1) off-street ***loading berths*** designed for tractor-trailers, no more than: 14' wide by 60' long; maneuvering apron of 60' (giving a total depth of 120'); and vertical clearance of 15'; and

(2) off-street ***loading berths*** designed for single-unit trucks, no more than: 12' wide by 30' long; maneuvering apron of 30' (giving a total depth of 60'); and vertical clearance of 12'.

(f) The ***Administrative Officer*** shall determine the appropriate mix of required ***loading berths*** for tractor-trailers and single-unit trucks.

(g) Off-street ***loading berths*** shall be designed with appropriate vehicular access to a ***street*** or ***alley***, and in a way which will least interfere with other traffic movements.

(h) Off-street ***loading berths*** and maneuvering aprons shall be paved, except in A, AA, AW, and FP ***zones***, where paving is optional. Paving shall be either bituminous pavement or portland cement concrete, or an alternative dustfree, durable and cohesive surface such as paving blocks or brick.

(i) Spaces allocated for use as off-street ***loading berths*** shall not be used to satisfy any off-street parking requirement.

(j) Except when located at a ***loading berth***, semi-trailers, with or without wheels, or other containers, shall not be parked at retail establishments in ***commercial zones***, unless they are attached to semi-tractors (Amends 8, 13.)

4-7 ENTRANCES

(a) The number, location, placement, separation and design of entrances connecting permitted ***uses*** to all ***public streets*** is as determined on a case-by-case basis by:

(1) the City Engineers of the Cities of Lafayette and West Lafayette;

(2) the County Highway Department Executive Director for unincorporated Tippecanoe County;

(3) the ***APC Executive Director*** for the Towns of Dayton, Battle Ground and Clarks Hill; and

(4) the Indiana Department of Transportation for state highways;

unless their jurisdiction over entrances has been specifically set aside by recorded plat, or by document recorded by a governmental agency.

(b) The appropriate jurisdiction shall approve the request for such entrances (and issue a driveway permit if that is its procedure), prior to issuing any ***improvement location permit*** under 6-2 below for the proposed activity.

4-8 SIGNS

4-8-1 INTENT:

(a) A ***sign*** may be erected, placed, established, painted, created, or maintained only in conformance with the standards, procedures, exemptions, and other requirements of this section.

(b) These ***sign*** regulations are intended to:

(1) encourage the effective use of ***signs*** as a means of communication;

(2) maintain and enhance the community's ability to attract sources of economic development and growth;

(3) improve pedestrian and traffic safety;

(4) minimize the possible adverse effect of ***signs*** on nearby public and private property;

(5) enable the fair and consistent enforcement of these ***sign*** restrictions;

(6) establish a permit system to allow a variety of types of ***signs*** in ***commercial*** and ***industrial zones***, and a limited variety of ***signs*** in other ***zones***, subject to the standards and the permit procedures of this section;

(7) allow certain ***signs*** that are small, unobtrusive, and incidental to the ***primary use*** of the respective ***lots*** on which they are located, subject to the substantive requirements of this section, but without a requirement for permits; and

(8) prohibit all ***signs*** not expressly permitted by this section.

4-8-2 COMPUTATIONS:

The following principles control the computation of ***sign*** area and ***sign setback***:

(a) The area of a ***sign*** face (which is also the ***sign*** area of a ***wall sign*** or other ***sign*** with only one face) is computed as the smallest square, circle, rectangle, or triangle that will encompass the extreme limits of the entire message, together with any material or color forming an integral part of the background of the display or used to differentiate the ***sign*** from the backdrop or ***structure*** against which it is placed, but not including any supporting framework, bracing, or decorative fence or wall when that fence or wall otherwise meets ordinance regulations and is clearly incidental to the display itself.

(b) The ***sign*** area for a ***sign*** with more than one face is computed by adding together the area of all ***sign*** faces visible from any one point. Where 2 identical ***sign*** faces are placed back to back, so that both faces cannot be viewed from any one point at the same time, and where such ***sign*** faces are part of the same ***sign*** structure and are not farther apart than half the length of the ***sign***, the ***sign*** area is computed by the measurement of one of the faces. (Amend 20)

(c) The permitted sum of the area of all individual ***signs*** on a ***sign-lot*** is computed as per 4-8-3-b for the ***zone*** in which the ***lot*** is located. For ***lots*** fronting on 2 or more ***streets***, the area of all individual ***signs*** permitted on each ***frontage*** is computed separately for each ***frontage***, but the total is applicable throughout the ***sign-lot***.

(d) The ***setback*** of any ***freestanding sign*** shall be measured from the edge of the ***right-of-way*** to the leading edge of that ***sign***. It shall never be measured to the pole supporting that ***sign*** unless the pole is located at the leading edge.

(e) In situations where ***uses*** are constructed beyond a public or private frontage ***road*** that runs approximately parallel to a ***primary*** or ***secondary arterial***, all measurements of ***setbacks***, ***road*** speed, *etc*. that are

required in the following tables shall pertain to the ***primary*** or ***secondary arterial*** not the frontage ***road***.

4-8-3 *SIGNS* ALLOWED ON PRIVATE PROPERTY WITH AND WITHOUT PERMITS:

(a) ***Signs*** are allowed on private property, only in accordance with the table in 4-8-4, and within the further requirements of 4-8-3-b below. In 4-8-4, where the letter "A" appears at the intersection of a row containing the name of a ***sign*** type and the column containing the name of a ***zone***, that ***sign*** type is allowed in that ***zone*** without a permit. Where the letter "P" appears for a ***sign*** type in a row, that ***sign*** type is allowed in the ***zone*** represented by the intersecting column, but only with prior approval of a ***sign*** permit; special conditions may apply in some cases. Where the letter "N" appears for a ***sign*** type in a row, that ***sign*** type is not allowed in the ***zone*** represented by the intersecting column under any circumstances.

(b) ***Signs*** designated in 4-8-4 by an "A" or a "P" are then allowed, but only if:

(1) the sum of the area of all ***building*** and ***freestanding signs*** on the ***sign-lot*** conforms to the maximum permitted ***sign*** area as determined for the ***zone*** in which the ***lot*** is located, as specified in the table in 4-8-5;

(2) the number, area, size and ***setback*** of ***signs*** on the ***sign-lot*** conform to the requirements of the table in 4-8-6 which establishes permitted ***sign*** dimensions for ***freestanding signs***. ***Setback*** is always measured from the edge of the ***right-of-way*** to the leading edge of the ***sign***;

(3) the maximum permitted ***building sign*** area for ***primary uses*** within ***integrated centers*** is 5 sq.ft of ***signage*** per 1,000 sq.ft of floor area, with a minimum ***building sign*** area of 40 sq.ft. up to a maximum of 400 sq.ft.; (Amend 20)

(4) the sum of the area of all ***integrated center signs*** conforms to the requirements of the tables in 4-8-7-b. ***Setback*** is always measured from the edge of the ***right-of-way*** to the leading edge of the ***sign***; and (Amend 20)

(5) characteristics of the ***signs*** conform with the requirements of the table in 4-8-8. (Amend 20)

(c) ***Outdoor advertising signs*** are the subject of 4-8-10 below. They are subject to the requirements of 4-8-4 below, but not to those in 4-8-5 through 4-8-8.

(d) ***Rural outdoor signs*** are the subject of 4-8-12 below. Other than the provisions of 4-8-2(a) and (b), 4-8-4, 4-8-12, and 4-8-15 the provisions of 4-8-2 through 4-8-18 do not apply to ***rural outdoor signs*** (Amend 29).

(e) ***Gateway signs*** are subject to the requirements of 4-8-4 and 4-8-15 below and 4-4-7 above, but not to 4-8-5 or 4-8-6. No more than two signs are permitted at any one entrance, and shall be located within either a sign or landscape easement, or a platted outlot. (Amend 40)

4-8-4 PERMITTED *SIGNS* BY TYPE AND *ZONE*:

Any ***primary use*** with a street-level entrance may display a ***building sign*** up to 1 sq.ft. in area indicating its address, and if a ***residence***, the occupant's name. Permission for additional ***signage*** is based on the following :

***SIGN* TYPE**	**ALL R1s R2s RE**	**ALL R3s R4W**	**INSTL: RSDTL/ RURAL**	**NB**	**NBU** (Amend 20)	**OR**	**MR**	**GB**	**HB**	**CB**	**CBW**	**I1 I2 I3**	(Amend 7) **A, AA AW, FP**
FREESTANDING:													
GATEWAY	P	P	P	P	N	P	P	P	P	N	N	P	P
HOME OCUPTN[2]	A	A	N	N	A	N	A	N	N	A	A	N	A
INCIDENTAL	A	A	A	A	A	A	A	A	A	A	A	A	A
INTEGRATED CTR[3] (Am 20)	N	N	N	P	N	P	P	P	P	N	N	P	N
RURAL OUTDOOR (Am35)	N	N	N	N	N	N	N	N	N	N	N	N	P[11]
ALL OTHERS[10] (Am 20)	N	P	P	P	P	P	P	P	P	P	N	P	P
BUILDING:													
BLDG MARKER[4]	A	A	A	A	A	A	A	A	A	A	A	A	A
CANOPY[1]	N	N	N	P	P	P	P	P	P	P	P[7]	P	N
HOME OCUPTN[2]	A	A	N	N	A	N	A	N	N	A	A	N	A
INCIDENTAL	A	A	A	A	A	A	A	A	A	A	A	A	A
INTGRATED CTR[3]	N	N	N	P	P	P	P	P	P	N	N	P	N
MARQUEE[1,5]	N	N	N	N	N	N	N	P	P	P	N	P	N
PROJECTING[1,5]	N	N	N	P	P	P	N	P	P	P	P[8]	P	N
ROOF	N	N	N	N	N	N	N	N	N	P	N	N	N
INTEGRAL ROOF	N	N	N	N	N	N	N	P	P	P	N	N	N
SUSPENDED[1,5]	N	N	A	P	N	N	N	P	N	A	P[8]	N	N
TEMPORARY[6]	N	N	N	P	P	N	N	P	P	P	P	N	N
WALL	N	P	A	P	P	P	P	P	P	P	P	P	N

A = ALLOWED WITHOUT SIGN PERMIT; P = ALLOWED WITH SIGN PERMIT; N = NOT ALLOWED

"INSTL: RSDTL/RURAL" = institutional uses (SIC 801-972) permitted under 3-2 above in ***residential*** and ***rural zones***.

4-8-4 PERMITTED *SIGNS* BY TYPE AND *ZONE* cont'd.:

***SIGN* TYPE**	**ALL R1s R2s RE**	**ALL R3s R4W**	**INSTL: RSDTL/ RURAL**	**NB**	**NBU** (Amend 20)	**OR**	**MR**	**GB**	**HB**	**CB**	**CBW**	**I1 I2 I3**	(Amend 7) **A, AA AW, FP**
EVENT ORIENTED:													
PORTABLE SIGN (Am 8)	P	P	P	P	P	P	P	P	P	P	P	P	P
BEACON	N	N	N	P	N	P	P	P	P	P	P	P	N
PENNANT	A	A	A	A	A	A	A	A	A	A	A	A	A
STRING OF LIGHTS	A	A	A	A	A	A	A	A	A	A	A	A	A
INFLATABLE SIGN or TETHERED BALLOON	A	A	A	A	A	A	A	A	A	A	A	A	A
BANNER[1] (Amend 18)	N	N	N	P	P	P	N	P	P	P	P	P	N
OUTDOOR ADVERTISING[9] (Amend 4) **(BILLBOARDS):**	N	N	N	N	N	N	N	P	N	N	N	P	N

A = ALLOWED WITHOUT SIGN PERMIT; P = ALLOWED WITH SIGN PERMIT; N = NOT ALLOWED

"INSTL: RSDTL/RURAL" = institutional uses (SIC 801-972) permitted under 3-2 above in ***residential*** and ***rural zones***.

FOOTNOTES TO 4-8-4:

1 Minimum vertical clearance from sidewalk, private drive or parking is 9'.
2 Only name and/or address and/or ***home occupation*** or ***rural home occupation*** of the occupant allowed on ***sign***.
3 May include only the name of the ***integrated center*** and optionally, a list or display of the names of that center's occupants.
4 May include only ***building*** name, date of construction, or historical data on historic site; shall be cut or etched into masonry, bronze, or similar material.
5 If suspended or projecting above a public ***right-of-way***, the issuance of a ***sign*** permit shall not be authorized unless the property owner presents the ***Administrative Officer*** with a signed statement accepting liability for any damages caused by the ***sign*** in areas below it.
6 Subject to the conditions of 4-8-13 (Amend 14) (Amend 35).
7 Only if not extending over the public ***right-of-way***.
8 Minimum vertical clearance from sidewalk is 12', and shall be located as specified by the ***Administrative Officer***.
9 Permitted in West Lafayette in I2 and I3 zones only. (Amend 4)
10 Not permitted for ***primary uses*** within ***integrated centers*** other than as allowed in footnote 3 above. (Amend 20)
11 In A, AA, and AW zones only, and subject to the conditions in 4-8-12 (Amend 35).

4-8-5 MAXIMUM *SIGN* AREA PER *SIGN-LOT*, BY *ZONE*: (Amend 20)

The maximum total ***sign*** area for a ***sign-lot*** (except for ***building marker signs***, ***gateway signs***, ***incidental signs***, ***flags*** and ***event oriented signs*** which are exempt from this section), is calculated using the following table. It is determined for each ***street frontage*** along a private or public ***road*** by multiplying the appropriate ***zonal base rate*** by the ***road*** speed limit factor, the ***building setback*** factor, and the percent of permitted ***freestanding sign*** area used. A ***sign-lot's*** maximum total ***sign*** area is then the calculated sum of the ***sign*** areas for all ***street frontages***, unless that sum falls below the ***sign area assurance*** or above the ***sign area cap*** noted on the following page. Except as indicated in 4-8-6 below regarding ***freestanding signs***, the total ***sign*** area may be applied at any location on a ***sign-lot***. See 4-8-7 below for maximum ***sign*** area for ***primary uses*** within ***integrated centers*** and for ***integrated center signs***. Notes follow on the next page. A worksheet can be found in Appendix D.

ZONAL BASE RATE sq.ft.	X	***ROAD*** SPEED LIMIT[1] FACTOR	X	***BUILDING SETBACK***[2] FACTOR	X	PERCENT OF PERMITTED ***FREE-STANDING SIGN*** AREA USED[3]
						(Amend 20)
R1 R1A R1B RE (Am 27) **R1U R1Z** **6** **R2 R2U**						
R3 R3U R3W R4W **INST. USES IN RES/RURAL ZONES** **20**		up to 30 mph: **1.0** 31 – 44 mph: **1.5** 45 – 55 mph: **2.5**		0' -- 59': **1.0** 60' -- 100': **1.1** 101' -- 150': **1.25** 151' -- 200': **1.75** 201' -- 300': **2.5** 301' -- 400': **3.0** 401' -- 500': **3.5** over 500': **4.0**		for **primary use buildings** set back 25' or more: 0%: **1.3** 1 - 50%: **1.2** 51 - 75%: **1.1** 76 - 100%: **1.0**
NBU MR **30**						
NB OR GB HB **CB CBW** **40** **I1 I2 I3**						
A AA AW FP **10**						

"INST. USES IN RES/RURAL ZONES" = institutional uses (SIC 801-972) permitted under 3-2 above in ***residential*** *and* ***rural zones***.

Round the product of all factors up to the next whole number.

SIGN AREA ASSURANCE **=** the ***zonal base rate***, except for: (1) ***primary use buildings*** with more than 15000 sq.ft. of ***ground floor area*** in NBU and MR ***zones***; and (2) ***primary use buildings*** with more than 20000 sq.ft. of ***ground floor area*** in all other ***commercial*** and ***industrial zones***, where it equals 0.2% of the ***ground floor area*** of the ***primary use building***.
SIGN AREA CAP **=** 6% of the ***ground floor area*** of the ***primary use building*** in situations where the calculated maximum ***sign*** area per ***sign-lot*** exceeds 6% of the ***ground floor area*** of the ***primary use building***.

FOOTNOTES TO 4-8-5:

1 This is the legal speed limit along the full length of a ***sign-lot's street frontage***. Where a ***sign-lot*** has no actual ***street frontage***, this is the legal speed limit of the adjoining ***road*** from which the ***primary use*** derives vehicular access, at that access point. Where a ***sign-lot*** fronts on a public or private frontage road, the speed limit of the thoroughfare pertains, not that of the frontage road. In an HB ***zone***, where a ***sign-lot*** is located within 400' of a ***primary arterial***, fronts on and derives its only access from a ***local road*** which in turn derives its access from a ***primary arterial***, then the speed limit of the ***primary arterial*** – where the local road intersects -- pertains. Where the legal speed limit changes along the length of a ***sign-lot's street frontage*** (or between access points for ***sign-lots*** having no ***street frontage***), ***road*** speed limit is the greater of the speed limits along the length of the ***street frontage*** (or at the number of access points if there is no ***street frontage***). ***Frontage*** along I-65 is not counted in this calculation. If the legal speed limit is increased after ***signage*** has been installed, maximum ***sign*** area may be increased accordingly. If the speed limit is decreased, no decrease in ***signage*** is required. Where a temporary speed limit has been posted during a period of construction, the legal speed limit prior to that period will be used for this calculation. (Amend 20)

2 Measured from the edge of the ***right-of-way*** of the ***road*** along which the ***sign-lot*** has ***street frontage***, to the nearest exterior wall or ***canopy*** of the ***primary use building*** on the ***sign-lot***. Where a ***sign-lot*** has no actual ***street frontage***, measured from the edge of the ***right-of way*** of the ***road*** from which the ***primary use*** derives vehicular access to the ***primary use building*** on the ***sign-lot***. Where a ***sign-lot*** fronts on a public or private frontage ***road***, the ***setback*** from the thoroughfare pertains, not the setback from the frontage ***road***.

3 As a percentage of the total area of ***freestanding signage*** permitted in 4-8-6 below. (Amend 20)

4 (Deleted, Amend 20)

4-8-6 NUMBER PER SIGN-LOT, AREA, HEIGHT AND SETBACK OF INDIVIDUAL *FREESTANDING SIGNS*, BY ZONE:

Individual ***freestanding signs*** may be used for part or all of the maximum sign area of a ***sign-lot*** (as calculated in 4-8-5 above). They are used to help the motoring public locate an activity. They shall exceed neither the applicable maximum number per ***sign-lot***, maximum area and height dimensions, nor minimum ***setback*** requirements shown in the following table. (For ***freestanding integrated center signs***, see 4-8-7 below). (Amend 20)

FREESTANDING SIGN **CHARACTERISTIC**	**ALL R1s R2s RE**(Am 27)	**ALL R3s R4W**	**INSTL: RSDNTL/ RURAL**	**NBU MR**	**NB OR**	**GB**	**HB**	(Am 20) **CB**	**I1 I2 I3**	**A, AA AW, FP**
MAXIMUM NUMBER PERMITTED PER *SIGN-LOT* (Amend 20)	1	1	1	1 per each ***road frontage*** (Amend 20)						1
MAXIMUM AREA PER *SIGN*, sq.ft.[1]										
road speed limit: up to 30mph	6	20	20	30	40	40	40	40	40	10
road speed limit: 31 -- 44mph	9	30	30	45	60	60	60	60	60	15
road speed limit: 45 -- 55mph	15	50	50	NA	100	100	100	NA	100	25
road speed limit: 56+ mph	NA	NA	NA	NA	160	160	160	NA	160	40
MAXIMUM HEIGHT, ft.	5	5	12	12	18	24	36	12	24	12
MINIMUM *SETBACK*, ft.[2]	NO LESS THAN THE HEIGHT OF THE ***FREESTANDING SIGN***									

"INSTL: RSDNTL/RURAL" = institutional uses (SIC 801-972) permitted under 3-2 above in ***residential*** and ***rural zones***.
"NA" = not applicable

FOOTNOTES TO 4-8-6: (Footnote 1 deleted, and 2 and 3 renumbered 1 and 2, Amend 20)

1 Based on legal speed limit of the ***road*** nearest any part of the ***freestanding sign***, measured to the edge of the ***right-of-way***. Where a ***sign-lot*** fronts on a public or private frontage ***road***, the speed limit of the thoroughfare pertains, not that of the frontage ***road***. If the legal speed limit increases after ***signage*** is installed, maximum ***freestanding sign*** area may be increased accordingly. If the speed limit is decreased, no decrease in ***signage*** is required. Where a temporary speed limit has been posted during a period of construction, the legal speed limit prior to that period will be used for this determination

2 ***Freestanding signs*** shall also observe the ***vision setback*** requirements of 4-4-7 above.

4-8-7 *SIGNAGE* FOR *INTEGRATED CENTERS*:

(a) The maximum permitted ***building sign*** area for ***primary uses*** within ***integrated centers*** is based on 5 sq.ft of ***signage*** per 1,000 sq.ft. of floor area, with a minimum ***building sign*** area of 40 square feet up to a maximum of 400 square feet. (Amend 20)

4-8-7-b MAXIMUM TOTAL *SIGN* AREA FOR *INTEGRATED CENTER SIGNS*: (Amend 20)

The maximum total sign area for ***integrated center signs*** is calculated using the following table. It is determined for each public ***street frontage*** by multiplying the appropriate ***zonal base rate*** by the ***integrated center ground floor area*** factor and the ***road*** speed limit factor. An ***integrated center***'s maximum total ***sign*** area is then the calculated sum of the ***sign*** areas for all public ***street frontages***. The total ***sign*** area may be applied at any location at the ***integrated center***. ***Freestanding integrated center signs*** shall observe the maximum height and minimum ***setback*** standards in 4-8-6 above.

ZONAL BASE RATE **sq.ft.**	**X**	***INTEGRATED CENTER GROUND FLOOR AREA* FACTOR** (Amend 20)	**X**	***ROAD* SPEED LIMIT[1] FACTOR** (Amend 20)
NBU MR = 30 **NB OR GB HB I1 I2 I3 = 40**		up to 20,000 sq.ft. = **1.0** 20,001 – 100,000 sq.ft. = **1.5** 100,001 – 200,000 sq.ft. = **2.0** 200,000+ sq.ft. = **3.0**		up to 30 = **1.0** 31 -- 44mph = **1.5** 45 -- 55mph = **2.5**
Round the product of all factors up to the next whole number.				

FOOTNOTES TO 4-8-7-b: (Amend 20)

1 This is the legal speed limit along the full length of an ***integrated center***'s ***street frontage***. Where a ***sign-lot*** fronts on a public or private frontage ***road***, the speed limit of the thoroughfare pertains, not that of the frontage ***road***. Where an ***integrated center*** has no actual ***street frontage***, this is the legal speed limit of the adjoining ***road*** from which that center derives vehicular access, at that access point.

In an HB ***zone***, where an ***integrated center*** is located within 400' of a ***primary arterial***, fronts on and derives its only access from a ***local road*** which in turn derives its access from a ***primary arterial***, then the speed limit of the ***primary arterial*** -- where the local road intersects -- pertains.

Where the legal speed limit changes along the length of an ***integrated center***'s ***street frontage*** (or between access points for ***integrated centers*** having no ***street frontage***), ***road*** speed limit is the greater of the speed limits along the length of the ***frontage*** (or at the number of access points if there is no ***frontage***). ***Frontage*** along I-65 is not counted in this calculation.

If the legal speed limit is increased after ***signage*** has been installed, maximum ***sign*** area may be increased accordingly. If the speed limit is decreased, no decrease in ***signage*** is required.

4-8-8 PERMITTED *SIGN* CHARACTERISTICS BY *ZONE*:

Authorization to use animation, changeable copy, and various forms of illumination on ***signs*** permitted in 4-8-4 through 4-8-7 above is based on the following table. Except for externally illuminated ***gateway signs*** at residential developments, which may be illuminated at all times, ***signs*** shall only be animated and/or illuminated during hours when the ***primary use*** of the ***sign-lot*** is open to the public.

SIGN CHARACTERISTIC	ALL *RESIDENTIAL ZONES*, RE(Am27)	INSTL: RSDNTL/ RURAL	NB NBU	OR	MR	GB HB	CB CBW	I1 I2 I3	A, AA AW, FP
ANIMATED SIGN	N	N	N	N	N	N (Amend13)	P N	N	N
CHANGEABLE COPY SIGN	N	P (Amend 20)	(------Amendment 23B-------) N[3]	N[3]	N[3]	P	P	N	P (Amend 40)
ILLUMINATION, INTERNAL	N	P	P	P	N	P	P	P	N
ILLUMINATION, EXTERNAL[1] (Amend 20)	(Amend 20) P[2]	P	P	P	P	P	P	P	N
ILLUMINATION, EXPOSED BULBS OR NEON	N	N	P	P	P	P	P	N	N
P = ALLOWED ONLY WITH *SIGN* PERMIT; N = NOT ALLOWED									

"INSTL: RSDNTL/RURAL" = institutional uses (SIC 801-972) permitted under 3-2 above in ***residential*** and ***rural zones***.

FOOTNOTES TO 4-8-8: (Footnote 1 deleted, and Footnotes 2 and 3 renumber 1 and 2: Amend 20

1 No direct light from an externally illuminated ***sign*** shall be cast onto any adjacent ***lot*** that is zoned or used for residential purposes

2 ***Gateway signs*** only.

3 Not permitted in these ***zones***, except at institutional ***uses*** (SIC 801 – 972), where a sign permit would be required (Amend 23B).

4-8-9 ***EVENT ORIENTED SIGNS:*** (Amend 8)

These are ***freestanding signs***, intended to commemorate a special event or sporting event, or to notify potential customers of a new business or sale. They are meant to be decorative and festive. Because they are not permanent in nature, but rather augment permanent ***signage*** on a ***sign-lot***, they are subject only to the requirements of 4-8-4 above, and not 4-8-5 through 4-8-8. Thus they do not count against a ***sign-lot's*** permitted maximum ***sign*** area.

(a) ***Event oriented signs*** shall be permitted only on the premises where the special event is happening.

(b) These ***signs***, where allowed in 4-8-4 above, shall not be placed on a premises in a ***commercial, industrial*** or ***rural zone***, nor at an institutional ***use*** (SIC 801-972) in a ***residential zone***, for more than 21 days within a 90 day period (Amend 5), no more than 4 times per year. (Amend 20)

(c) These ***signs***, where allowed in 4-8-4 above, shall not be placed on a premises, other than an institutional ***use*** in a ***residential zone***, for more than 3 days within a 90 day period, no more than 4 times per year. (Amnd 20)

(d) These ***signs***, where allowed in 4-8-4 above, shall not be located either within the ***right-of-way*** of any ***public street***, or in the ***vision triangle*** formed by the intersection of ***streets***, ***alleys*** or driveways.

(e) ***Event oriented signs*** consist of the following:

(1) ***portable signs***;
(2) ***beacons***;
(3) ***pennants***;
(4) strings of lights not permanently mounted to a rigid background;
(5) inflatable ***signs*** and tethered or portable balloons; and
(6) ***banners*** (Amend 5, 18).

(f) ***Event oriented signs*** shall incorporate no lights or arrows resembling traffic control ***signs*** or signals that confuse or interfere with the safe flow of traffic.

4-8-10 ***OUTDOOR ADVERTISING SIGNS:***

Outdoor advertising signs, often called billboards, are permitted in GB, I1, I2 and I3 ***zones*** (TIPPECANOE COUNTY, LAFAYETTE, BATTLE GROUND, CLARKS HILL, DAYTON) and I2 and I3 ***zones*** (WEST LAFAYETTE), as per 4-8-4 above. (Amend 4) They are not subject to the requirements of 4-8-5 through 4-8-8. However, they are subject to the following regulations:

(a) ***Outdoor advertising signs*** shall be no larger than 300 sq.ft. per advertising face.

(b) No ***outdoor advertising sign*** shall be erected less than 300' from a ***residential use***, or a ***residential zone,*** whichever is closer. (Amend 2)

(c) ***Outdoor advertising signs*** shall consist only of single ***structures***, having either 1 advertising face, or 2 back-to-back advertising faces. There shall be no double-decked (stacked) or side-by-side ***outdoor advertising signs***.

(d) ***Outdoor advertising signs*** shall be erected no closer than 25' from the edge of any ***street***'s ***right-of-way,*** measured to the leading edge of the ***sign***. They shall have a maximum height of 25'. However, for each foot of ***setback*** beyond 25', ***sign*** height may be increased an additional foot, up to but no higher than 50'. Should an ***outdoor advertising sign*** adjoin 2 or more ***rights-of-way***, the shortest of the multiple ***setbacks*** shall determine the billboard's maximum height (Amend 13).

(e) ***Outdoor advertising signs*** shall maintain a minimum clearance of 10' above the ground immediately beneath the ***sign***.

(f) ***Outdoor advertising signs*** shall not be placed closer than 1000' from each other. This distance is to be measured radially. (Amend 20)

(g) However, if an intersection is already occupied by an ***outdoor advertising sign***, a single billboard may be erected on the other (intersecting) ***street*** no closer than 600' from the center of the intersection, providing that it is oriented perpendicularly to the other (intersecting) ***street***.

(h) Regarding animation, an ***outdoor advertising sign*** may change its message or lighting no more than once per minute.

(i) The ***sign*** area for an ***outdoor advertising sign*** with more than one face is computed by adding together the area of all ***sign*** faces visible from any one point. Where one ***outdoor advertising sign*** with two equally-sized ***sign*** faces are placed back to back, so that both faces cannot be viewed from any one point at the same time, and where such ***sign*** faces are part of the same ***sign*** structure and are not farther apart than half the length of the ***sign***, the ***sign*** area is computed by the measurement of one of the faces. (Amend 20)

4-8-11 ***SUBDIVISION DEVELOPMENT SIGNS:*** (Amend 14)

(a) ***Freestanding signage*** shall be permitted for each ***subdivision*** granted secondary approval by ***APC*** and recorded under the *Unified Subdivision Ordinance of Tippecanoe County*. Such ***signage*** is not subject to the requirements of 4-8-4 through 4-8-8. However it is subject to the following:

(1) A ***subdivision development sign*** shall be permitted within any zone, but shall be located only within the platted area of the ***subdivision*** it advertises. It shall only advertise the initial sale of vacant ***lots*** and/or spec buildings within that ***subdivision,*** but may include a map of the subdivision and the name, address and telephone number of any lender, builder or sales person. It may advertise any part or phase of that ***subdivision***. A ***subdivision development sign*** that is located outside that ***subdivision***'s platted area, advertising that ***subdivision***, shall be considered an ***outdoor advertising sign***, subject to all requirements of 4-8-10 above.

(2) A ***subdivision development sign*** shall only be permitted at a ***subdivision*** entrance to an existing perimeter public road. Each qualifying ***subdivision*** entrance shall only be permitted one sign. Each such ***sign*** shall consist only of a single ***structure***, and may have either 1 or 2 advertising faces, neither of which shall exceed 100 sq.ft. ***Sign*** faces separated by not more than a 30° angle will be considered one ***sign***.

(3) The ***subdivision development sign*** shall not be located within any utility easement, nor within any ***right-of-way***.

(4) Such ***sign*** shall neither be an ***animated sign***, nor a ***changeable copy sign***.

(5) Such ***sign*** requires a permit in accordance with 4-8-13-a below, and shall be removed within 30 days of the initial sale of the last vacant ***lot*** or spec building in the last part or phase of the ***subdivision***.

(b) The requirements in 4-8-11-a shall also apply to:

(1) recorded ***parcelizations***,

(2) recorded aggregate land divisions consisting of exempt and/or parcelized and/or subdivided land, and

(3) any platted portion of an approved and recorded planned development.

4-8-12 *RURAL OUTDOOR SIGNS* (Amend 29)**:**

Rural outdoor signs are permitted only in areas zoned A, AA, and AW subject to the following regulations:

(a) *Permitted Distance.* A ***rural outdoor sign*** shall be erected and maintained only on property zoned A, AA, or AW. Every ***rural outdoor sign*** must be located within 2 miles of the property being advertised. This distance is measured radially.

(b) *Permitted Locations.* A ***rural outdoor sign*** shall not:

(1) be located in any utility, access or drainage ***easement***;

(2) obstruct the use of sidewalks, walkways, biking, or hiking trails;

(3) obstruct the use of drainage ditches, swales or other drainage facilities;

(4) obstruct the visibility of vehicles, pedestrians or traffic control signs or devices;

(5) be placed within 92 feet of ***street*** intersections, measured parallel to the ***right-of-way*** from the center of the intersection.

(6) be illuminated either externally or internally;

(7) exceed more than 3 between arterial intersections as shown on the *Thoroughfare Plan* element of the adopted *Comprehensive Plan*, and;

(8) be within 10 feet of another ***rural outdoor sign***.

(c) *Size Computation*. The method for computing a ***rural outdoor sign's*** size is defined in 4-8-2-a and 4-8-2-b above.

(d) *Height*. The total height shall not exceed 5 feet from the top of the ***sign*** to the ground immediately beneath the *sign*. The ground immediately beneath the ***sign*** shall not be raised to affect the measured height of the ***sign***.

(e) *Setback.* The leading edge of every ***rural outdoor sign*** shall be located no closer than 5 feet to the edge of the nearest ***right-of-way***.

(f) *Number Permitted per Piece of A-, AA-, or AW-zoned Property.* Each A-, AA-, or AW-zoned property shall not support more than 3 ***rural outdoor signs*** at any one time.

(g) *Number of Signs per Permitee.* Each individual, business, corporation, organization, or entity ***rural outdoor sign*** permitee shall not have more than 4 ***rural outdoor signs*** within Tippecanoe County, referencing any one subject or location, in any calendar year. Any ***rural outdoor sign*** referencing another ***rural outdoor sign*** is deemed to be the same subject or location as the ***sign*** directed to.

(h) *Time Allowed.* Each ***rural outdoor sign*** shall be valid for a period not to exceed 120 continuous days.

(i) *Procedural Requirements.*

(1) ***Rural outdoor signs*** may only be erected after the ***administrative officer*** having jurisdiction over the proposed location of the ***rural outdoor sign*** has issued an ***improvement location permit***.

(2) The permit application shall include:

(A) The name, address and telephone number of the individual and/or entity applying for the ***rural outdoor sign*** permit;

(B) The name, address and telephone number of the individual or entity owning the A-, AA-, or AW-zoned property upon which the ***rural outdoor sign*** is to be located;

(C) Notarized consent of the individual or entity owning the A-, AA-, or AW-zoned property upon which the ***rural outdoor sign*** is to be located;

(D) An accurate, to-scale drawing or depiction of the proposed ***rural outdoor sign*** detailing its size and manner of construction;

(E) The proposed beginning and ending dates for erecting and maintaining the ***rural outdoor sign***; and

(F) An accurate, to-scale ***site plan*** indicating the proposed location of the requested ***rural outdoor sign*** and the locations of any and all other ***rural outdoor signs*** located on the A-, AA-, or AW-zoned property that is the proposed location for the requested ***rural outdoor sign***.

4-8-13 (Amends 14, 29) **PERMITS REQUIRED:**

(a) If one or more ***signs*** requiring a permit under 4-8-4 above is to be placed, constructed, erected, or modified on a ***sign-lot***, the owner of the ***lot*** shall first secure a ***sign*** permit in accordance with 6-2-1 below.

(b) A ***temporary sign*** on private property is allowed only upon the issuance of a ***temporary sign*** permit, subject to the following requirements:(Amend 40)

(1) A ***temporary sign*** permit allows the ***use*** of a ***temporary sign*** for a specified 30-day period.

(2) No more than 4 ***temporary sign*** permits shall be issued to the same business license holder on the same ***sign-lot*** in any calendar year (Amend 26).

(3) A ***temporary sign*** is allowed only in a ***zone*** with a letter "P" for ***TEMPORARY SIGNS*** in 4-8-4 above, subject to the requirements noted in that table.

4-8-14 (Amends 14, 29) **DESIGN, CONSTRUCTION, AND MAINTENANCE:**

All ***signs*** shall be designed, constructed, and maintained in accordance with the following standards:

(a) All ***signs*** shall comply with applicable provisions of the adopted building and electrical codes of the participating jurisdictions at all times.

(b) Except for ***banners*** and ***temporary signs*** conforming in all respects with the requirements of this ordinance, all ***signs*** shall be constructed of permanent materials and shall be permanently attached to the ground, a ***building***, or another ***structure*** by direct attachment to a rigid wall, frame, or ***structure***.

4-8-15 (Amends 14, 29) ***SIGNS* IN THE PUBLIC *RIGHT-OF-WAY*:**

No ***signs*** shall be allowed in the public ***right-of-way***, except for the following:

(a) permanent ***signs***, including:

(1) public ***signs*** erected or authorized by a governmental body;

(2) bus stop ***signs*** erected by the public transit company;

(3) informational ***signs*** of a public utility regarding its poles, lines, pipes, or facilities; and

(4) ***marquee***, ***projecting***, and ***suspended signs*** projecting over a public ***right-of-way*** in conformity with the conditions of 4-8-4; and

(b) emergency warning ***signs*** erected by a governmental agency, a public utility company, or a contractor doing authorized or permitted work within the public ***right-of-way***.

As per *Indiana Code 9-21-4-6(e)*, any ***sign*** installed or placed on public property, except in conformance with the requirements of this section, will be forfeited to the public and subject to confiscation. In addition to other remedies in this ordinance, the participating jurisdiction has the right to recover from the owner or person placing the ***sign*** the full costs of its removal and disposal.

4-8-16 (Amends 14, 29) ***SIGNS* EXEMPT FROM REGULATION UNDER THIS ORDINANCE:**

The following ***signs*** are exempt from regulation under this ordinance:

(a) any public notice or warning required by a valid and applicable federal, state or local law, regulation, or ordinance;

(b) any ***sign*** inside a ***building***;

(c) strings of lights with no ***commercial message***; and

(d) traffic control ***signs*** on private property, such as *STOP*, *YIELD*, and similar ***signs***, the face of which meet the standards of the *Indiana Manual of Uniform Traffic Control Devices*, and which contain no ***commercial message*** of any sort.

4-8-17 (Amends 14, 29) ***SIGNS* PROHIBITED UNDER THIS ORDINANCE:**

All ***signs*** not expressly permitted under this ordinance nor exempted under 4-8-16 (Amends 5, 14, 20) above, are prohibited. Such ***signs*** include, but are not limited to:

(a) ***signs*** on utility poles not permitted under 4-8-16 (Amends 5, 14, 20) above; and

(b) ***signs*** prohibited by state law or regulation.

4-8-18 (Amends 14, 29) ***NONCONFORMING SIGNAGE*:**

Nonconforming signage is a ***sign*** or a package of ***signs*** on a ***sign-lot*** that does not meet the requirements of 4-8-4 through 4-8-8 above, and which was otherwise lawfully installed on a given site at the time the applicable portions of 4-8-4 through 4-8-8 became effective. ***Nonconforming signage*** is subject to the constraints of 5-1-7 below.

4-8-19 (Amends 14, 29) **VIOLATIONS:**

(a) The following are violations of this ordinance and are subject to the enforcement remedies and penalties provided in 6-3-1 below and by state law:

(1) to install, create, erect, or maintain any ***sign*** in a way that deviates from any plan or permit governing that ***sign*** or the ***sign-lot*** on which the ***sign*** is located;

(2) to install, create, erect, or maintain any ***sign*** requiring a permit without that permit; or

(3) to fail to remove any ***sign*** that is installed, created, erected, or maintained in violation of this ordinance, or for which a temporary ***sign*** permit has lapsed.

(b) Each ***sign*** installed, created, erected, or maintained in violation of this ordinance constitutes a separate violation when applying the penalty portions of this ordinance. Each day of a continued violation constitutes a separate violation when applying the penalty portions of this ordinance.

4-9 *BUFFERYARDS* AND OTHER BUFFERING REQUIREMENTS

4-9-1 INTENT:

(a) ***Bufferyards*** and other separators shall be provided between certain dissimilar abutting ***zones*** and surrounding certain other ***uses*** to eliminate or minimize potential nuisances such as dirt, dust, litter, noise, odor, glare, ***signs***, and incompatible ***buildings*** or ***parking areas***, and to reduce danger from accident, fire or explosion.

(b) ***Bufferyards*** serve as a physical as well as visual barrier. They vary in width, and contain landscape materials of varying densities called ***standard plant units***. ***Standard plant units*** shall conform to one or more of the alternatives illustrated in Appendices E-1 and E-2 or their functional equivalent as approved by the ***Administrative Officer***. (Amend 47) The width and density of required ***bufferyards*** depend on the level of separation needed between dissimilar abutting ***zones*** as shown in the tables in 4-9-3 below, and between dissimilar ***uses*** as shown in 4-9-7 and 4-9-8.

4-9-2 *BUFFERYARD* REQUIREMENTS:

(a) ***Bufferyards*** shall only be required for:

(1) new ***development*** of land; or

(2) redevelopment of land which includes the rezoning of property for a change of use except where the continued use of existing ***buildings*** and/or ***parking areas*** would occupy the space otherwise reserved for the ***bufferyard***. (Amend 52)

Where a complete ***bufferyard*** is already in place on an adjoining property, no additional ***bufferyard*** need be provided by the developer or redeveloper of the second property (Amend 13).

(b) No ***bufferyard*** shall be required along an abutting ***street*** where that ***street*** serves as the boundary between ***zones***, except as in 4-9-7 and 4-9-8 below.

(c) Required ***bufferyards*** shall be located along the perimeter of a property, and shall extend to the ***lot line***, except as indicated in 4-9-3-a, Footnote 1, below. They may not be located on any portion of an existing or dedicated ***public*** or private ***street right-of-way***.

(d) Required ***bufferyards*** shall comply with the ***vision setback*** requirements established in 4-4-7 above, and shall otherwise not create traffic hazards by obstructing the view of drivers using ***streets*** and private drives.

(e) The type of ***bufferyard*** required between a ***zone*** undergoing new ***development*** or redevelopment and an abutting ***zone*** is determined by the tables in 4-9-3 below.

4-9-3 TABLES OF REQUIRED *BUFFERYARDS*:

4-9-3-a TYPE OF *BUFFERYARD* REQUIRED ALONG A *LOT LINE* SEPARATING A *ZONE* UNDERGOING *DEVELOPMENT* OR REDEVELOPMENT AND AN ABUTTING *ZONE*:

	***ZONE* ABUTTING NEW *DEVELOPMENT* OR REDEVELOPMENT**					
***ZONE* UNDERGOING NEW *DEVELOPMENT* OR REDEVELOPMENT**	**R1 R1A R1B R1U R1Z R2 R2U R3 R3W R4W PDRS MR NBU RE** (Am 27)	**OR**	**NB GB HB**	**I1 I2**	**I3**	**A AA AW FP**
R1 R1A R1B R1Z R2 R3 R3W R4W RE (Am 27)	---	A	C	B	C	---
OR	A	---	B	---	B	---
NB GB HB	C	B	---	A	A	B
I1	B	---	A	---	A	B[1]
I2 I3	C	B	A	A	---	C[1]
***ZONE* IN WHICH *MHP/MHC* OR *RVP/C* IS BEING DEVELOPED**						
***MHP/MHC:* R3 A** ***RVP/C:* HB A AW FP**	C	A	C	B	C	A
***ZONE* IN WHICH MINIWAREHOUSE OR SELF-STORAGE WAREHOUSE IS BEING DEVELOPED** (Amend 5)						
NB GB I1 I2 I3 A	B	---	---	---	---	---
MHP / MHC* = *mobile home park / manufactured housing community;* *RVP/C* = *recreational vehicle park / campground						

FOOTNOTES TO 4-9-3-a:

1 If a ***residence*** in a ***rural zone*** is located within 150' of any boundary with an ***industrial zone***, the new or redeveloping industrial land user shall provide a ***bufferyard*** on its side of all common ***lot lines*** within 150' of the residence. Should the common ***lot line*** run to the ***road***, the ***bufferyard*** shall extend from the edge of its ***right-of way*** to a point 75' beyond the back of the ***residence***. Should the common ***lot line*** not run to the ***road***, the ***bufferyard*** shall run for 150', centered on the ***residence***. The reduction in 4-9-4-b below applies.

4-9-3-b NUMBER OF REQUIRED *STANDARD PLANT UNITS* AND *BUFFERYARD* WIDTHS FOR *BUFFERYARDS,* TYPES A-C:

TYPE OF *BUFFERYARD*	NUMBER OF *STANDARD PLANT UNITS* PER 150 LINEAR FEET	*BUFFERYARD* WIDTH
A	2	15'
B	3	20'
C	4	20'

***STANDARD PLANT UNITS*:**

(a) The drawing in Appendix E-1 shows the make-up of 5 acceptable alternative ***standard plant units***. The drawing in Appendix E-2 shows what a required Type A, Type B and Type C ***bufferyard*** would look like using Alternative Unit 1 from Appendix E-1. The choice of ***standard plant unit*** alternative shall belong to the party required to provide the ***bufferyard***.

(b) Where there is less than 150' of length to buffer (or where there is a remainder of less than 150' after multiples of 150' have been accounted for), a percentage of the ***standard plant unit*** shall be provided, equal to that shorter length divided by 150'.

(c) Plants shall be installed in accordance with the landscape element of an approved ***site plan***, submitted under 6-2-5-a below. However in the event of ***subdivision***, plants shall be installed in accordance with the landscape element of approved Construction Plans required by the Unified Subdivision Ordinance of Tippecanoe County. In the event of a ***mobile home park / manufactured home community*** or ***recreational vehicle park or campsite***, plants shall be installed in accordance with the site plan submission, which includes 5-4-5-c-7 and 5-4-7-i below.

4-9-5 RESPONSIBILITY FOR *BUFFERYARDS* (Amend 13)**:**

(a) Where a proposed ***use*** abuts an unimproved property and a ***bufferyard*** is required because of a zoning boundary, the property owner of the proposed ***use*** need not provide more than half the ***bufferyard*** width and ***standard plant units*** required in 4-9-3 above.

(b) Where a proposed ***use*** abuts an improved property and a ***bufferyard*** is required because of a zoning boundary, the property owner of the proposed ***use*** must provide all additional land and plant material needed to complete the full ***bufferyard*** required in 4-9-3 above: Where the abutting ***use*** was developed with half a required ***bufferyard***, the property owner of the proposed ***use*** must provide the remaining half. Where the abutting ***use*** was developed with no ***bufferyard***, the property owner of the proposed ***use*** is responsible for installing the entire ***bufferyard***. However, existing plant material and/or land located on the improved property which meets the requirements of this section may be counted by

the ***Administrative Officer*** as contributing to the total ***bufferyard*** that needs to be installed by the property owner of the proposed ***use***.

(c) The property owner of a proposed ***use*** required to provide a ***bufferyard*** may be exempted from providing all or a portion of the required ***bufferyard*** by recording a written agreement, approved by the ***Administrative Officer***, that the adjacent property owner(s) will provide the remaining required portion.

(d) The property owner will decide the exact placement of required plants.

(e) In the event of ***subdivision***, the subdivider shall install the required ***bufferyard*** as part of required public improvements.

(f) The owner and/or possessor of a required ***bufferyard*** shall maintain it in accordance with the approved ***site plan*** or ***subdivision*** Construction Plans. Failure to do so is a violation of this ordinance as per 6-3-1-d below.

4-9-6 *BUFFERYARD* USE:

(a) A ***bufferyard*** may be used for passive recreation, pedestrian, bike, or equestrian trails, or storm water management, provided that:

(1) no plant material is eliminated;

(2) the total width of the ***bufferyard*** is maintained; and

(3) all other regulations of this ordinance, and any ordinance of the appropriate drainage authority, are met.

(b) However, in no event shall ***accessory use swimming pools*** and their associated decking, tennis courts, or other such uses be permitted in a ***bufferyard***.

4-9-7 BUFFERING FOR CERTAIN *OPEN USES*:

(a) Regardless of ***zone***, the following ***open uses*** for which an application for ***special exception*** is required, shall demonstrate in that application that the requirements of 4-9-7-c through 4-9-7-e will be met before any operations begin:

(1) all mining operations (SIC 10-14);

(2) non-temporary batch plants (SIC 1611); and

(3) refuse systems (SIC 4953).

(b) Regardless of ***zone***, the following ***open uses*** for which no ***special exception*** is required, and that are not offices only, shall also comply with the requirements of 4-9-7-c through 4-9-7-e:

(1) non-temporary batch plants (SIC 1611);

(2) sewerage systems (SIC 4952);

(3) used motor vehicle parts (SIC 5015);

(4) scrap and waste materials (SIC 5093); and

(5) ***junk yards*** (SIC 5093).

(c) The ***open uses*** listed in 4-9-7-a and 4-9-7-b above shall be surrounded by a ***bufferyard*** on all sides. The type of ***bufferyard*** required shall be a

function of how far the ***open use*** is set back from its perimeter ***lot lines***, as in 4-9-7-c-1.

4-9-7-c-1 *BUFFERYARD* REQUIREMENTS FOR CERTAIN *OPEN USES*:

***SETBACK* FROM *LOT LINE* ADJOINING:**		**TYPE OF**
RURAL* OR *RES. ZONE	***COMML.* OR *IND. ZONE***	***BUFFERYARD***
100' - 149.9'	30' - 99.9'	C
150' - 199.9'	100' - 149.9'	B
200' or more	150' or more	A

(d) These ***open uses*** shall also be totally and permanently enclosed by a security fence at least 6' high. The fence shall be erected within the ***setback***, either in front of, within, or behind the required ***bufferyard***. For mining operations, the fence shall only be removed in conformance with a Reclamation Plan approved by ***ABZA*** under 4-11-4 (Amend 5) below.

(e) No portions of these ***open uses***, including office functions, vehicles, machinery, storage, and piles of natural and manufactured materials, shall be allowed within the required ***setback***.

(f) Regardless of ***zone***, the following ***open uses*** for which an application for ***special exception*** is required, shall demonstrate in that application that the requirements of 4-9-7-g will be met before any operations begin:
motorized vehicle racing (SIC 7948); and
gocart raceway operation (SIC 7999).

(g) The ***open uses*** listed in 4-9-7-f above shall be surrounded by a berm measuring a minimum of 6' above grade, and having a maximum slope of 3:1.

4-9-8 BUFFERING FOR *PRIMARY COMMUNICATIONS TOWERS*:

(a) The base of a ***primary communications tower*** (under SIC Group 48), including guy wire anchors, shall be totally and permanently enclosed by a security fence at least 6' high.

(b) Should ***ABZA*** find that granting a ***special exception*** for a ***primary communications tower*** would be intrusive to an adjoining ***use*** or ***zone*** for which no ***bufferyard*** is required, ***ABZA*** may require a ***bufferyard*** as per 4-9-3 above, regardless of ***zone***.

4-9-9 BUFFERING FOR CONTRACTORS AND BUILDERS IN A, AA & AW *ZONES*:

An outdoor storage area for materials and equipment associated with ***primary uses*** SIC 15 and 17 shall be totally and permanently enclosed by either opaque fencing, continuous landscaping meeting the standards of Bufferyard B, Alternatives 3 and/or 4, berming, or any combination of these, at least 6' high when adjoining a residential ***use*** or ***residential zone***. (Amend 36)

4-10 INDUSTRIAL PERFORMANCE STANDARDS

4-10-1 INTENT:

The purpose of these performance standards in the regulation of industrial activities is as follows:

(a) to permit potential industrial nuisances to be measured factually and objectively;

(b) to ensure that all industries will provide methods to protect the community from hazards and nuisances which can be prevented by processes of control and nuisance elimination; and

(c) to protect industries from arbitrary exclusion or persecution based solely on the nuisance production by any particular type of industry in the past.

4-10-2 APPLICATION:

(a) These performance standards apply to land ***use*** activity in SIC Groups 20-39. However, the standards do not apply to machinery, equipment, and facilities which were at the site on the effective date of the ordinance. If there are questions about when items were brought to the site, documentation is the responsibility of the industry.

(b) Any ***use*** established or changed to, and any ***building***, ***structure*** or tract of land developed, constructed or used for, any permitted or permissible ***primary*** or ***accessory use*** shall comply with all the performance standards set forth in this section for the ***zone*** involved.

(c) If any existing ***use*** or ***building*** or other ***structure*** is extended, ***enlarged***, moved, ***structurally altered*** or reconstructed, or any existing ***use*** of land is ***enlarged*** or moved, the performance standards for the ***zone*** involved will be applied to that extended, ***enlarged***, moved, ***structurally altered*** or reconstructed ***building*** or other ***structure*** or portion of it, and to that ***use*** of land which is ***enlarged*** or moved.

4-10-3 AIR POLLUTION:

(a) Any ***use*** that emits any *air contaminant* as defined in *Indiana Code 13-1-1-2(d)* shall comply with applicable State standards concerning air pollution, as set forth in *Title 326* of the *Indiana Administrative Code*.

(b) No ***improvement location permit*** shall be issued with respect to any improvement covered by 4-10-3-a above until the Indiana Air Pollution Control Board has certified to the ***Administrative Officer*** that the appropriate State permits have been received by the petitioner, or that the petitioner will be eligible to receive these permits and that the improvement is otherwise in compliance with applicable air pollution laws.

4-10-4 GLARE AND HEAT:

(a) Glare is illumination caused by incandescent, fluorescent or arc lighting, or from high temperature processes such as welding or metallurgical refining.

(b) In I1, I2 and I3 ***zones***, any operation or activity producing glare shall be conducted so that direct or indirect light from the source shall not cause

illumination in excess of 0.5 ***footcandles*** when measured in any ***residential*** or RE ***zone*** (Amend 27).

(c) No heat from furnace or processing equipment can be sensed at the ***zone*** boundary line that raises the temperature of ambient air or materials more than 5°F.

4-10-5 VIBRATION:

(a) No continuous, frequent or repetitive vibrations shall be produced which exceed 0.002g peak (acceleration of gravity) on non-industrial zoned lands.

(b) Vibrations from temporary construction and vehicles which leave the site (such as trucks, airplanes, and helicopters) are excluded. Vibrations from primarily on-site vehicles and equipment are included.

(c) Vibrations of no more than 5 minutes in any one day will not be considered continuous, frequent, or repetitive for this regulation.

(d) Seismic or electronic vibration measuring equipment may be used for measurements.

4-10-6 NOISE:

(a) Noise shall be measured in ***decibels*** with a ***sound level meter*** meeting the latest standards of the American National Standards Institute (ANSI). The instrument shall be set to the A-weighting scale and the meter to slow response. Measurements shall be conducted in accordance with the latest ANSI method for the physical measurement of sound.

(b) The table in 4-10-6-b-1 below specifies noise limits that apply on or beyond adjacent ***lot lines*** or ***zone*** boundaries outside the user's property. Noises shall not exceed the maximum sound levels specified in the table, except as designated in 4-10-6-d and 4-10-6-e below. Where more than one specified sound level applies, the most restrictive will govern. Measurements shall be taken at points of maximum noise intensity.

4-10-6-b-1 TABLE OF NOISE LIMITS:

PERFORMANCE STANDARD CATEGORY	MAXIMUM PERMITTED SOUND LEVEL (*dbA*)	POINT OF MEASUREMENT
A	55/45[1]	On adjacent rural and residential land ***uses***
B	60	On adjacent commercial land ***uses***
C	65	Across I1, I2 or I3 ***zone*** boundary line

FOOTNOTES TO 4-10-6-b-1:

1 In any ***residential zone***, the maximum permitted sound level shall not exceed 55 ***dbA*** between 7:00am and 9:00pm and 45 ***dbA*** between 9:00pm and 7:00am.

(c) The levels specified in 4-10-6-b-1 above may be exceeded by 10 ***dbA*** for a single period, no longer than 15 minutes, in any one day.

(d) For impact noise levels, the values in 4-10-6-b-1 above, increased by 20 ***dbA***, will apply. Impact noises will be considered to be those noises having peak values more than 6 ***dbA*** higher than the values indicated on the ***sound level meter***.

(e) Noises not under the direct control of an industrial operation (such as independent transportation facilities) are excluded from the above limitations.

4-10-7 FIRE AND EXPLOSIVE HAZARDS:

(a) Solid substances, ranging from ***free*** or ***active burning*** to ***intense burning***, shall be stored, used or manufactured only within completely enclosed ***buildings*** having incombustible exterior walls and protected throughout by an automatic fire extinguishing system.

(b) The storage, use or manufacture of flammable liquids or materials which produce flammable vapors or gases is permitted in accordance with the rules and regulations of the State Fire Marshall. A certificate of compliance, issued by the State Fire Marshall's office, stating that plans and specifications for an individual ***use*** comply with rules and regulations of the State Fire Marshall shall accompany the application for an ***improvement location permit***.

(c) No activity involving the storage, use or manufacture of materials that decompose by detonation shall be carried on except in accordance with rules issued by the State Fire Marshall and the State Building Commissioner.

4-11 MISCELLANEOUS RESTRICTIONS

4-11-1 MINIMUM FLOOR AREA FOR RESIDENTIAL *USES*:

Single-family dwellings shall have a floor area that exceeds 750 sq.ft. ***Dwelling units*** in ***two-family dwellings*** shall have a floor area that exceeds 600 sq.ft. (Amends 6, 15)

4-11-2 BOARDING, BREEDING, TRAINING AND RIDING HORSES:

(a) SIC Code 0752, Boarding or training horses, describes those operations performed for horses that do or do not belong to the occupant of the premises. (Amend 46)

(b) When a non-occupant's horse is boarded for stud, SIC Group 02, Agricultural production – livestock, applies. (Amend 46)

(c) SIC Group 7999, Amusement and recreation services not elsewhere classified (outdoor), describes situations like those in 4-11-2-a and 4-11-2-b above, plus an arena and / or riding trails. These include:

(1) bringing one's horse to ride in or on someone else's arena and/or trails;

(2) providing horses for hire; and
(3) boarding a non-occupant's horse for the purpose of riding it there.

(d) Boarding, breeding, training and riding horses can be ***accessory*** to a residential ***development***, if it occupies land within that ***development*** at least 5 acres in area, and is made available only to residents of that ***development***. (Amend 5)

(e) This 5-acre minimum shall also apply where such a facility is the ***primary use*** of the property.

(f) Keeping up to 2 horses owned by a property's occupant is an ***accessory use***.

4-11-3 BOARDING, BREEDING, AND GROOMING OF ANIMALS OTHER THAN HORSES AND FARM ANIMALS (Amend 31)**:**

(a) In any ***commercial zone*** where the boarding of animals is permitted, the following conditions and requirements shall be met:
(1) there can be no runs, exercise yards, or other facilities for boarding animals in any exterior space;
(2) all interior areas intended for boarding animals shall be soundproofed; and
(3) the ***building*** shall be temperature controlled and mechanically ventilated for the safety and comfort of the animals.

(b) In any ***rural zone*** where the boarding of animals is permitted, the following conditions and requirements shall be met:
(1) the minimum ***lot*** size is 2 acres if all animals are kept in a soundproofed building from 8:00 p.m. to 8:00 a.m., or otherwise 5 acres;
(2) any ***building*** shall be temperature controlled and mechanically ventilated for the safety and comfort of the animals;
(3) the minimum ***setback*** from all ***lot lines*** for exterior areas and non-soundproofed ***buildings*** in which animals are kept is 200';
(4) the minimum ***setback*** from all ***lot lines*** for soundproofed ***buildings*** where animals are kept is 75'; and
(5) exterior areas used in the boarding of animals shall be provided with fencing capable of confining the animals kept there.

(c) In any ***zone*** where grooming of animals is permitted, animals shall be groomed indoors only. Animals shall be kept indoors while waiting for grooming services, and while waiting to be picked up after grooming services have been performed.

4-11-4 MINING RECLAMATION REQUIREMENTS:

This section requires the timely reclamation and restoration of extraction and processing sites (SIC Groups 10-14 in 3-2 above) to a useful and environmentally stable condition.

(a) The petitioner shall formulate a Reclamation Plan as part of its submission to the ***ABZA*** for a grant of ***special exception***. This plan shall be coordinated with and guided by the instructions of:

(1) the Indiana Department of Natural Resources where mining occurs in the ***floodway***;

(2) the US Army Corps of Engineers, Louisville District, where mining occurs in the ***flood plain***; and

(3) the US Department of Agriculture's Soil Conservation Service for compliance with *327 IAC 15-5* or its successor, with regard to soil erosion and sediment control.

(b) The ***ABZA***, with information provided by petitioner, shall establish a reasonable date by which excavation is expected to begin, and a period of time for excavation and reclamation, as a condition of any grant of ***special exception*** as per 6-4-4-d below, for any ***use*** listed in SIC Groups 10-14.

(c) In order to grant a ***special exception***, the ***ABZA*** must approve the Reclamation Plan and also make it a condition of its grant, as per 6-4-4-d below. The petitioner shall record the approved Reclamation Plan in the Office of the County Recorder. The petitioner must then provide ***APC*** staff with surety in favor of Tippecanoe County in an amount equal to $3000 per acre of land within the approved ***setbacks***, before seeking an ***improvement location permit*** (Amend 5).

(d) If reclamation cannot be completed within 3 years of the grant of ***special exception***, the petitioner shall apply to renew its ***improvement location permit*** for the unfinished portion. This application shall be accompanied by renewed surety for the unfinished portion at the same dollar-per-acre rate. The petitioner may seek additional ***improvement location permit*** renewals, and provide additional renewed surety, until reclamation is completed.

(e) Failure to renew an ***improvement location permit*** or to provide renewed surety within 3 years shall void the grant of ***special exception.***

(f) The Reclamation Plan shall comply with the following standards:

(1) Grading and backfill shall contain neither noxious, flammable, nor combustible solids. Backfilled areas shall be graded to produce safe and appealing surfaces, designed to minimize erosion, and to blend with terrain features of the surrounding area. Graded surfaces shall be no steeper than 3:1 horizontal to vertical. Masonry materials may be included in the fill, but shall be covered by a minimum of 4' of dirt or overburden.

(2) All land surfaces shall be landscaped with grass or other ground cover, shrubs and trees. No portion of the ***bufferyard*** required in 4-9-7 above shall be removed.

(3) Any overburden or excavation material that does not suit the operator's needs may be moved aside or left in place, but shall be leveled, graded and landscaped to blend into the surrounding area.

(g) When reclamation is complete, the petitioner shall submit a Final Reclamation Plan to the ***ABZA*** indicating compliance with the standards in 4-11-4-f above. The Final Reclamation Plan shall show finished topography and landscaping. Compliance with the standards in 4-11-4-f shall be certified by a Registered Professional Engineer, or a Registered

Land Surveyor, or a Licensed Landscape Architect. Approval by the ***ABZA*** shall then release the petitioner from the conditions of approval and the performance bond.

(h) If the petitioner fails to meet the requirements of 4-11-4-g within the time frame established in 4-11-4-b above, the ***ABZA*** may request the County to declare the bond in default. The ***ABZA*** may require all mining operations to cease, and the Reclamation Plan to be completed as originally submitted, using the proceeds of the defaulted bond.

(i) From the time ***ABZA*** grants the ***special exception*** until the time that ***ABZA*** approves the Final Reclamation Plan, the petitioner shall conspicuously post a notice on all road frontages indicating ***ABZA*** has granted the ***special exception***, and for what specific purpose it has been granted.

4-11-5 *ADULT ENTERTAINMENT BUSINESSES*:

(a) The establishment of any ***adult entertainment business*** is prohibited if that ***business*** is within 500' of:

(1) any other ***adult entertainment businesses***;

(2) the ***lot line*** of any church, public or parochial school, library, public park or county courthouse square, city hall or other public building; or

(3) the boundary line of any ***residential*** or ***rural zone***.

(b) The distance between one ***adult entertainment business*** and another ***adult entertainment business*** is measured in a straight line, without regard to intervening ***structures*** or objects, from the closest ***lot line*** of each ***business***. The distance between an ***adult entertainment business*** and any church, public or parochial school, library, public park, county courthouse square, city hall or other public building, ***residential*** or ***rural zone*** is measured in a straight line without regard to intervening ***structures*** or objects, from the closest lot line of the ***adult entertainment business*** to the nearest ***lot line*** of the church, public or parochial school, library, public park or county courthouse square, city hall or other public building, or the nearest boundary line of the ***residential*** or ***rural zone***.

(c) If any ***adult entertainment business*** is part of or included within an ***integrated center***, only the portion of that center or leased space occupied by the ***adult entertainment business*** shall be included in determining the closest ***lot line*** of that ***adult entertainment business***.

4-11-6 *BED AND BREAKFASTS*:

(a) A ***bed and breakfast*** is a form of transient guest accommodation either within a ***single-family dwelling*** or on a ***farm***. The ***residence*** or the ***farm*** shall be operator-occupied if located in either a ***residential*** or ***rural zone***.

(b) Up to 7 rooms may be rented to guests, whether they be in the ***residence***, or somewhere on the ***farm***. If on a ***farm***, these rooms shall be in a ***structure*** that qualifies for residential occupancy.

(c) Because a ***bed and breakfast*** is not a rooming house or ***multi-family dwelling***, guests occupying rented rooms shall stay at a ***bed and breakfast*** for no more than 14 consecutive days.

(d) Because a ***bed and breakfast*** is not a restaurant, food service (other than that associated with the ***residence***) is limited to breakfast; which shall only be provided for guests occupying rented rooms; and one additional accessory type of food service (either lunch, brunch, or tea) prepared on-site and offered to the public, with seating for no more than 30, one day a week plus one weekend day between the hours of 11:00 AM and 4:00 PM only. Food service is subject to the regulations of the Tippecanoe County Health Department, and to Indiana State Department of Health *Rule 410 IAC 7-15.5* or its successor. ***Bed and breakfasts*** with accessory food service may also be subject to Indiana State Department of Health *Title 410 IAC 7-24*, or its successor, at the County Health Department's discretion. Also, there shall be no cooking facilities provided within guest rooms.

(e) To ensure compatibility with neighboring uses:

(1) the exterior of a ***bed and breakfast*** shall not be modified (or if built new, constructed) in any way that substantially lessens its basic appearance as a ***single-family dwelling*** or ***farm***;

(2) guest parking for ***bed and breakfasts*** located in ***residential*** and RE ***zones*** shall be screened from adjacent properties by a 5 ft. high wood or masonry fence, or by sight-obscuring vegetation (Amend 27); and

(3) ***signage*** shall be limited to one ***sign*** no larger than the ***zonal base rate*** for the ***zone*** in which the ***bed and breakfast*** is located

(f) To prevent disruption of residential neighborhoods through the proliferation of nonresidential ***uses***, a ***bed and breakfast*** in a ***residential*** or RE ***zone*** shall not be located on a ***lot*** closer than 200' from any other ***lot*** containing a ***bed and breakfast*** (Amend 27).

4-11-7 COMMUNICATIONS TOWERS:

(a) All ***primary*** and ***accessory towers*** are subject to the air space control height restrictions surrounding airports as shown in 5-3-4 below.

(b) ***Setbacks*** for ***accessory*** and ***primary communications*** **towers** are measured radially, and depend on whether the tower is guyed or self-supporting:

(1) The base of a guyed ***primary*** or ***accessory communications tower*** shall be set back from all ***lot lines*** by at least 20% of the tower's height, or the distance between the tower's base and its guy wire anchors, whichever is greater. However, no portion of the above ground guying shall be permitted less than 6' from any ***road right-of-way-line***; and

(2) The base of a self-supported ***primary*** or ***accessory communications tower*** shall be set back from all ***lot lines*** by at

least 20% of the tower's height, or the standard setback, whichever is greater.

(c) ***Accessory uses*** for ***primary communications towers*** shall not include:

(1) offices;
(2) long-term vehicle storage;
(3) broadcast studios except if used only for emergency purposes; or
(4) other ***uses*** that are not needed to send or receive transmissions.

In no event shall ***accessory uses*** for a ***primary communications tower*** exceed 25% of the ***gross floor area*** used for transmission equipment and functions.

***4-11-8 RECYCLING COLLECTION FACILITIES*:**

(a) In ***residential zones***, a ***recycling collection facility*** shall be located only at apartment buildings or complexes (but only for use by building or complex residents), and on institutional properties (such as schools, churches, fire stations and government offices or other locations as suggested by the Wildcat Creek Solid Waste District or member jurisdiction). These must be placed on paved surfaces where possible.

(b) The facility shall be set back no less than 100' from any ***lot line***.

(c) The facility shall not occupy any ***parking spaces*** required for other ***uses*** on the site.

(d) No storage shall be allowed outside the containers.

4-11-9 DUMPSTER ENCLOSURES:

All dumpsters in commercial, industrial or multi-family developments shall be screened from view from a street and/or the first floor of adjacent residential property in a manner approved by the ***Administrative Officer***. (Amend 47)

***4-11-10 ATM*s (AUTOMATED TELLER MACHINES):**

(a) All applications to an ***Administrative Officer***, for an ***improvement location permit*** to erect or structurally change an ***ATM***, whether an ***accessory use***, a ***primary use***, or a ***primary use building***, shall be accompanied by a ***site plan*** as per 6-2 below.

(b) The ***site plan*** shall be approved by the ***Administrative Officer*** before issuing the ***improvement location permit***.

(c) The ***Administrative Officer*** may require changes in the location and arrangement of driveways, ***structures***, ***buildings***, ***signs***, outdoor lighting and parking, as (s)he considers necessary to insure safety, minimize traffic hazards, and safeguard adjacent properties.

(d) As an ***accessory use***, an ***ATM*** is entitled to display any part of the total ***sign*** area calculated for the ***sign-lot***'s ***primary use***, to be determined by the property owner or operator, as per 4-8-4 through 4-8-8 above.

(e) As a ***primary use*** or ***primary use building***, an ***ATM*** is entitled to all the ***signage*** permitted on its ***sign-lot***, as per 4-8-4 through 4-8-8. (Amend 20)

5 SUPPLEMENTARY REGULATIONS

5-1 *NONCONFORMING USES*, *MOBILE HOMES, MOBILE HOME PARKS/MANUFACTURED HOUSING COMMUNITIES, LOTS*, *STRUCTURES* AND *SIGNAGE*, AND *NONCOMPLYING USES*

5-1-1 INTENT:

(a) ***Nonconforming uses***, ***mobile homes***, ***mobile home parks, lots*** and ***structures*** and ***noncomplying uses*** were lawful ***uses***, ***mobile homes***, ***lots*** and ***structures*** before this ordinance became effective or was amended, but now they either:

(1) are prohibited in the ***zone*** in which they are located; or

(2) fail to meet current regulations or restrictions under this ordinance or its amendments;

(3) or both.

(b) ***Nonconforming signage*** is a ***sign*** or a package of ***signs*** on a ***sign-lot*** that does not meet the requirements of 4-8-4 through 4-8-8 above, and which was otherwise lawfully installed on a given site at the time the applicable portions of 4-8-4 through 4-8-8 became effective.

(c) It is the intent of this section:

(1) to permit ***nonconforming uses***, ***mobile homes*** and ***signs*** to continue until they are removed or cease operation, but not to permit their expansion; and

(2) to permit ***nonconforming lots*** and ***structures*** and ***noncomplying uses*** to continue until they are removed, and to permit their expansion but only if that expansion is conforming and complying.

(d) Note that illegal ***uses***, ***mobile homes***, ***structures***, ***lots*** and ***signs*** existing at the time this ordinance was enacted or amended are not made legal by its enactment or amendment, unless made conforming or complying by the enactment or amendment.

5-1-2 *NONCONFORMING USES*:

(a) A ***nonconforming use*** is a ***primary use*** of a ***structure*** or ***lot*** which is not permitted in 3-2 above to be operated in the ***zone*** in which it is located, and which otherwise lawfully existed at the time the applicable portion of 3-2 became effective.

(b) A ***nonconforming mobile home*** is a specific type of ***nonconforming use*** addressed in 5-1-3 below.

(c) Except for 5-1-4 below, an otherwise lawful ***primary use*** made a ***nonconforming use*** by this ordinance or an amendment to it, may be continued so long as it remains otherwise lawful, if:

(1) the land area of the ***use*** and/or the cubic content of its structure are not increased beyond what they were at the time this ordinance or its amendment became effective;

(2) it is moved neither in whole nor in part to any portion of its ***lot*** other than that which it occupied at the time this ordinance or its amendment became effective;

(3) no additional ***structure*** serving the ***nonconforming use*** is erected, other than is permitted in 5-1-5-b below;

(4) no additional or larger ***signs*** are erected which are intended to be seen from off the premises; and

(5) the ***nonconforming use*** is not ***abandoned*** for more than 1 year, except when government action impedes access to the premises. If a ***nonconforming use*** has been ***abandoned*** for more than 1 year, any subsequent ***use*** of that land shall conform to the requirements of this ordinance.

(d) When a ***nonconforming use*** is damaged by any means to the extent that repairs would cost more than 50% of the replacement cost of that ***use***, the ***nonconforming use*** shall no longer be permitted.

(1) When a ***nonconforming use*** in the FP ***zone*** is ***substantially damaged*** by any means to the extent that repairs would equal or exceed 50% of the market value of that ***use***, the ***substantially damaged nonconforming use*** shall no longer be permitted in the FP ***zone***.

(e) A ***nonconforming use*** changed to a conforming ***use***, shall never be changed back to a ***nonconforming use***.

(f) A ***nonconforming use*** may be replaced by another ***nonconforming use*** if the property owner demonstrates to the satisfaction of the ***Administrative Officer*** that the impact on surrounding ***uses*** of the replacement will be less than that of its predecessor. The ***Administrative Officer*** shall measure impact in terms of traffic generation, hours of operation, noise production and outdoor lighting.

5-1-3 *NONCONFORMING MOBILE HOMES*:

Mobile homes are designed to be movable rather than fixed ***structures***. Because of that distinction, when a ***mobile home*** is a ***nonconforming use***, the requirements of this section apply, rather than those of 5-1-2 above

(a) A ***nonconforming mobile home*** is one which is not permitted in 3-2 above to be located in the ***zone*** in which it is in fact located, and which otherwise lawfully existed at the time the applicable portion of 3-2 became effective.

(b) An otherwise lawful ***mobile home*** made a ***nonconforming mobile home*** by this ordinance or an amendment to it, may be continued so long as it remains otherwise lawful, if:

(1) the land area of the ***use*** and/or the dimensions of the ***mobile home*** are not increased beyond what they were at the time this ordinance or its amendment became effective;

(2) it is not moved to any portion of its ***lot*** other than that which it occupied at the time this ordinance or its amendment became effective;

(3) no additional ***structure*** serving the ***nonconforming mobile home*** is erected;

(4) the ***nonconforming mobile home*** is not ***abandoned*** for more than 1 year, except when government action impedes access to the premises. If a ***nonconforming mobile home*** has been ***abandoned*** for more than 1 year, any subsequent ***use*** of that land shall conform to the requirements of this ordinance. Termination of electrical service for more than 1 year shall be construed as evidence of intent to ***abandon***.

(c) When a ***nonconforming mobile home*** is damaged by any means to the extent that repairs would cost more than 50% of the replacement cost of that ***mobile home***, the ***nonconforming mobile home*** shall no longer be permitted.

(1) When a ***nonconforming mobile home*** in the FP ***zone*** is ***substantially damaged*** by any means to the extent that repairs would equal or exceed 50% of the market value of that ***mobile home***, the ***substantially damaged nonconforming mobile home use*** shall no longer be permitted in the FP ***zone***.

(d) A ***nonconforming mobile home*** changed to a conforming ***use***, shall never be changed back to a ***nonconforming mobile home***.

(e) A ***nonconforming mobile home*** that has been ***abandoned***, shall never be reoccupied, returned to its location or replaced by another ***nonconforming mobile home***. However, in an FP ***zone***, a ***nonconforming mobile home*** that has been ***abandoned***, shall never be reoccupied, returned to its location or replaced by another ***nonconforming mobile home***, regardless of time frame.

(f) A ***nonconforming mobile home*** shall not be replaced by any other kind of ***nonconforming use***.

5-1-4 NONCONFORMING *MOBILE HOME PARKS/MANUFACTURED HOME COMMUNITIES*:

(a) An otherwise lawful ***mobile home park / manufactured home community*** made a ***nonconforming use*** by this ordinance or an amendment to it, may be continued so long as it remains otherwise lawful. The ***nonconforming mobile home park / manufactured home community*** may be reconfigured, as long as the number of ***lots*** is not increased. Other changes may be made as well, such as adding paved ***streets,*** and upgrading other on-site ***structures*** and facilities. However:

(1) the land area of the ***nonconforming mobile home park manufactured home community*** shall not increase beyond what it was at the time this ordinance or its amendment became

effective, without submission of a new ***mobile home park / manufactured home community*** plan as per 5-4 below, for the additional land area.

(2) no additional or larger ***signs*** are erected which are intended to be seen from off the premises, unless such ***signs*** remain within the parameters of 4-8-4 through 4-8-8 above; and

(3) the ***nonconforming mobile home park / manufactured home community*** is not ***abandoned*** for more than 1 year, except when government action impedes access to the premises. If a ***nonconforming use*** has been ***abandoned*** for more than 1 year, any subsequent ***use*** of that land shall conform to the requirements of this ordinance.

(b) When a ***nonconforming mobile home park / manufactured home community*** is damaged by any means to the extent that repairs would cost more than 50% of the replacement cost of that ***use***, the ***nonconforming use*** shall no longer be permitted. Repairs to any individual mobile home / manufactured home located within a ***mobile home park / manufactured home community*** and owned by a person or entity other than the person or entity owning and/or operating the ***nonconforming mobile home park / manufactured home community*** shall not be considered in calculating the replacement costs of the ***nonconforming mobile home park / manufactured home community***. (Amend 52)

(c) A ***nonconforming use*** changed to a conforming ***use***, shall never be changed back to a ***nonconforming use***.

(d) A ***nonconforming use*** may be replaced by another ***nonconforming use*** if the property owner demonstrates to the satisfaction of the ***Administrative Officer*** that the impact on surrounding ***uses*** of the replacement will be less than that of its predecessor. The ***Administrative Officer*** shall measure impact in terms of traffic generation, hours of operation, noise production and outdoor lighting.

5-1-5 *NONCONFORMING LOTS*:

(a) A ***nonconforming lot*** is a ***lot*** which does not meet the minimum requirements in 4-2 above for ***lot area*** or 4-3 above for ***lot width***, and which otherwise lawfully existed at the time those minimum requirements became effective (Amend 18).

(b) A ***single-family dwelling*** and its customary ***accessory buildings*** may always be erected on a ***nonconforming lot*** in any ***zone*** in which ***single-family dwellings*** are permitted, if:

(1) the legally created ***lot*** was either recorded in separate ownership or included in a recorded ***subdivision*** on or before January 2, 1998, the effective date of this ordinance (Amend 18); and

(2) the ***dwelling*** and its ***accessory buildings*** otherwise meet all other requirements of this ordinance.

(c) A ***nonconforming lot*** changed to a conforming ***lot*** shall never be changed back to a ***nonconforming lot***.

(d) No conforming or ***nonconforming lot*** may be made ***nonconforming*** or more ***nonconforming*** by use of Exemption E in the definition of ***subdivision*** in 1-10-2 above.

5-1-6 *NONCONFORMING STRUCTURES*:

(a) A ***nonconforming structure*** is a ***structure*** (including a ***building***) which entirely or in part does not meet the minimum requirements in 4-2, 4-4 and 4-5 above for ***front***, ***rear*** or ***side setbacks***, ***lot coverage*** or maximum permitted ***building height***, and which otherwise lawfully existed at the time those requirements became effective. However, any conforming ***structure*** made a ***nonconforming structure*** by a government taking or by grant of ***right-of-way***, shall be considered conforming within the context of this ordinance (Amend 7).

(b) A ***nonconforming structure*** occupied by a ***nonconforming use*** shall not be moved on its ***lot*** or ***altered***, except in a way that decreases the ***structure***'s nonconformity. ***Altered*** shall not be construed to mean ***enlarged***.

(c) A ***nonconforming structure*** occupied by a permitted ***use*** may be moved on its ***lot***, ***altered*** or ***enlarged*** in any way, provided the alteration or enlargement either meets all requirements of this ordinance, or decreases the ***structure***'s nonconformity.

(d) When a ***nonconforming structure*** is damaged by any means to the extent that repairs would cost more than 50% of the replacement cost of that ***structure***, it shall only be reconstructed in conformance with the requirements of this ordinance. If it had been occupied by a ***nonconforming use***, that ***use*** will no longer be permitted.

(1) When a ***nonconforming structure*** in the FP ***zone*** is ***substantially damaged*** by any means to the extent that repairs would equal or exceed 50% of the market value of that ***structure***, the ***substantially damaged nonconforming structure*** shall no longer be permitted in the FP ***zone***.

(e) A ***nonconforming structure*** changed to a conforming ***structure*** shall never be changed back to a ***nonconforming structure***.

5-1-7 *NONCONFORMING SIGNAGE*:

(a) ***Nonconforming signage*** is a ***sign*** or a package of ***signs*** on a ***sign-lot*** that does not meet the requirements of 4-8-4 through 4-8-8 above, and which was otherwise lawfully installed on a given site at

the time the applicable portions of 4-8-4 through 4-8-8 became effective.

(b) Otherwise lawful ***signage*** made ***nonconforming*** by this ordinance or an amendment to it, may be continued so long as it remains otherwise lawful, if:

(1) the ***signage***'s area is not increased beyond what it was at the time this ordinance or its amendment became effective;

(2) the ***signage*** is moved neither in whole nor in part to any portion of its ***sign-lot*** other than that which it occupied at the time this ordinance or its amendment became effective, or to a location that lessens the nonconformity (Amend 15); and

(3) the ***primary use*** of its ***sign-lot*** is not ***abandoned*** for more than 1 year, except when government action impedes access to the premises. If the ***primary use*** has been ***abandoned*** for more than 1 year, any subsequent signage on that ***sign-lot*** shall conform to the requirements of this ordinance.

(c) When ***nonconforming signage*** is damaged by any means to the extent that repairs would cost more than 50% of the replacement cost of that ***signage***, the ***nonconforming signage*** will no longer be permitted.

(1) When ***nonconforming signage*** in the FP ***zone*** is ***substantially damaged*** by any means to the extent that repairs would equal or exceed 50% of the market value of that ***signage***, the ***substantially damaged nonconforming signage*** shall no longer be permitted in the FP ***zone***.

(d) If the distance from the edge of the ***right-of-way*** of on-premise ***nonconforming signage*** is further reduced by government acquisition of additional ***right-of-way***, then it shall be moved to a distance from the new ***right-of-way line*** no less than the distance from the previous ***right-of-way line***. If the distance from the edge of the ***right-of-way*** of conforming on-premise ***signage*** is reduced by government acquisition of additional ***right-of-way***, it remains conforming.

(e) ***Nonconforming signage*** changed to conforming ***signage***, shall never be changed back to ***nonconforming signage***.

(f) ***Signage*** that failed to comply with the requirements of the previous regulations in effect at the time this ordinance or its amendment became effective, and which fails to comply with the requirements of 4-8-4 through 4-8-8 above, is neither ***nonconforming*** nor lawful ***signage***.

5-1-8 *NONCOMPLYING USES*:

(a) A ***noncomplying use*** is a ***primary use*** of a ***structure*** (including a ***building***) or ***lot*** which fails to meet one or more of the requirements

of 4-2 and 4-6 through 4-11 above regarding minimum ***vegetative cover***, parking and loading, entrances, ***signs***, buffering, industrial or miscellaneous restrictions, and which otherwise lawfully existed at the time those requirements became effective.

(b) A ***noncomplying use*** which is also a ***nonconforming use*** shall not be moved on its ***lot***, ***altered*** or ***enlarged***, except in a way that decreases the ***use***'s noncompliance, or in a way that prepares it for a permitted ***use***.

(c) A ***noncomplying use*** which is a permitted ***primary use*** may be ***altered*** or ***enlarged*** in any way, provided the alteration or enlargement meets all requirements of this ordinance.

(d) When a ***noncomplying use*** is damaged by any means to the extent that repairs would cost more than 50% of its replacement cost, it shall only be reconstructed in compliance with the requirements of this ordinance. If it was also a ***nonconforming use***, that ***use*** will no longer be permitted.

(1) When a ***noncomplying use*** in the FP ***zone*** is ***substantially damaged*** by any means to the extent that repairs would equal or exceed 50% of the market value of that ***use***, the ***substantially damaged noncomplying use*** shall no longer be permitted in the FP ***zone***.

(e) A ***noncomplying use*** changed to a complying ***use*** shall never be changed back to a ***noncomplying use***.

5-1-9 REPAIRS AND MAINTENANCE:

(a) Discretionary repair and maintenance may be done on any ***nonconforming use*** or ***nonconforming structure***, only if:

(1) the work consists of ordinary repairs, or of repair or replacement of non-bearing walls, fixtures, wiring or plumbing;

(2) the cost does not exceed 30% of the replacement cost of that ***use*** or ***structure*** in any 3-year period (Amend 7), or

(i) the cost does not exceed 10% of the market value of that ***use***, ***structure*** or ***mobile home*** in the FP ***zone*** in any 1-year period and cumulatively does not equal or exceed 50% of the market value of that ***use***, ***structure*** or ***mobile home*** in the FP ***zone***; and

(3) the land area of the ***use*** and/or the cubic content of its ***structure*** are not increased beyond what they were at the time this ordinance or its amendment became effective.

(b) ***Structural alterations*** shall not be made except as required by law.

5-1-10 WORK IN PROGRESS:

No change shall be required in plans, construction or designated ***use*** of any ***structure*** or ***development*** if:

(a) an ***improvement location permit*** was lawfully obtained before the effective date of that ordinance or amendment; or
(b) construction plans were approved under the *Unified Subdivision Ordinance of Tippecanoe County* before the effective date of that ordinance or amendment; and

the ***building*** or ***development*** is completed before expiration of its ***improvement location permit*** as per 6-2-4-a below.

5-2 *SUBDIVISIONS*, PLANNED DEVELOPMENTS AND *CONDOMINIUMS*

5-2-1 *SUBDIVISIONS*:

(a) The subdivision of land in accord with the requirements of the adopted *Unified Subdivision Ordinance* is permitted in these ***zones***: R1, R1A, R1B, R1U, R1Z, R2, R2U, R3, R3U, R3W, R4W, NB, NBU, OR, MR, GB, HB, CB, CBW, I1, I2, I3, A, AA, AW, FP and RE (Amend 27). The intended ***primary use*** of each proposed ***lot*** within a proposed ***subdivision*** determines the specific ***zone*** or ***zones*** appropriate to the land to be subdivided, as per 3-2 above.
(b) However, the following kinds of ***subdivisions*** are only permitted in R1, R1A, R1B, R1U, R1Z, R2, R2U, R3, R3U, R3W, and R4W ***zones***:
    (1) major ***subdivisions*** intended entirely for residential ***use***, and
    (2) any portions of major ***subdivisions*** intended for residential ***use***;
    (3) other ***subdivisions*** intended entirely for residential ***use*** granted preliminary ***plat*** approval by the ***APC*** after May 1, 1975, and
    (4) any portions of other ***subdivisions*** intended for residential ***use*** granted preliminary ***plat*** approval by the ***APC*** after May 1, 1975.
(c) The only kind of ***subdivision*** permitted in an RE ***zone***, is a ***rural estate subdivision***, formulated and approved within the requirements of the adopted *Unified Subdivision Ordinance* (Amend 27).

5-2-2 PLANNED DEVELOPMENTS:

Planned developments are permitted only in these ***zones***: PDRS, PDNR, PDMX, and PDCC, as per 2-26 above. PD zoning may be used to foster innovative and diverse design in land development that is still consistent with both the adopted *Comprehensive Plan* and the intent of the *Unified Zoning Ordinance*. As such, the requirements of Chapters 2 and 4 above do not apply to planned developments. All restrictions and regulations for a specific planned development are negotiated between the ***APC***, the petitioner and participating checkpoint agencies, and thus are contained within the approved and recorded plan itself, having been arrived at prior to rezoning.

5-2-3 *CONDOMINIUMS*:

Condominiums, as defined and regulated in *I.C. 32-1-6 (the Horizontal Property Law)*, are considered for zoning purposes to be planned developments, and thus are permitted only in these ***zones***: PDRS, PDNR, PDMX, and PDCC, as per 2-27 above. The PDCC ***zone*** shall be used in cases where the only change proposed for a ***development*** constructed no less than 3 years prior, is conversion to ***condominium*** ownership.

5-3 AIR SPACE CONTROL

5-3-1 INTENT:

The maximum height of ***buildings***, ***structures***, and plant growth is regulated by this section -- under the authority conferred in *Chapter 283 of the 1955 Acts of the General Assembly of Indiana*, as amended -- in order to prevent the construction of obstructions to air navigation in the vicinity of any ***public-use airport***. This protects the lives and property of persons living in that vicinity, and of those in aircraft which are approaching, taking off from, or circling that airport, promoting public health, safety and general welfare.

5-3-2 AIRPORT DISTRICTS:

(a) Airport districts, which are overlay ***zones***, consist of 2 parts, an ***airport approach area*** and an ***airport circling area***.

(b) Airport districts and their 2 parts are shown on an airport district map for each ***public-use airport*** in the county. These maps are part of this section of this ordinance.

5-3-3 AIRPORT DISTRICT REGULATIONS:

The regulations in 5-3-4 and 5-3-5 below apply to all land within an airport district, and are in addition to all other zoning regulations applicable to that land. In case of conflict, the more restrictive regulations control.

5-3-4 HEIGHT:

(a) Except as in 5-3-4-b below, within the ***airport circling area*** or the ***airport approach area*** of an airport district, no part of any new ***building***, ***structure*** or plant growth shall be constructed, located or grown, and no part of any existing ***building***, ***structure*** or plant growth shall be reconstructed, relocated, or ***enlarged***, so that it projects above either the ***airport approach surfaces***, the ***airport primary surfaces***, the ***airport transitional surfaces***, the ***airport horizontal surface***, or the ***airport conical surface***, whichever is most restrictive.

(b) However, projections may extend to a maximum height of 50' above the ***established airport elevation***, except within the ***airport approach*** and ***airport transitional surfaces***.

(c) The maximum permitted height above ground level for any ***building***, ***structure***, or plant growth is computed as follows:

(1) Determine the elevation of the site in question in feet above mean sea level;

(2) Compute the difference between the site elevation and the ***established airport elevation*** (as shown on the airport district map);

(3) If the site elevation is higher than the ***established airport elevation***, subtract the difference from the elevation of the ***airport referenced surfaces*** directly above that site; if lower, add the difference to the elevation of the ***airport referenced surfaces*** for that site. The result is the maximum permissible height. (Amend 45)

(4) Proof of conformance lies with the property owner; any assistance by the ***Administrative Officer*** in finding applicable elevations is construed to be of assistance only. In cases of any doubt the ***Administrative Officer*** shall require an affidavit signed by a Registered Land Surveyor or Registered Civil Engineer, certifying that the height of the ***structures*** and plant growth conforms to this section.

5-3-5 *USE* RESTRICTIONS:

Notwithstanding any other provisions of this ordinance, no ***use*** shall be made of land or water within any airport district established by 5-3-2 above in such a manner as to either:

(a) create electrical interference with navigational signals or radio communication between the airport and aircraft;

(b) make it difficult for pilots to distinguish between airport lights and others;

(c) result in glare in the eyes of pilots using the airport;

(d) impair visibility in the vicinity of the airport;

(e) create bird strike hazards;

(f) or otherwise in any way endanger or interfere with the landing, takeoff, or maneuvering of aircraft intending to use the airport.

5-4 *MOBILE HOME PARKS / MANUFACTURED HOME COMMUNITIES* AND *RECREATIONAL VEHICLE PARKS AND CAMPGROUNDS*

5-4-1 INTENT:

This section details the process by which ***mobile home parks / manufactured home communities (MHP/MHC)*** and ***recreational***

vehicle parks and campgrounds (SIC 7033) are approved, and covers regulations that are applied to them. ***MHP/MHCs*** are residential facilities; ***recreational vehicle parks and campgrounds (RVP/Cs)*** provide *en route* accommodations or serve as a destination site for people occupying ***recreational vehicles (RVs)*** and/or ***tents***. ***MHP/MHCs*** and ***RVP/Cs*** involve the creation of individual ***use*** sites (called ***mobile home park / manufactured home community lots*** and ***campsites*** respectively), and internal circulation patterns, much like ***subdivisions*** and some kinds of planned developments. What distinguishes them is that no ***mobile home park / manufactured home community lots*** are created that need to be platted. To ensure adequate design and circulation, and to ensure that state mandated health-related standards are met, plans detailing the proposed ***MHP/MHC*** or ***RVP/C*** shall be submitted for approval by the ***APC*** at a public hearing before work can begin.

5-4-2 *MHP/MHC* AND *RVP/C* APPROVAL PROCESS:

(a) Before ***improvement location permits*** can be sought (other than one that would permit filling in the ***flood plain*** for an area to be included in the ***MHP/MHC*** or ***RVP/C***),or any on-site work can begin, plans for a new ***MHP/MHC*** or ***RVP/C***, or an expansion of an existing ***MHP/MHC*** or ***RVP/C***, shall be approved by the ***APC*** in a public hearing at its regular meeting. All such new plans and expansions are subject to the public notice and filing requirements of 5-4-3 and 5-4-4 below. Any change to a ***site plan*** approved under this ordinance, the elements of which are listed in 5-4-5-c below, shall also be approved by the ***APC*** in a public hearing at its regular meeting. However, this does not apply to a reconfiguration of the same number of lots, or the paving of previously unpaved internal ***streets***, nor upgrading other on-site ***structures*** and facilities. But, a change to an internal ***street*** name does require approval of the ***APC Executive Director***, the US Post Office, and the 911 Emergency Response System.

(b) The filing deadline for a complete application for ***MHP/MHC*** or ***RVP/C*** plan approval is 30 calendar days prior to the date of the regular meeting at which the petitioner intends to have the request heard. The requirements for a complete application are listed in 5-4-4 below.

(c) Notice of this public hearing shall appear in 2 local newspapers of general circulation at least 10 days before the hearing. Also, one or more signs notifying the public need to be posted on the affected property at least 10 days before the hearing. Details of public hearing notification appear below in 5-4-3.

(d) At the hearing, the ***APC*** may either approve, conditionally approve or deny the ***MHP/MHC*** or ***RVP/C*** plans presented by the petitioner. If

the petitioner or the petitioner's representative is not present at the hearing, the ***APC*** shall dismiss the request.

(e) ***MHP/MHC-lots*** may be vacated using the means described in *Indiana Code 36-7-3* or its successors, which describes the process for vacating ***lots*** in a ***subdivision.***

5-4-3 PUBLIC NOTICE REQUIREMENTS:

(a) A petitioner shall file 2 "Notices of Public Hearing on ***Mobile Home Park / Manufactured Home Community and Recreational Vehicle Park***" and 2 "Notices of Public Hearing Release Forms" as part of a complete application for ***MHP/MHC*** or ***RVP/C*** plan approval. The Release Forms authorize ***APC*** staff to give the Notices of Public Hearing to 2 local newspapers of general circulation for publication at least 10 days before the date of the public hearing. Publication is at the petitioner's expense. Each newspaper will then bill the petitioner. Upon payment of the bills, the petitioner will receive each newspaper's Proof of Publication. The petitioner shall present both Proofs to the ***APC*** prior to the public hearing, or the request for plan approval cannot be heard.

(b) At least 10 days before the date of the public hearing, the petitioner shall post one or more signs on (or in some cases near) the property for which ***MHP/MHC*** or ***RVP/C*** approval is being sought, advising the public of the impending hearing. These signs shall be purchased at the ***APC***'s offices. ***APC*** staff will determine the number and location of signs to be posted. On the day of the public hearing, the petitioner shall execute a "Sign Posting Affidavit" attesting that the required signage has been in place for at least the previous 10 days. The petitioner shall present the notarized affidavit to the ***APC*** prior to the public hearing, or the request for plan approval cannot be heard.

(c) At least 10 days before the date of the public hearing, the petitioner shall send a "Notice to Interested Parties" to the owners of all property located adjacent to, and directly across the ***street***, ***alley***, or railroad ***right-of-way*** from the property for which ***MHP/MHC*** or ***RVP/C*** plan approval is being sought. These shall be sent by Certified Mail. The petitioner shall execute an "Affidavit of Notice to Interested Parties" attesting that all interested parties have been notified by Certified Mail. The petitioner shall present the notarized affidavit and all post office receipts from the certified mailing to the ***APC*** prior to the public hearing, or the request for plan approval cannot be heard.

5-4-4 FILING REQUIREMENTS:

(a) Before an application for ***MHP/MHC*** or ***RVP/C*** plan approval can be submitted, the petitioner shall arrange to meet with ***APC*** staff to

review filing and design requirements. The petitioner shall bring to this meeting a proposed ***MHP/MHC*** or ***RVP/C*** plan drawn in sufficient detail so that staff can determine if design requirements are being met.

(b) For a request for ***MHP/MHC*** or ***RVP/C*** plan approval to be considered complete, the following items shall be presented to ***APC*** staff no less than 30 calendar days before the regular meeting at which the petitioner intends to have the request heard:

(1) a signed and notarized "Application for Approval of ***Mobile Home Park / Manufactured Home Community*** or ***Recreational Vehicle Park and Campground***" with metes and bounds legal description of the property for which approval is being sought; and if FP-zoned land is present, a metes and bounds legal description of that portion of the property situated at or above the ***regulatory flood elevation*** determined by 2-25-17-a or 2-25-17-b above, certified by a Registered Land Surveyor or Registered Professional Engineer.

(2) a signed and notarized "Affidavit of Consent" from the owner(s) of the property if the petitioner is not the owner;

(3) a non-refundable processing fee in the amount established by the ***APC*** for ***MHP/MHC*** or ***RVP/C*** plan approval;

(4) a list of names and addresses of all interested persons (all owners of property located adjacent to, and directly across the ***street***, ***alley*** or railroad ***right-of-way*** from the property named in the application), including the Auditor's Key Number for each interested person's property;

(5) 2 "Notices of Public Hearing on ***Mobile Home Park / Manufactured Home Community*** and ***Recreational Vehicle Park and Campground***" each with a metes and bounds description of the property for which approval is being sought, and 2 signed "Notice of Public Hearing Release Forms";

(6) a letter from the Indiana State Department of Health indicating review and approval of the proposed plans in compliance with *IC 16-41-27* and *Rules 410 IAC 6-6* and *327 IAC 8-8-1* for ***MHP/MHCs***, or *Rule 410 IAC 6-7* for ***RVP/Cs***, or their successors;

(7) for any ***RVP/C campsites*** proposed to be located within a ***floodway fringe***, certification from a Registered Land Surveyor or Registered Professional Engineer that none of the ***campsites*** would be located within the ***floodway*** established for that location by the Indiana Department of Natural Resources;(Amend 38)

(8) letters from the Tippecanoe County Highway Department, Health Department and Drainage Board indicating review and approval of the proposed plans, plus evidence that providers have

sufficient capacity and have approved the proposed plans regarding connection to public sewer and water supply systems;

(9) 10 sets of ***MHP/MHC*** or ***RVP/C*** plans, fulfilling all requirements of all agencies listed in 5-4-4-b-6 through 5-4-4-b-8 above; no deviations from minimum state standards shall be permitted;

(10) signatures indicating that a full set of ***MHP/MHC*** or ***RVP/C*** plans have been received by the County Sheriff, the appropriate fire department, the appropriate school corporation, and the Tippecanoe Soil and Water Conservation District. If these agencies wish to comment to ***APC*** staff on these plans, they shall do so within 2 weeks of having received them;

(11) surety, in a form consistent with the guidelines in Appendix B-4 below, if public improvements are to be installed either on-site or off-site; and

(12) written justification identifying a proposed **RVP/C** as either an *en route* or destination facility.

(c) A complete application for ***MHP/MHC*** or ***RVP/C*** plan approval shall be placed for public hearing on the ***APC***'s next regular meeting agenda. If the application is not placed on the next agenda because it is incomplete, ***APC*** staff shall notify the petitioner in writing of the application's deficiencies.

5-4-5 *MHP/MHC* AND *RVP/C* PLAN REQUIREMENTS:

A complete ***MHP/MHC*** or ***RVP/C*** plan is certified by a Registered Engineer or Architect licensed to practice in the State of Indiana and meets all the design standards of 5-4-6 or 5-4-7 below. (A Registered Land Surveyor may certify those portions of ***MHP/MHC*** plans that deal with gravity sanitary sewers, storm sewers and tile drains.) It contains all of the following elements:

(a) a cover sheet:

(1) a vicinity map drawn to an appropriate scale;

(2) the name of the proposed ***MHP/MHC*** or ***RVP/C***;

(3) a metes and bounds legal description of the area for which approval is being sought, including its location by quarter section, township and range, city, town or civil township;

(4) the name and address of the petitioner;

(5) the name, address and seal of the Registered Engineer, Architect or Land Surveyor certifying any parts of the plan; and

(6) the scale of the plan, north point, and date.

(b) an analysis of current conditions:

(1) boundary, ownership and zoning of the proposed site and all adjoining properties; if FP-zoned land is present, a metes and bounds legal description of that portion of the property situated at or above the ***regulatory flood elevation*** determined by 2-26-

17-a or 2-26-17-b above, certified by a Registered Land Surveyor or Registered Professional Engineer.

topography in intervals of not less than 1' and not more than 2';

(2) location of all ***structures*** with an indication of their current condition, both on site and on adjoining properties;

(3) location, dimensions and names of all dedicated ***public streets***, private ***streets***, and railroad and utility ***rights-of-way***, both on-site and adjacent to the site;

(4) location and size of all existing storm and sanitary sewers, water mains, electrical, gas, telephone and cable television lines, culverts, drainage tiles and underground facilities both on site and adjacent to the site;

(5) identification and location of soil types and vegetation;

(6) natural features, such as water courses, ponds, marshes, rock outcroppings, etc.; and

(7) for any ***RVP/C campsites*** proposed to be located within a ***floodway fringe***, certification from a Registered Land Surveyor or Registered Professional Engineer that none of the ***campsites*** would be located within the ***regulatory floodway*** established for that location by the Indiana Department of Natural Resources;

(c) a proposed ***site plan***:

(1) location, dimensions and names of all proposed ***streets***; internal ***streets*** shall be privately owned and maintained;

(2) location and dimensions by bearings and distances of all ***rights-of-way***, sidewalks, crosswalks, ***alleys*** and ***easements***;

(3) location, dimensions and area of all proposed ***MHP/MHC-lots*** if an ***MHP/MHC***, or of all proposed ***campsites*** if an ***RVP/C***; these are to be numbered consecutively; plus dimensions of the largest ***MH*** that will fit each proposed ***MHP/MHC-lot*** within the requirements of 5-4-6 below

(4) location of all proposed ***buildings*** or ***structures***, such as an office and community center, a storage facility, a laundry room, a ***swimming pool***, etc.;

(5) location and ***use*** of all land to be used in common by residents or temporary occupants;

(6) all ***MHP/MHC*** and ***MHP/MHC-lot setback*** lines; and

(7) all required buffering as per 4-9 above;

(d) a grading plan;

(e) a utility plan showing location and connection of all electrical, gas, telephone, cable, water, sanitary sewer and drainage facilities; all stormwater drainage facilities shall be privately owned and maintained; and

(f) plan and profile sheets of all proposed improvements, including ***streets*** (with typical cross-section showing pavement and sidewalk design) and the full range of underground utilities.

5-4-6 *MHP/MHC* DESIGN REQUIREMENTS:

The following design elements shall be incorporated into the proposed ***site plan*** of a complete proposed ***MHP/MHC*** plan:

(a) Minimum ***MHP/MHC*** area:
New ***MHP/MHC*** - 5 acres
Addition to existing ***MHP/MHC*** - no minimum

(b) Minimum ***MHP/MHC setbacks*** (within which no ***MHP/MHC-lots*** or ***structures*** shall be located):
Along a local ***street*** or ***place*** - 25'
Along a ***collector street*** - 30'
Along a ***secondary arterial*** - 40'
Along a ***primary arterial*** - 60'
Abutting a ***residential***, ***commercial***, ***industrial*** or ***rural zone*** - 20'

(c) Maximum height of ***structures*** - 25'

(d) Minimum parking - 2 paved ***parking spaces***, in a garage or not (Amend 15), per ***MHP/MHC-lot***, either on the ***lot*** or within 300' of the ***lot*** being served, meeting the standards of 4-6-15 above; on-street ***parking spaces*** may be substituted if an 8' paved parking lane is provided, in addition to the minimum ***street*** width requirement

(e) Minimum storage - 120 cu.ft. per ***MH*** in a separate ***building***, such as a shed, and/or storage under each ***MH*** secured and shielded from view (Amend 15)

(f) Minimum protection against severe weather - reinforced ***building(s)*** (such as combination of community ***building***, rental office, laundry, shower, restroom facilities) having an open floor area of at least 15 sq.ft. per ***MHP/MHC-lot***

(g) Minimum ***MHP/MHC-lot area*** - 2500 sq.ft.

(h) Minimum ***MHP/MHC-lot width*** - 30'

(i) Maximum ***MHP/MHC-lot coverage*** by ***MH*** - 45%

(j) Minimum ***MHP/MHC-lot vegetative cover*** - 30%

(k) Minimum ***MHP/MHC-lot setbacks*** (including any expanded portion of the ***MH***):
Along a ***front lot line***:
internal ***street*** without sidewalk - 15' from pavement edge (or back of curb where required)
internal ***street*** with sidewalk - 12' from sidewalk edge
Along a ***rear lot line***:
***mobile home*/manufactured home** - 15'
accessory building - 6'
Along a ***side lot line*** - 6'

(l) Minimum distance between ***MHP/MHC-lot line*** and any off-lot ***building*** or ***structure*** - 15'

(m) Internal ***streets*** (all ***MHP/MHC-lots*** shall have direct access to an internal ***street***; there can be no direct access to a ***public street*** except at points of entry/exit to/from the ***MHP/MHC***):

Minimum 1-way pavement width - 12'
Minimum 2-way pavement width - 24'
Minimum additional pavement width for parking lane - 8'
Maximum dead end ***street*** length - 150'
Minimum turnaround pavement diameter - 60'
Minimum paved sidewalk - at least 1 side of each ***street***, and connecting to all common facilities
Minimum paved sidewalk width - 3'
Minimum curb and gutter - where required by the County Surveyor to properly carry surface water, 2' on each side in addition to the minimum street width requirement

(n) Minimum lighting - 0.3 ***footcandles*** on ***streets*** and walkways, or individual yard lights on each ***MHP/MHC-lot*** with illumination equivalent to at least a 40 watt incandescent bulb

(o) Minimum buffering - see 4-9-3 above.

5-4-7 *RVP/C* DESIGN REQUIREMENTS:

The following design elements shall be incorporated into the proposed ***site plan*** of a complete proposed ***RVP/C*** plan:

(a) Minimum ***RVP/C*** area:
New ***RVP/C*** - 5 acres
Addition to existing ***RVP/C*** - no minimum

(b) Minimum ***RVP/C setbacks*** (within which no ***campsites*** or ***structures*** shall be located):
Along a ***local street*** or ***place*** - 25'
Along a ***collector street*** - 30'
Along a ***secondary arterial*** - 40'
Along a ***primary arterial*** - 60'
Abutting a ***commercial***, ***industrial*** or ***rural zone*** - 20'
Abutting a ***residential zone*** - 40'

(c) Maximum height of ***structures*** - 25'

(d) Minimum parking - 1 ***parking spaces*** per ***campsite***, plus a separate parking area for guests and visitors at a ratio of 1.5 spaces per campsite

(e) Minimum protection against severe weather - reinforced ***building(s)*** (such as combination of community ***building***, rental office, laundry, shower, restroom facilities) having an open floor area of at least 15 sq.ft. per ***campsite***

(f) Minimum ***campsite*** width - 22'
(g) Minimum distance between ***campsite*** and any adjacent ***building*** or ***structure*** - 15'
(h) All ***campsites*** shall have direct access to an internal ***street***; there can be no direct access to a ***public street*** except at points of entry/exit to/from the ***RVP/C***.
(i) Minimum buffering - see 4-9-3 above.

5-4-8 MHP/MHC RESTRICTION:

The owner, occupant or lessor of a **mobile home** in a **mobile home park/manufactured home community**, shall not build any permanent additions that attach to that **mobile home** that would add to the living space within.

5-5 *HOME OCCUPATIONS* AND *RURAL HOME OCCUPATIONS*

5-5-1 INTENT:

(a) This section authorizes as ***home occupations*** and ***rural home occupations*** all ***uses*** that conform to its standards. In general, a ***home*** or ***rural home occupation*** is an ***accessory use*** located and conducted in such a way that neighbors, under normal circumstances, would be unaware of its existence except for a ***sign*** as permitted in 4-8 above. To establish whether a proposed ***accessory use*** qualifies as a ***home*** or ***rural home occupation***, standards have been set to ensure compatibility with permitted ***uses***, to maintain neighborhood character (whether urban or rural, residential or agricultural), and to clearly indicate a status that is secondary or incidental to an existing and occupied ***dwelling unit***.
(b) Because compatibility with permitted ***uses*** and neighborhood character vary considerably with location and zoning, this section distinguishes between what may be suited to all living environments and what may be uniquely suited to agricultural settings. Thus ***home occupations*** conforming to the requirements of 5-5-2 through 5-5-4 below, are permitted in any non-rural ***zone*** which authorizes the ***dwelling unit*** to which the ***home occupation*** is accessory, in A, AA and AW ***zones*** on ***lots*** up to 2 acres in area, and on all residential ***lots*** in RE ***zones***; ***rural home occupations*** conforming to the requirements of 5-5-5 through 5-5-7 below, are permitted as an ***accessory use*** on rural-zoned ***lots***, other than those zoned RE, larger than 2 acres in area (Amend 27).

5-5-2 *HOME OCCUPATION USE* REQUIREMENTS:

In addition to all other requirements applicable in the ***zone*** in which located, all ***home occupations*** are subject to the following:

(a) No alteration shall be made to the exterior of the ***primary use building*** or to the ***lot*** which changes the residential character of that ***building*** or ***lot***.

(b) The operator of a ***home occupation*** shall be a resident of the ***dwelling unit*** and no employees are allowed who are not residents of that ***dwelling unit***.

(c) A ***home occupation*** shall not involve construction features or the use of any electrical or mechanical equipment or combustible materials any of which would change the fire separation requirements of the ***primary use building***.

(d) There can be no activity or storage of any kind related to the ***home occupation*** outside the ***primary use building***.

(e) A ***home occupation*** shall provide an additional off-street ***parking area*** adequate to accommodate needs created by the ***home occupation***. This area shall contain at least 1 ***parking space***, which shall be in addition to the ***parking spaces*** required for the ***dwelling unit***. This ***parking space*** shall be provided on the same ***lot*** as the ***home occupation***, and may be located in the ***front setback*** (but not in the ***right-of-way***).

(f) A ***home occupation*** shall not create noise, dust, vibration, smell, smoke, glare, electrical interference, fire or chemical hazard, traffic hazard, or any other hazard or nuisance to any greater or more frequent extent than would be expected from a normally occupied ***dwelling unit*** in that ***zone*** that has no ***home occupation***.

(g) Except for articles grown or crafted on the premises, no stock in trade shall be displayed, stored, or sold. A ***home occupation*** is neither a retail nor wholesale establishment.

5-5-3 PERMITTED *HOME OCCUPATIONS*:

(a) ***Home occupations*** may include, but are not necessarily limited to the following:

(1) Artist or sculptor;
(2) Author or composer;
(3) Dressmaker, seamstress or tailor;
(4) One-station barber or beauty shop;
(5) Computer programmer and business consultant;
(6) Home craft, such as model making, rug weaving, lapidary work, cabinet and furniture making, antique restoration, and furniture upholstering;
(7) Office facility of a member of the clergy;

(8) Office facility of a sales representative, salesperson, or manufacturer's representative, provided that no retail or wholesale goods are stored or exchanged;
(9) Office facility of an accountant, architect, artist, broker, engineer, insurance agent, land surveyor, lawyer, musician, real estate agent, telecommuter, or member of the recognized counseling professions;
(10) Class of special instruction whose class size does not exceed 4 pupils and not more than 1 class per day, or group counseling session whose group size does not exceed 5 clients and not more than 1 session per day;
(11) Individual instruction;
(12) Individually ordered and/or customized items only (but no stock in trade) (Amend 5); and
(13) Office facility of a building contractor (Amend 10).

(b) A ***home occupation*** that is not listed in 5-5-3-a above, may be permitted by an ***Administrative Officer*** upon a finding that its characteristics are:
(1) consistent with the purpose and description of the ***zone*** as per Chapter 2 of this ordinance; and
(2) compatible with the permitted ***primary uses*** in the ***zone*** regarding hours of operation, traffic generation, outdoor lighting, and noise, vibration, dust, odor, glare and heat producing properties.

(c) If an ***Administrative Officer*** determines that a ***home occupation*** no longer meets the requirements of 5-5-2 above, the ***Administrative Officer*** shall require such changes that are necessary to bring it back into compliance with those requirements.

5-5-4 PROHIBITED *HOME OCCUPATIONS*:

For reasons of incompatibility with permitted ***uses***, and/or violations of neighborhood character, permitted ***home occupations*** shall not include the following:
(a) Antique shop;
(b) Automobile, truck or motorcycle service, repair, salvage, customizing or restoration;
(c) Barber or beauty shop with 2 or more stations;
(d) Gift shop;
(e) Physician, dentist, optometrist, podiatrist, chiropractor, naturopathic doctor, hypnotherapist, acupuncturist, or any medical or dental clinic, office, or hospital;
(f) Restaurant, bakery or catering service;
(g) ***Kennel***;
(h) Veterinarian or any veterinary clinic, office, or hospital;

(i) Welding shop;
(j) ***Bed and breakfast***, tourist home or boarding home; and
(k) Other activities having similar characteristics.

5-5-5 *RURAL HOME OCCUPATION USE* REQUIREMENTS:

Rural home occupations are permitted in any ***dwelling unit*** or any ***accessory building*** to a ***dwelling unit*** which is normally associated with a residential or agricultural ***use***, and which is located on a lot 2 acres or larger in area and in a ***rural zone*** other than RE (Amend 27). In addition to all other requirements applicable in the ***rural zone*** in which located, all ***rural home occupations*** are subject to the following:

(a) No alteration shall be made to the exterior of the residential ***primary use building*** which changes the residential character of that ***building***, nor shall any alterations be made to the ***lot*** which changes the agricultural character of that ***lot***.
(b) The operator of a ***rural home occupation*** shall be a resident of the ***dwelling unit*** and not more than 1 employee shall be allowed who is not a resident of that ***dwelling unit***.
(c) A ***rural home occupation*** shall not involve construction features or the use of electrical or mechanical equipment or combustible materials that would change the fire separation requirements of the ***primary use building***.
(d) Except as noted in 5-5-6 below, there can be no activity related to the ***rural home occupation***, other than storage, outside any ***primary use*** or ***accessory use building,*** except for seasonal ***farm*** roadside stands selling produce. (Amend 34 and Amend 47)
(e) A ***rural home occupation*** shall provide an additional off-street ***parking area*** to accommodate needs created by the ***rural home occupation***. This ***parking area*** shall contain at least 2 ***parking spaces***, which shall be in addition to the ***parking spaces*** required for the ***dwelling unit***, and which shall be provided on the same ***lot*** as the ***rural home occupation***.
(f) A ***rural home occupation*** shall not create noise, dust, vibration, smell, smoke, glare, electrical interference, fire or chemical hazard, traffic hazard, or any other hazard or nuisance to any greater or more frequent extent than is characteristic of the location.
(g) No stock in trade shall be displayed, stored, or sold except for:
    (1) articles grown or crafted on the premises, (Amend 5) and
    (2) crops classified in SIC group 01 produced off the premises.

Such a ***rural home occupation*** is not classified as a retail or wholesale establishment. (Amend 34)

5-5-6 PERMITTED *RURAL HOME OCCUPATIONS*:

(a) ***Rural home occupations*** may include, but are not necessarily limited to the following:

(1) All ***home occupations*** permitted under 5-5-3 above;
(2) Agricultural equipment repair;
(3) Automobile, truck or motorcycle service, repair, customizing or restoration;
(4) Farm produce sales;
(5) Office facility of a physician, dentist, optometrist, podiatrist, chiropractor, naturopathic doctor, hypnotherapist or acupuncturist;
(6) Office facility of 1 veterinarian;
(7) Barber shop or beauty parlor;
(8) Small engine repair;
(9) Welding shop;
(10) Individually ordered and/or customized items only (but no stock in trade) (Amend 5);
(11) Veterinary clinic or hospital (Amend 5); and
(12) Office facility of a building contractor (Amend 10). Outside storage of equipment and/or materials associated with SIC 15 and 17 is permitted and must comply with the buffering requirement of 4-9-9 above (Amend 40) and also the setback requirement of 4-4-11. Outside storage of equipment and/or materials for uses associated with SIC 16 is not permitted, and all equipment and/or materials on such lot shall be stored inside a building. (Amend 47)

(b) A ***rural home occupation*** that is not listed in 5-5-6-a above, may be permitted by an ***Administrative Officer*** upon a finding that its characteristics are:
(1) consistent with the purpose and description of the ***zone*** as per Chapter 2 of this ordinance; and
(2) compatible with the permitted ***primary uses*** in the ***zone*** regarding hours of operation, traffic generation, outdoor lighting, and noise, vibration, dust, odor, glare and heat producing properties.

(c) If an ***Administrative Officer*** determines that a ***rural home occupation*** no longer meets the requirements of 5-5-5 above, the ***Administrative Officer*** shall require such changes that are necessary to bring it back into compliance with those requirements.

5-5-7 PROHIBITED *RURAL HOME OCCUPATIONS*:

For reasons of incompatibility with permitted ***uses***, and/or violations of neighborhood character, permitted ***rural home occupations*** will not include at least the following:
(a) Antique shop;
(b) Automotive salvage, ***junk yard***, or scrap metal yard;
(c) Gift shop;
(d) Medical clinic or hospital;

(e) Restaurant;
(f) ***Kennel***; and (Amend 5: omit original (g) Veterinary clinic or hospital)
(g) Tourist and/or boarding home.

5-6 *GARAGE SALES*

5-6-1 INTENT:

It is the intent of this section to permit residents to conduct ***garage sales*** that are neither an on-going nuisance to neighbors, nor a threat to retailers who are restricted to ***commercial zones***.

5-6-2 RESTRICTIONS:

(a) Up to 2 ***garage sales*** may be conducted in any calendar year on a premises located in any ***residential zone***, or at any ***residence*** located in any nonresidential ***zone***.
(b) A ***garage sale*** shall not be conducted for more than 3 consecutive days, and only during daylight hours.
(c) **(LAFAYETTE, WEST LAFAYETTE, DAYTON, BATTLE GROUND, CLARKS HILL)** Before a ***garage sale*** can be conducted, the owner or occupier of the premises shall obtain a permit from the appropriate ***Administrative Officer***. The address, dates and times of the ***garage sale*** shall be specified on the permit. The permit shall be prominently displayed during the entire ***garage sale***.
(d) All items offered at a ***garage sale*** shall be the personal property of the owner or occupier of the premises or the group he/she represents, and if new, shall not have been purchased specifically for resale at the ***garage sale***.
(e) All outdoor evidence indicating that a ***garage sale*** has been conducted shall be removed within 3 hours of the closing time indicated on the permit. That includes sale items, display surfaces and posted notices.

5-7 CONSTRUCTION ON LAND FILL PLACED WITHIN THE *FLOODWAY FRINGE*

If a ***residential*** or nonresidential ***building*** is to be constructed on permanent land fill that raises the elevation of land out of the ***floodway fringe***, the fill shall be placed in layers no greater than 1' deep before compacting to 95% of the maximum density obtainable with the Standard Proctor Test method. The result of this procedure shall be certified by a Registered Land Surveyor or Professional Engineer at the time the land is certified as being out of the ***floodway fringe***.

6 ADMINISTRATION

6-1 *ADMINISTRATIVE OFFICERS* (Amend 22)

(a) The ***Administrative Officer*** is the person or persons within each member jurisdiction with the principal responsibility for enforcing this ordinance within that jurisdiction.

(b) Within each member jurisdiction, the following person is designated the ***Administrative Officer***:

(1) City of Lafayette: the City Engineer;

(2) City of West Lafayette: the City Engineer;

(3) Unincorporated Tippecanoe County:

(A) The County Building Commissioner whose duties and responsibilities are those set forth in *Indiana Code* or in this Ordinance involving the issuance, denial or conformity with an ***improvement location permit***, or ***Certificate of Compliance*** or Occupancy Permit or request for a ***special exception*** and the determination of violations related thereto;

(B) The County Zoning Enforcement Officer whose duties and responsibilities are those set forth in *Indiana Code* or this Ordinance involving permitted ***uses*** in ***zones*** and violations of standards set forth in this Ordinance in Chapters 2, 3, 4 and 5;

(4) Town of Dayton: the ***APC Executive Director***;

(5) Town of Battle Ground: the ***APC Executive Director***;

(6) Town of Clarks Hill: the ***APC Executive Director***.

(c) An ***Administrative Officer***'s decision within the context of this ordinance can be appealed only to the Area Board of Zoning Appeals, as per 6-4-1-d below, by any person adversely affected by that decision.

(d) The duties that this ordinance assigns to an ***Administrative Officer*** may also be carried out by his/her designee.

6-2 PERMITTING PROCESS

6-2-1 *IMPROVEMENT LOCATION PERMITS*:

(a) It is unlawful to begin the following types of projects before an ***improvement location permit*** has been issued by the appropriate ***Administrative Officer***:

(1) construction of a new ***primary use building***, ***accessory building*** or other ***structure***;

(2) demolition of a ***primary use building***, ***accessory building***, ***sign*** or other ***structure***;
(3) any ***structural alteration*** involved in the expansion, enlargement, conversion or repair of an existing ***primary use building***, ***accessory building*** or other ***structure***;
(4) placement, construction, erection or modification of any type of ***sign*** identified with a letter "P" in the table in 4-8-4 above;
(5) moving an existing ***primary use building***, ***accessory building***, ***sign*** or ***structure*** from one location to another either on the same ***lot*** or to another;
(6) construction of decks and above-ground or in-ground ***swimming pools***; and
(7) change the condition of the land for any ***use*** other than those included in SIC Groups 01 (Agricultural production -- crops), 02 (Agricultural production -- livestock), and 08 (Forestry.), unless construction plans have been approved under the *Unified Subdivision Ordinance* or drainage plans have been approved by the appropriate jurisdiction.

(b) However, an ***improvement location permit*** is not required for:
(1) a fence;
(2) interior or exterior maintenance that does not require ***structural alteration***;
(3) reroofing that does not require ***structural alteration***;
(4) landscaping, except as required by this or any other ordinance; and
(5) a portable or mobile storage shed up to 120 square feet in area.

(c) A complete application for an ***improvement location permit*** shall include:
(1) either the signature of the property owner or the owner's notarized consent;
(2) copies of a ***site plan*** drawn to scale, in conformance with 6-2-5 below;
(3) a filing fee, as per 6-2-6 below;
(4) a letter from ***ABZA*** that a ***special exception*** has been granted as per 6-4-4 below, if the ***Administrative Officer*** has determined that 3-2 above requires one for the proposed ***use***;
(5) a written statement of compliance with the Industrial Performance Standards, certified by a Registered Professional Engineer, for any land ***use*** activity in SIC Groups 20-39 in an I1, I2 or I3 ***zone***, as per 6-2-7 below; and

(6) evidence of compliance with any other applicable regulations, ordinances or statutes.

(d) Within 10 working days of determining that the application is complete, the ***Administrative Officer*** shall either:

(1) issue the ***improvement location permit***; or

(2) issue a written statement as to the deficiencies of the application, which may be appealed to the ***ABZA***, as per 6-4-6 below; or

(3) deny the ***improvement location permit*** and provide the petitioner a list of the application's deficiencies, which may be appealed to the ***ABZA***, as per 6-4-6 below

(e) **(LAFAYETTE)** Sixty calendar days after determining that the application for demolition of an ***historic building*** is complete as per 6-2-1-c above, the ***Administrative Officer*** shall within 10 working days:

(1) issue the ***improvement location permit***;

(2) issue a written statement as to the deficiencies of the application, which may be appealed to the ***ABZA***, as per 6-4-6 below; or

(3) deny the ***improvement location permit*** and provide petitioner a list of the application's deficiencies, which may be appealed to the ***ABZA***, as per 6-4-6 below. (Amend 11)

(f) It is the responsibility of the ***Executive Director*** to issue all ***improvement location permits*** for ***MHP/MHCs***, regardless of jurisdiction. (Amend 11)

6-2-2 PROCEDURES FOR REMEDYING DEFICIENT APPLICATIONS:

(a) If the ***Administrative Officer*** determines that the application fails to comply with all provisions of this ordinance, the Unified Subdivision Ordinance, the Thoroughfare Plan or any other applicable regulations, ordinances or statutes, and denies the permit, he/she shall not lawfully issue either an ***improvement location permit*** or a ***certificate of compliance***. The ***Administrative Officer*** shall advise the petitioner of these deficiencies as per 6-2-1-d above.

(b) Once advised of deficiencies, the petitioner may either:

(1) revise and resubmit an ***improvement location permit*** application that does conform with all provisions of this ordinance, the *Unified Subdivision Ordinance*, the *Thoroughfare Plan* and any other applicable regulations, ordinances or statutes; or

(2) try to remedy the deficiencies through the ***variance*** processes in 6-4-5 below, through the land division processes established in the *Unified Subdivision Ordinance*,

or through any other processes associated with other applicable regulations, ordinances or statutes, and if successful, resubmit.

Resubmission of an ***improvement location permit*** application shall be made within a reasonable time period, as specified by the ***Administrative Officer***.

(c) A resubmitted ***improvement location permit*** application is subject to all requirements and time constraints applied to new applications in 6-2-1-c and 6-2-1-d above, except that there will be no new filing fee.

(d) When the ***Administrative Officer*** determines that all deficiencies are eliminated or corrected, the ***Administrative Officer*** shall issue an ***improvement location permit*** as per 6-2-1-d above.

6-2-3 *CERTIFICATES OF COMPLIANCE*:

(a) The ***Administrative Officer*** shall make a final inspection of the premises at which work has been authorized by an ***improvement location permit*** within 10 working days of being notified of the completion of that work. The ***Administrative Officer*** shall then issue a ***certificate of compliance*** if the work conforms to:

(1) all provisions of this ordinance, the *Unified Subdivision Ordinance*, the *Thoroughfare Plan* and any other applicable regulations, ordinances and statutes; and

(2) all plans submitted with the application for an ***improvement location permit***.

No ***use*** or occupancy of the premises shall be made until this ***certificate of compliance*** has been issued. An ***Administrative Officer*** may issue a provisional ***certificate of compliance*** when he/she determines one to be warranted.

(b) Except as indicated below in 6-2-3-d, any change in ***use*** from one permitted ***primary use*** to any other permitted ***primary use***, as listed in 3-2 above, requires a ***certificate of compliance***, whether or not an ***improvement location permit*** is needed.

(c) The ***Administrative Officer*** shall inspect the premises at which a change of ***use*** only has been made within 10 working days of being notified of that change. The ***Administrative Officer*** shall then issue a ***certificate of compliance*** if the change of ***use*** conforms to all provisions of this ordinance. No ***use*** or occupancy of the premises shall be made until the ***certificate of compliance*** has been issued.

(d) If no ***improvement location permit*** is required, a change in ***use*** only, within any one of the following permitted ***primary uses*** or from one to any other of these ***primary uses*** does not require a ***certificate of compliance***:

(1) 01 Agricultural production -- crops;
(2) 02 Agricultural production -- livestock; and
(3) 08 Forestry.

6-2-4 ADDITIONAL PROVISIONS:

(a) An ***improvement location permit*** expires and becomes null and void if:

(1) **(LAFAYETTE, WEST LAFAYETTE)** the work authorized by the permit is not begun within 120 days of its issuance;
(TIPPECANOE COUNTY, BATTLE GROUND, CLARKS HILL, DAYTON) the work authorized by the permit is not begun within 1 year of its issuance;

(2) **(LAFAYETTE, WEST LAFAYETTE)** the work authorized by the permit is suspended or abandoned for 6 months (Amend 31); or
(TIPPECANOE COUNTY, BATTLE GROUND, CLARKS HILL, DAYTON) the work authorized by the permit is suspended or abandoned for 6 months; or

(3) **(LAFAYETTE, WEST LAFAYETTE)** the work authorized by the permit is not completed within 1 year of its issuance;
(TIPPECANOE COUNTY, BATTLE GROUND, CLARKS HILL, DAYTON) the work authorized by the permit is not completed within 2 years of its issuance;

unless specifically extended by the ***Administrative Officer*** upon good cause being shown. (Amend 7)

(b) A ***certificate of compliance*** shall not be issued once an ***improvement location permit*** expires, unless that permit has been specifically extended by the ***Administrative Officer***. (Amend 52)

(c) Any ***improvement location permit*** or ***certificate of compliance*** issued in conflict with any of the provisions of this ordinance is null and void.

(d) The ***Administrative Officer*** may require a contractor to provide a survey of footings before proceeding with further construction.

(e) A record of each ***improvement location permit*** and ***certificate of compliance*** shall be kept by the ***Administrative Officer***.

(f) An ***Administrative Officer*** shall not issue an ***improvement location permit*** until entrances have been approved under 4-7 above (and a driveway permit issued if that is the jurisdiction's procedure).

(g) **(LAFAYETTE)** Notwithstanding 6-2-1-d above, an ***Administrative Officer*** shall not issue an ***improvement location permit*** for demolition of an ***historic building*** for 60 calendar days after *the* ***improvement location permit*** application is complete as per 6-2-

1-c. During such 60 day period, notice of the proposed demolition shall be given as established under *Section 32.126 (B) (3) (b) and (c)* of the *Lafayette Municipal Code.* (Amend 11)

6-2-5 *SITE PLAN* REQUIREMENTS:

A person applying for an ***improvement location permit*** under 6-2-1 above, shall furnish the ***Administrative Officer*** with copies of a ***site plan*** consisting of dimensioned drawings. The ***Administrative Officer*** will determine the number of copies required to be submitted.

(a) COMMON ELEMENTS:

Site plan requirements vary according to the proposed ***use*** of the site and work to be done. Those listed in this subsection are common to all submissions, other than those falling under 6-2-5-h below. Additional requirements for specific kinds of improvements are listed in 6-2-5-b through 6-2-5-g below. The common elements, where applicable, are:

(1) the direction north shown by an arrow;

(2) the address of the site as assigned; if located in a ***subdivision***: the ***subdivision*** name, section number and ***lot*** number; if not: the recorded legal description either attached to or incorporated within the ***site plan***;

(3) all site boundaries and dimensions;

(4) the name, type of surface and ***right-of-way*** width of all on-site and adjacent ***streets***, ***alleys*** and ***easements***, plus private drives and interior access ***roads***;

(5) the location and horizontal and vertical dimensions of all existing and proposed ***structures***, with each part appropriately labeled "existing" or "proposed";

(6) the ***use*** and occupancy status of all existing and proposed ***structures***, with ***structures*** to be removed indicated as such;

(7) the distance of all proposed ***structures*** from all ***front, rear and side lot lines***, measured from the point where the ***structure*** or its foundation is nearest the ***lot line***;

(8) the percentage of ***lot coverage*** by all ***buildings*** and the percentage of ***vegetative cover***;

(9) the location and nature of all existing and proposed utilities;

(10) the location, elevation and condition of all on-site and related off-site drainage facilities, culverts, sewers and ditches;

(11) the location of all existing and proposed individual sewage disposal systems on-site (showing septic tank and fingers), and within 100' of the ***lot lines***;

(12) the names and locations of all existing on-site or adjacent pipes, tiles, drains, legal ditches or streams;

(13) the location, dimensions, rate of slope, and surface material of proposed and existing driveways and access ***roads*** including width at the ***right-of-way*** line (***lot line***); plus a detail of the driveway connection to the ***street*** or ***alley***, showing curb radius or tapers and culvert pipe if needed;

(14) if a ***bufferyard*** is required, a landscape plan indicating compliance with all requirements of 4-9 above;

(15) if the site is located within a ***PD zone***:

(A) proof of compliance with the adopted and recorded Final Detailed Plan; and

(B) proof of compliance with all applicable conditions of the PD zoning approval;

(16) if the site lies within or adjacent to an FP ***zone***:

(A) the ***flood plain*** boundary and 100-year ***flood elevation*** (as determined by the Indiana Department of Natural Resources, Division of Water, or by the ***Executive Director*** from ***Flood Insurance Rate Maps*** where available) as part of the legal description, certified by a Registered Land Surveyor or Registered Professional Engineer, or alluvial soils shown on the US Department of Agriculture, Soil Conservation Service maps;

(B) the ***flood protection grade***; and

(C) the lowest floor elevation of all proposed ***structures***; and

(17) any other materials that the ***Administrative Officer*** requires to ensure compliance with any other applicable regulations, ordinances or statutes.

(b) ***SINGLE-* OR *TWO-FAMILY RESIDENCES*:**

In addition to the requirements of 6-2-5-a above, a ***site plan*** involving a ***single-*** or ***two-family residence*** (including a ***manufactured home***), or a ***mobile home*** shall, where applicable, include:

(1) the floor area of the ***residence***, in square feet;

(2) all dimensions of any attached or freestanding garage, shed, porch, deck, fireplace, bay or box window, second floor cantilever, etc.;

(3) the location of all existing and proposed wells on the property and within 100' of the ***lot lines***; and the location of all water lines within 50' of any individual sewage disposal system;

(4) a site grading plan showing any change in topography and/or the location and nature of any proposed filling or excavation of drainage swales;
(5) the location and dimensions of all exterior heating and/or cooling systems, whether above or below ground;
(6) the location and dimensions of any ***swimming pool*** to be constructed, including fencing; and
(7) the year of manufacture for any ***manufactured home*** being sited.

(c) COMMERCIAL, INDUSTRIAL OR *MULTI-FAMILY DEVELOPMENT*:

In addition to the requirements of 6-2-5-a above, a ***site plan*** involving a commercial, industrial or ***multi-family development*** shall, where applicable, include:

(1) accurate horizontal dimensions of proposed ***canopies***, overhangs, covered walks and related ***structures***;
(2) the type, size, height and spacing of all lighting and all landscaping, including grassed areas, screens, walls and existing and proposed fences;
(3) all off-street ***parking areas***, including surface materials, dimensions of ***parking spaces***, driveways and ***maneuvering aisles***;
(4) all off-street ***loading berths***, individual spaces or areas and ***maneuvering aisles***, including their dimensions, and details of materials to be used in their construction;
(5) the location and dimensions of any other paved areas;
(6) a delineation of all outside operations, storage areas and trash receptacles;
(7) the number of existing and/or new employees, number of seats, sleeping units, auto stacking service lanes, etc.;
(8) the location and dimensions of all existing and proposed ***signs***;
(9) the location of the center line of all ***streets***, ***alleys*** and railroads within 500' of the site, and dimensions to the ***right-of-way*** lines (within 100' in Lafayette and West Lafayette);
(10) an entrance detail indicating cross-sections for new pavement, widening, curbs, auxiliary lanes and/or tapers in the ***right-of-way***;
(11) existing elevations based on preliminary field investigations and available contour maps; and
(12) elevations that will stand as final grading plans for construction, including finished floor elevation.

(d) AGRICULTURAL *BUILDING* OR *STRUCTURE*:

A ***site plan*** involving an agricultural ***building*** or ***structure*** shall meet the requirements of 6-2-5-a above, where applicable.

(e) *SIGNS*:

Placement, construction, erection or modification of any type of ***sign*** identified with a letter "P" in the table in 4-8-4 above requires its own ***improvement location permit***, called a sign permit. This sign permit is applied for separately from any other ***improvement location permit*** for work at that site. In addition to the requirements of 6-2-5-a and 6-2-5-c above, a ***site plan*** involving one or more ***signs*** shall, where applicable, include:

(1) the location, size and height (computed as per 4-8-2 above) of all existing ***signs*** on site;

(2) the location, size, height (computed as per 4-8-2 above), design and structure of the proposed ***sign*** or ***signs***; and

(3) the legal speed limit along the full length of the ***sign-lot***'s ***street frontage***, or if there is no ***street frontage***, of the adjoining ***road*** from which the ***primary use*** derives vehicular access, as per 4-8-5 Footnote 1.

Before placing a ***temporary sign***, a temporary sign permit, as per 4-8-13-b above, is required. (Amend 40)

(f) OFF-SITE PARKING:

In addition to the requirements of 6-2-5-a above, a ***site plan*** involving off-site parking shall, where applicable, include:

(1) the location, number and dimensions of all ***parking spaces***, curb cuts, driveways and ***maneuvering aisles***;

(2) specification of surface material; and

(3) if the off-site parking is needed to meet parking requirements, a signed and recorded commitment from the owner of the site committing its permanent ***use*** as required parking.

(g) *PRIMARY* OR *ACCESSORY COMMUNICATIONS TOWERS*:

In addition to the requirements of 6-2-5-a and 6-2-5-c above, a ***site plan*** involving a ***primary*** or ***accessory communications tower*** shall, where applicable, include:

(1) the nature, location, size and height of the tower; and

(2) any guy wire anchors.

(h) OTHERS:
Requirements for ***site plans*** that do not fall into any of the above categories will be determined by the ***Administrative Officer***.

6-2-6 FILING FEE:

(a) The filing fee for an ***improvement location permit*** is $10. It is not refundable. The filing fee for an ***improvement location permit*** for demolition is $10. (Amend 2)

(b) Member jurisdictions may each, by separate ordinance, establish a schedule of other permit, inspection and similar fees to be collected at the beginning of, during or at the completion of the permitting process.

(c) If work has been started on a type of project listed in 6-2-1-a above without benefit of an ***improvement location permit***, the filing fee for that ***improvement location permit*** is $20. (Amend 2)

6-2-7 ADDITIONAL REQUIREMENTS FOR LAND *USE* ACTIVITY IN SIC GROUPS 20-39 IN I1, I2 AND I3 *ZONES*:

As per 4-10-2 above, an ***improvement location permit*** application for land ***use*** activity in SIC Groups 20-39 in an I1, I2 or I3 ***zone*** shall be accompanied by a written statement of compliance certified by a Registered Professional Engineer. The statement shall indicate how the proposed activity will meet the Industrial Performance Standards detailed in 4-10-3 through 4-10-7 above, regarding:

(a) air pollution;
(b) glare and heat;
(c) vibration;
(d) noise; and
(e) fire and explosive hazards.

6-2-8 ADDITIONAL REQUIREMENTS FOR COMMUNICATIONS TOWERS:

(a) An ***improvement location permit*** application for a ***primary*** or ***accessory communications tower*** shall include statements from the Federal Aviation Administration, Federal Communications Commission, and Indiana Department of Transportation - Division of Aeronautics that the proposed construction or alteration complies with applicable regulations administered by those agencies, or that the proposed construction or alteration is exempt from those regulations.

(b) If any applicable agency fails to provide a requested statement after the petitioner makes a timely, good-faith effort to obtain it, the application will be considered complete.

6-2-9 ADDITIONAL REQUIREMENTS FOR RURAL OUTDOOR SIGNS (Amend 29):

(a) The filing fee in 6-2-6-a and 6-2-6-c also applies to permit applications for ***rural outdoor signs***; except that there shall be no filing fee for a political subdivision or for a not-for-profit agency primarily engaged in offering emergency services to the public. (Amend 47)

(b) If approved, a permit fee of $10 per *sign* shall be assessed prior to issuing any ***improvement location permit*** for a ***rural outdoor sign***; except that there shall be no permit fee for a political subdivision or for a not-for-profit agency primarily engaged in offering emergency services to the public. (Amend 47)

(c) The process for issuing a ***rural outdoor sign*** permit shall be as found in 6-2-1 and 6-2-2.

(d) Each ***rural outdoor sign*** shall display its permit number with date of activation and expiration;

(e) When the required information regarding permit number and activation and expiration dates is missing or illegible, the ***improvement location permit*** authorizing that ***rural outdoor sign*** is void.

6-3 ENFORCEMENT

6-3-1 GENERAL PROVISIONS:

(a) Any person may bring an action to enjoin the violation of this ordinance by suit filed in Tippecanoe County circuit or superior court.

(b) The Area Board of Zoning Appeals or any ***Administrative Officer***, by mandatory injunction in Tippecanoe County circuit or superior court against the owner and/or possessor of the real estate, may require either:

(1) the removal of a ***structure*** erected in violation of this ordinance; or

(2) the removal of any ***use*** or condition created in violation of this ordinance.

(c) A ***structure*** erected, raised or connected, or real estate or premises used in violation of this ordinance or any regulation adopted thereunder, is hereby declared to be a common nuisance. The owner and/or possessor is then liable for maintaining a common nuisance.

(d) Any owner and/or possessor of real estate who:

(1) violates, or who permits a violation of any provision of this ordinance; or

(2) who fails to comply with any requirements of this ordinance; or

(3) who builds, reconstructs, or structurally alters a ***building*** or ***structure*** in violation of a detailed statement or plan for

which an approval or grant is given under this ordinance shall be fined between $100 and $1500 for each judgment of violation or failure to comply. Each day that the violation or failure to comply is permitted to exist will constitute a separate violation. In addition to the penalties provided herein, the Area Board of Zoning Appeals or the Administrative Officer bringing this action may recover reasonable attorney's fees, court costs, and other expenses of litigation by appropriate suit at law against the owner and/or possessor of real estate found to have violated this ordinance or any orders or permits issued hereunder.(Amend 39)

(e) Any action permitted to be commenced under this section against any owner and/or possessor of real estate, may also be brought against the owner of any personal property who has furnished that property or permitted it to be placed on real estate in a manner which results in any violation of this ordinance.

6-3-2 INDUSTRIAL PERFORMANCE STANDARDS:

The ***Administrative Officer*** will investigate any reported violation of the Industrial Performance Standards in 4-10 above. If a violation is found, a copy of the findings will be forwarded to the owner or operator of the activity. If the participating jurisdiction does not have the equipment or expertise to measure and evaluate a specific complaint, it may contract with another agency or an independent expert to perform the necessary evaluations. If a violation is found, the cost of the contract will be borne by the violator, in addition to any applicable fines. Non-payment of the cost of an investigation will be deemed a violation of this ordinance. If no violation is found, the participating jurisdiction will bear the expense.

6-4 BOARDS OF ZONING APPEALS

6-4-1 MEMBERSHIP AND JURISDICTION ---- THE AREA BOARD:

The Area Board of Zoning Appeals of Tippecanoe County, Indiana, (the ***ABZA***) is a continuation of the previous Board of Zoning Appeals of Tippecanoe County earlier established under the Area Plan Law (*I.C. 36-7-5-900*, as added by *Acts 1981, PL 309, Section 23*).

(a) The ***ABZA*** is a 7-member board appointed as follows:

(1) 2 citizen members are appointed by the ***APC*** from its membership: a municipal representative and a county representative;

(2) 2 citizen members, who are not members of any plan commission, are appointed by the mayor of the City of Lafayette;

(3) 1 citizen member, who is not a member of any plan commission, is appointed by the mayor of the City of West Lafayette; and

(4) 2 citizen members, who are not members of any plan commission, are appointed by the Tippecanoe County Commissioners.

(b) Each member, except those appointed by the ***APC***, serves a term of 4 years. The members appointed by the ***APC*** serve a 1-year term. Terms expire on the first Monday of the year of termination.

(c) The ***ABZA*** has jurisdiction over all land subject to the zoning ordinance, concurrent with any division of the ***ABZA***.

(d) Except where this section grants exclusive jurisdiction to a division to hear ***variance*** requests, the ***ABZA*** has exclusive jurisdiction for:

(1) ***variance*** requests under the statute and this ordinance, except in those territories served by a division having exclusive jurisdiction for ***variance***;

(2) ***special exception*** requests;

(3) mining reclamation and restoration activities required under 4-11-4 above; and

(4) appeals as provided by statute, except any appeal from the grant or denial of ***variance*** by a division of the ***ABZA***, but including requirements for procurement of ***improvement location permits*** or any ordinance adopted under *I.C. 36-7-4* or any prior zoning statute, and any other appeals authorized by statute.

(e) The staff of the ***ABZA*** consists of the ***Executive Director*** of the ***APC*** and any other members of the ***APC*** staff as assigned by the ***Executive Director***.

6-4-2 MEMBERSHIP AND JURISDICTION ---- THE LAFAYETTE DIVISION:

The Area Board of Zoning Appeals -- Lafayette Division (***ABZA-LD***) is a continuation of the previous Lafayette Board of Zoning Appeals earlier authorized and continued under *Chapter 138* of the *Acts of the Indiana General Assembly 1957*, and originally established under *Chapter 174* of *the Acts of the Indiana General Assembly 1947.*

(a) The ***ABZA-LD*** is a 5-member board appointed as follows:

(1) all members are appointed by the mayor of the City of Lafayette;

(2) all members shall be residents of the City of Lafayette and shall not hold other elective or appointed office in city, county or state government, except that 2 of the members shall be citizen members of the ***APC***.

(b) Each member, except those appointed from the ***APC***, serves a term of 4 years. The members appointed from the ***APC*** serve a term corresponding to their membership on the ***APC***. All terms begin and end on the first Monday of January.

(c) The ***ABZA-LD*** has jurisdiction over all the land within the corporate limits of the City of Lafayette, subject to the zoning ordinance, concurrent with that of the ***ABZA***.

(d) The ***ABZA-LD*** has exclusive jurisdiction to hear ***variance*** requests within the corporate limits of the City of Lafayette, but has no jurisdiction for ***special exception*** requests, mining reclamation and restoration activities required under 4-11-4 above, or appeals.

(e) The staff of the ***ABZA-LD*** consists of the Lafayette ***Administrative Officer***, the City Attorney and any other employees of Lafayette city government as assigned by the ***Administrative Officer***.

6-4-3 RULES AND PROCEDURES:

(a) The ***ABZA*** has sole authority to adopt any and all rules under *I.C. 36-7-4-916*, and any and all bylaws concerning organization, selection of officers, forms for applications, filing requirements (except for 6-4-3-c below), procedures, notices for and conduct of meetings. Upon adoption of these rules and bylaws they become applicable to the ***ABZA*** and the ***ABZA-LD***. (Amend 50)

(b) The ***APC*** will provide suitable facilities to hold ***ABZA*** hearings, to store its recorded documents and accounts, and in its annual budget, to provide sufficient funds for the functioning of the Board and its staff. The Lafayette City Council will provide suitable facilities to hold the ***ABZA-LD***'s hearings, to store its records, documents and accounts, and in its annual budget to provide sufficient funds for the functioning of the division and its staff.

(c) All applications for ***variances*** within the territorial jurisdiction of the ***ABZA-LD*** shall be filed by the petitioner with the ***ABZA-LD*** staff. It is the duty of the Lafayette ***Administrative Officer*** to file the original or copy with the ***ABZA*** staff within 3 days of receiving it from the petitioner. A certified copy of all decisions made on that request shall be transmitted to the ***ABZA*** as provided in *I.C. 36-7-4-919(f)*. All other applications for ***variances***, ***special exceptions***, and requests for appeal shall be filed by the petitioner with the ***ABZA*** staff. (Amend 50)

(d) All hearings required for ***variances***, ***special exceptions*** and appeals shall be made by the ***ABZA***, or where appropriate, the ***ABZA-LD***. As per 6-4-3-a above, procedures for public notice setting forth time and place for all hearings by the ***ABZA*** and the ***ABZA-LD*** shall be established by the ***ABZA***.

6-4-4 *SPECIAL EXCEPTIONS*:

(a) Rules regarding filing procedures and required public notice involved in applying for a grant of ***special exception*** are part of the bylaws of the ***ABZA***, and are available from the ***ABZA*** staff.

(b) To be eligible for a grant of ***special exception*** under this section, a petitioner shall first receive a determination from the ***Administrative Officer*** that a ***special exception*** is required for the intended ***use***, or for the expansion, extension, or enlargement of a ***use*** under 6-4-4-h below. The ***Administrative Officer*** shall file a determination report (in a form prescribed by the ***ABZA***) with the ***APC***. The ***APC*** shall decide if the grant of ***special exception*** would have a substantial, adverse effect on the purposes served by this ordinance in furtherance of the *Comprehensive Plan*. The ***APC*** shall report its decision to the ***ABZA*** within 30 days of its receipt of the application, so that the ***ABZA*** can act on it.

(c) The ***ABZA*** may grant a ***special exception*** for a ***use*** in a ***zone*** if, after a hearing under 6-4-3-d above, it makes findings of facts in writing, that:

(1) 3-2 above authorizes a ***special exception*** for that ***use*** in that ***zone***; and

(2) the requirements and development standards for the requested ***use*** as prescribed by this ordinance will be met; and

(3) granting the ***special exception*** will not subvert the general purposes served by this ordinance; and

(4) will not materially and permanently injure other property or ***uses*** in the same ***zone*** and vicinity because of traffic generation, placement of outdoor lighting, noise production or hours of operation,

(d) The ***ABZA*** may impose reasonable conditions on its approval as it deems necessary to find that 6-4-4-c-2 above will be served.

(e) The ***ABZA*** may permit or require the property owner and/or the petitioner to make a written commitment concerning the ***use*** or development of the property as specified under *I.C. 36-7-4-921* (Amend 15).

(f) If the ***ABZA*** grants the ***special exception***, it will direct the petitioner to apply for an ***improvement location permit*** under 6-2 above. If that application complies with this ordinance and all other applicable codes and ordinances, the ***Administrative Officer*** shall issue the ***improvement location permit*** for the ***use*** authorized by the ***special exception***.

(g) A grant of ***special exception*** is unnecessary for a ***use*** authorized by 3-2 above if that ***use*** existed on the effective date of this ordinance or pertinent amendments to it. However, this subsection does not authorize the expansion of such a ***use*** if it involves the enlargement of a ***building***, ***structure***, or land area.

(h) A ***use*** authorized by ***special exception*** shall not be expanded, extended, ***enlarged***, or moved unless reauthorized by the ***ABZA***

under the procedures established in this ordinance for granting a ***special exception***. However, additional ***buildings*** and phases shall be permitted without reauthorization, if they were indicated on the original ***site plan***, and the ***use*** itself is established within 1 year of ***ABZA***'s grant of ***special exception*** (Amend 15).

(i) A ***special exception*** granted for a specific ***use*** under 6-4-4-c or authorized by 6-4-4-g ceases to be authorized and is void:

(1) if that ***use*** is not established within 1 year of the date the ***special exception*** was granted; or

(2) if that ***use*** is discontinued at that site for a 1-year period during which time it is not succeeded by the same ***use*** specifically authorized as a ***special exception***; or

(3) if the ***use*** in SIC Group 10-14 is not established within 1 year of the date at which excavation is expected to have begun, as established by ***ABZA*** for the mining operation.

(j) A ***special exception*** may be terminated by the ***ABZA*** if it finds a failure to comply with the terms of this ordinance or to conditions or commitments attached to its approval. An application to terminate may be filed by an interested person, or a staff member or an ***Administrative Officer***. The ***ABZA*** may take this action only at a public hearing, having given notice of that hearing to the property owner.

(k) There can be no applications or classes of cases, nor any particular situation in which this ordinance authorizes either special ***uses***, contingent ***uses*** or conditional ***uses***.

6-4-5 *VARIANCES*:

(a) Rules regarding filing procedures and required public notice involved in applying for a grant of ***variance*** are part of the bylaws of the ***ABZA***, and are available from the ***ABZA*** staff and the Lafayette City Engineer's office.

(b) The ***ABZA*** or ***ABZA-LD*** may grant a ***variance*** from the *Zone Regulations* and *Additional Use Restrictions* in Chapters 2 and 4 above (except subsections 2-9-4 and 2-10-4, the R3U and R3W ***density*** caps; 2-10-11 and 2-11-11, the R3W and R4W maximum ***building height***; *2*-26, ***Flood Plain Zones***; 2-27 ***Planned Development Zones***; and 2-28-14 ***Rural Estate Zones, Additional Requirements***) if, after a public hearing, it makes findings of facts in writing, that (Amends 18, 27):

(1) the ***APC*** or its Executive Committee has determined that the ***variance*** applied for is not a ***use variance***, i.e. a ***variance*** from the Permitted ***Use*** Table in 3-2 above as prohibited by *I.C. 36-7-4-916* and *918.3* (Amend 15); and

(2) the approval will not be injurious to the public health, safety, morals, and general welfare of the community; and

(3) the ***use*** and value of the area adjacent to the property included in the ***variance*** will not be affected in a substantially adverse manner; and

(4) the terms of this ordinance are being applied to a situation that is not common to other properties in the same ***zone***; and

(5) the strict application of the terms of the ordinance will result in an unusual and unnecessary ***hardship***; and

(6) the ***hardship*** involved is as defined in 1-10 above, and is neither self-imposed nor solely based on a perceived reduction of or restriction on economic gain; and

(7) the ***variance*** sought provides only the minimum relief needed to alleviate the petitioner's ***hardship***.

(c) The ***ABZA*** or ***ABZA-LD*** may permit or require a property owner and/or the petitioner to make a written commitment concerning the ***use*** or ***development*** of that property or may impose conditions upon the grant of ***variance***.

(d) A ***variance*** granted by the ***ABZA*** or ***ABZA-LD*** applies only to the situation illustrated in the petitioner's ***site plan***. It runs with the property (rather than the property owner or petitioner), but ceases to be authorized and becomes void when:

(1) the use of the ***variance*** ends;

(2) the property conforms with this ordinance as written; or

(3) the condition of the site changes so that it no longer conforms to the previously approved site plan.

(e) Where an owner and/or petitioner has failed to comply with any condition and/or commitment permitted or required by the grant of ***variance***, the ***ABZA*** or ***ABZA-LD*** may authorize action it deems appropriate to obtain compliance by the owner and/or petitioner with the condition or commitment of the grant, or with the terms of this ordinance, in the same manner as if the ***variance*** had not been granted.

6-4-6 APPEALS:

(a) Rules regarding filing procedures and required public notice involved in filing an appeal with the ***ABZA*** are part of ***ABZA***'s bylaws, and are available from the ***ABZA*** staff.

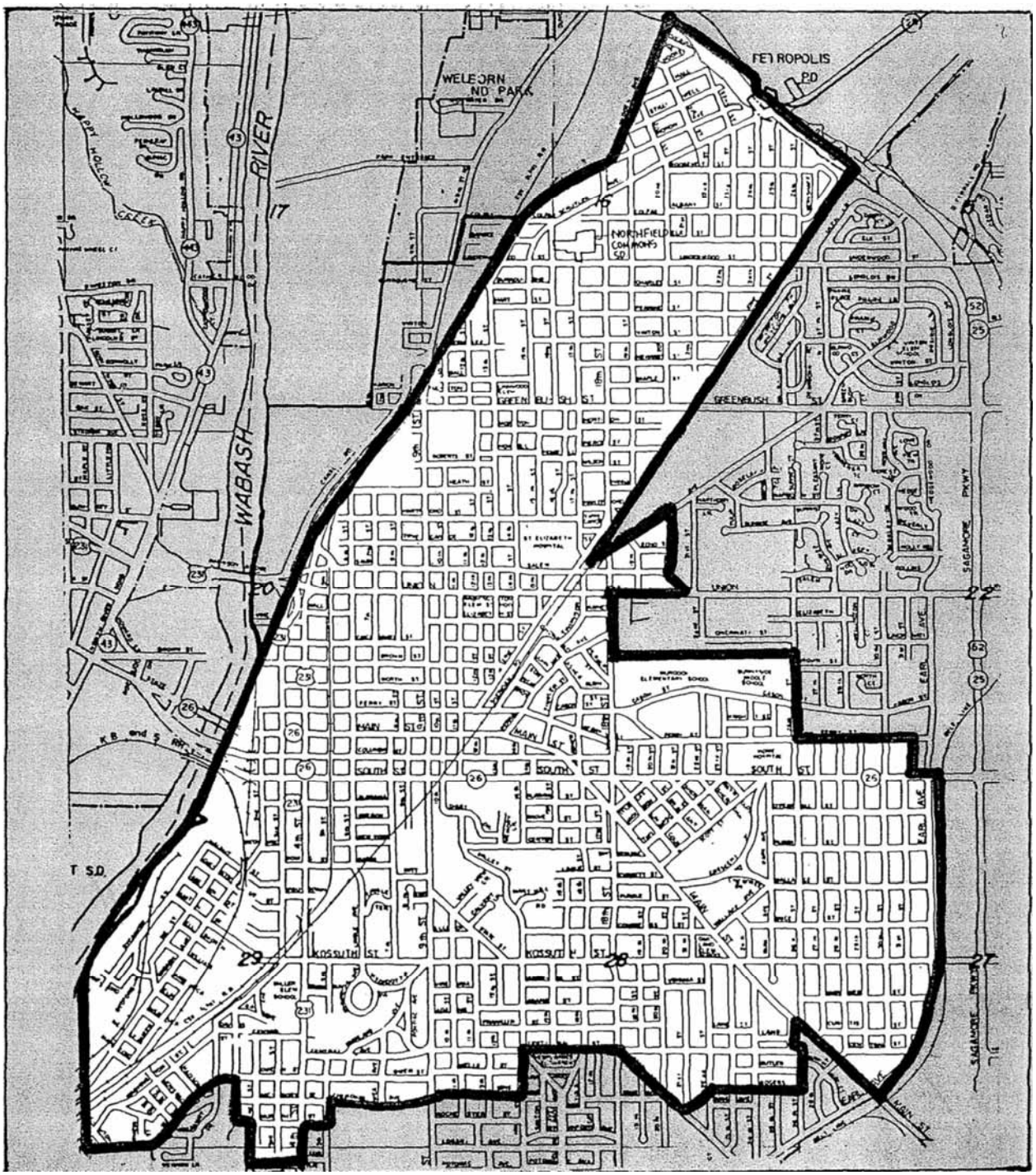
(b) On an appeal under 6-4-1-d above, the ***ABZA*** may make any decision that an ***Administrative Officer*** might have made.

(c) All appeals from the decisions of the ***ABZA***, or from a decision concerning ***variances*** of the ***ABZA-LD***, shall be made pursuant to *I.C. 36-7-4-1000* through *1020* (Amend 15). No appeals from the

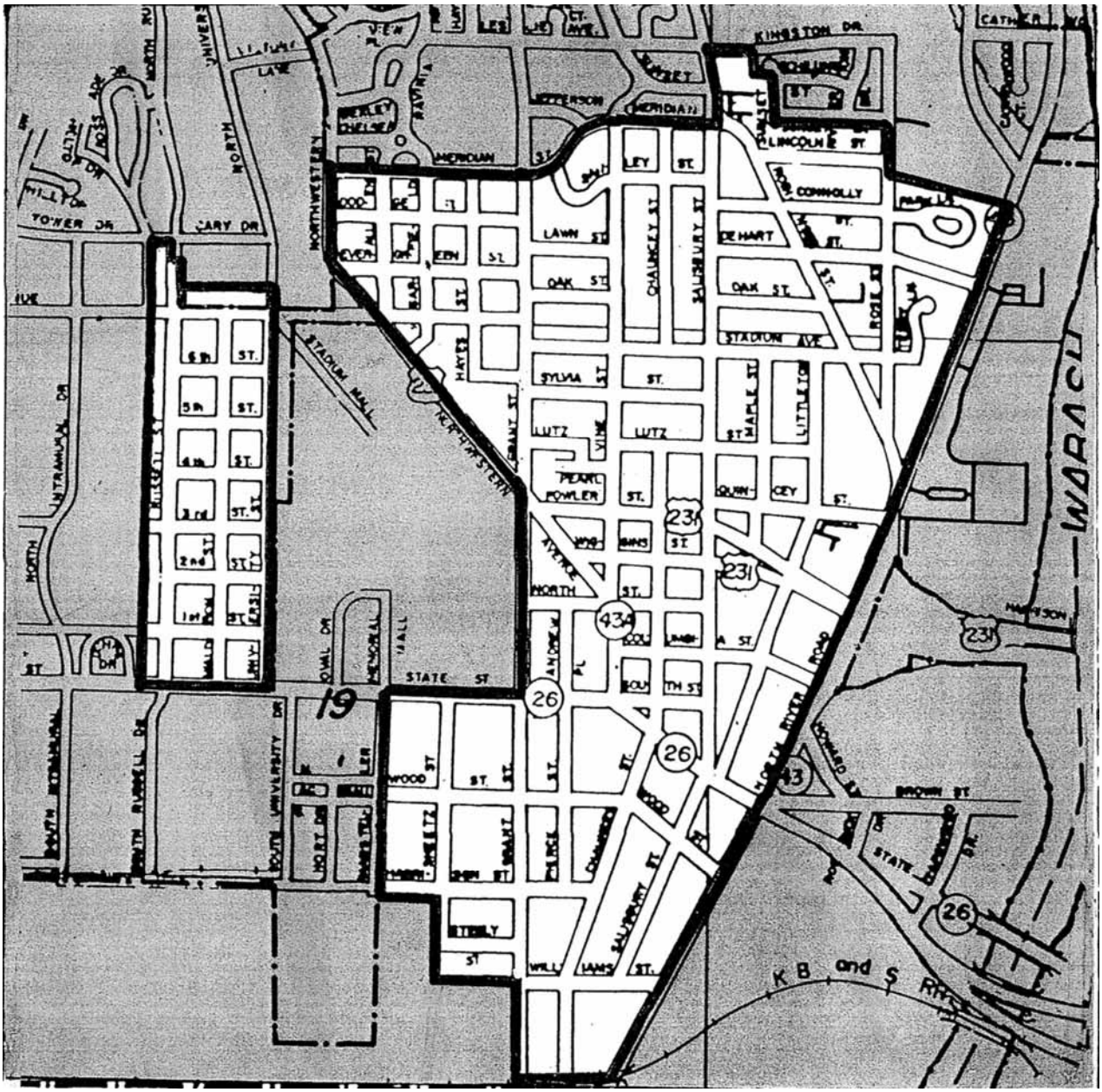
decision of the ***ABZA-LD*** within its jurisdiction, can be made to the ***ABZA***.

APPENDICES

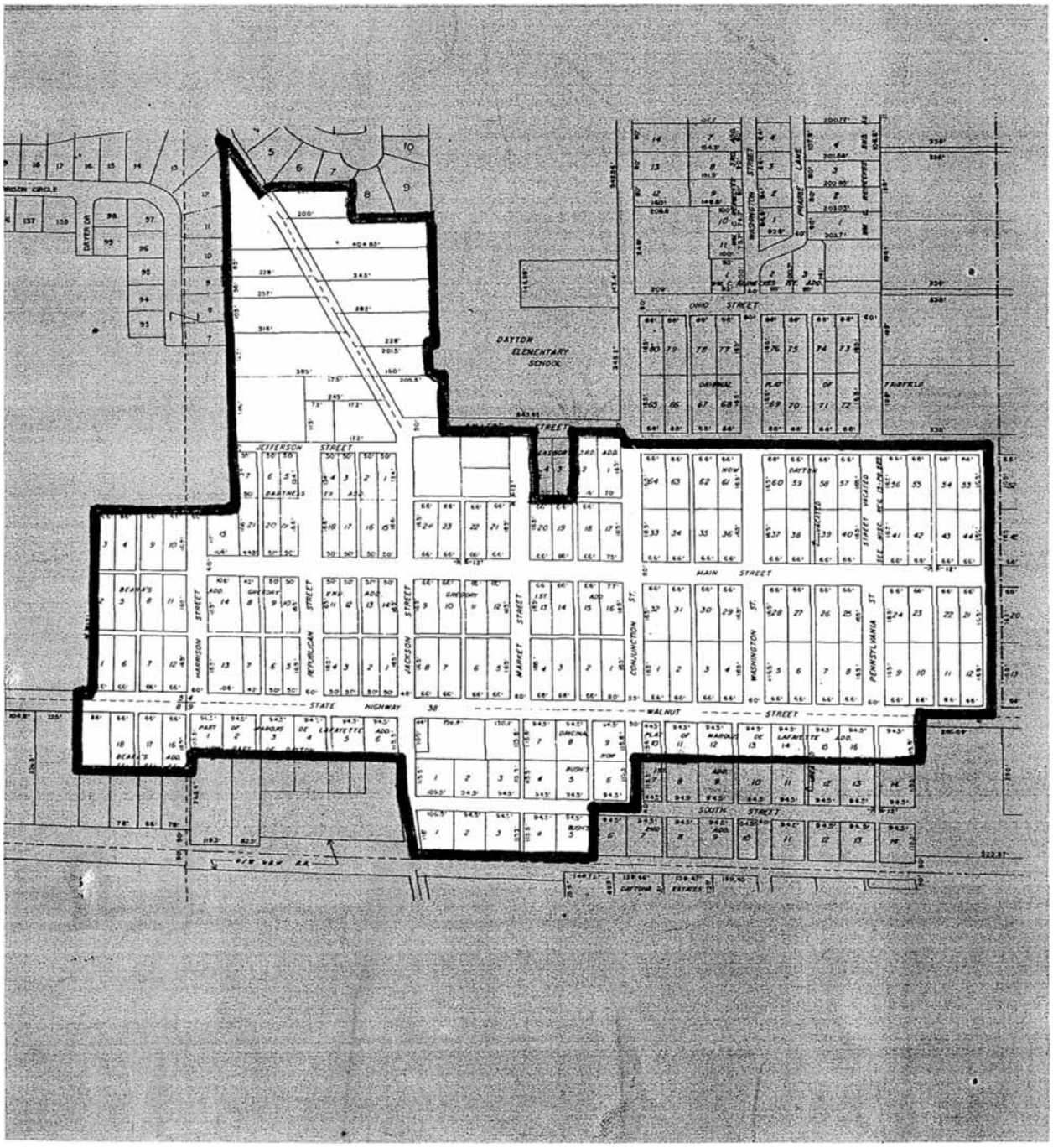
A-1 LAFAYETTE: URBANIZED, SEWERED AREA



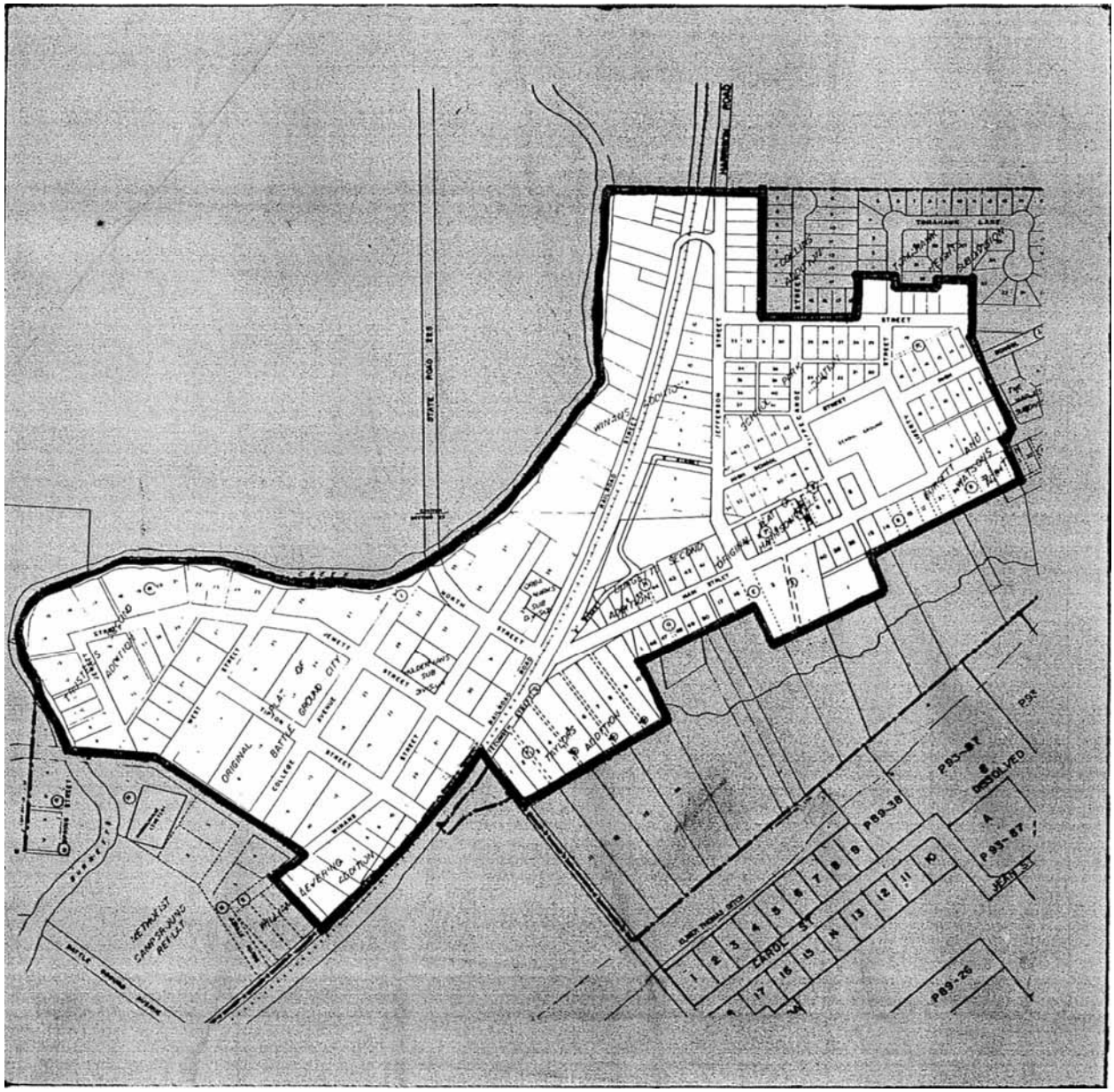
A-2 WEST LAFAYETTE: URBANIZED, SEWERED AREA



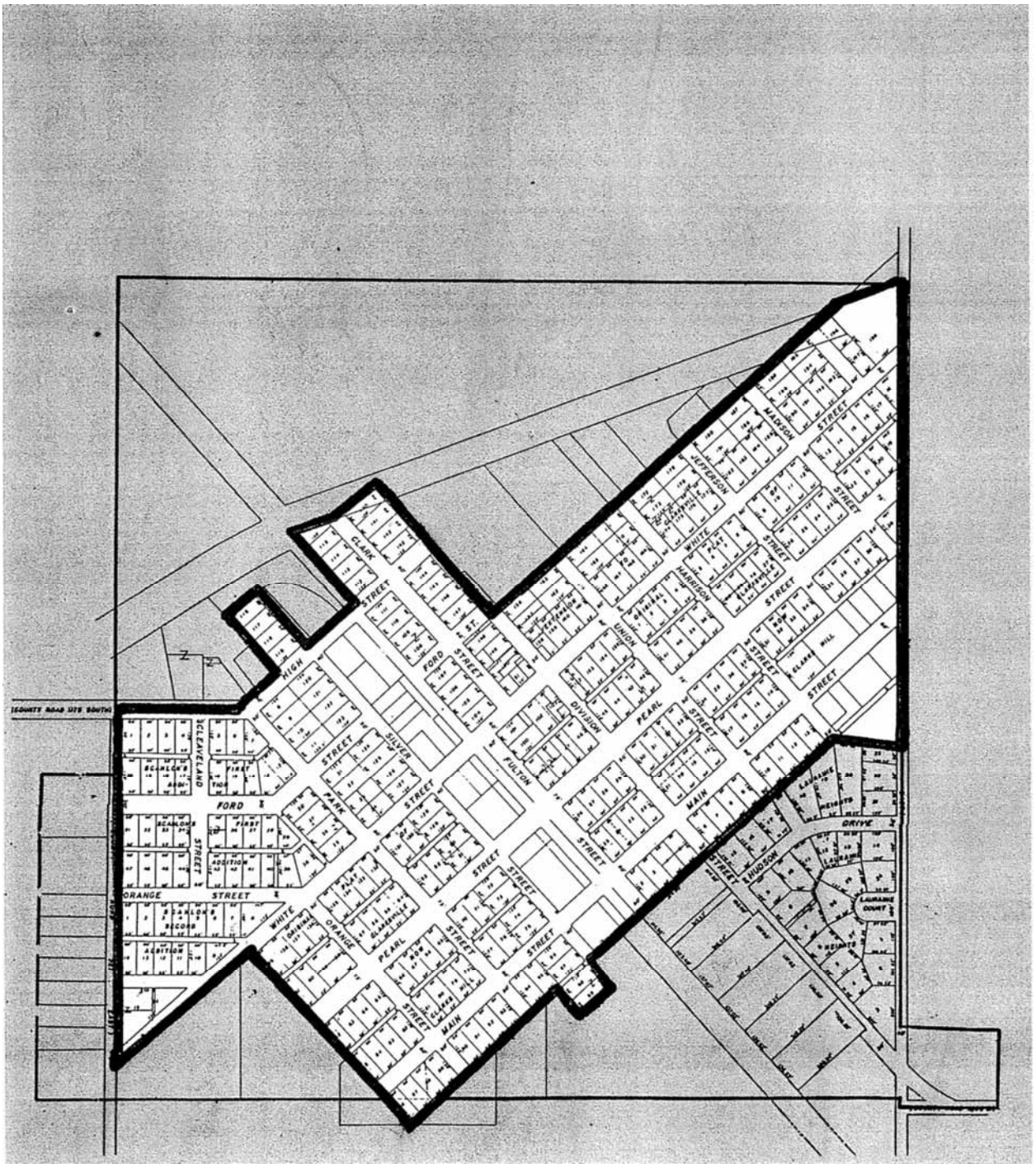
A-3 DAYTON: URBANIZED, SEWERED AREA



A-4 BATTLE GROUND: URBANIZED SEWERED AREA



A-5 CLARKS HILL: URBANIZED SEWERED AREA



APPENDIX B: SUPPLEMENTAL REQUIREMENTS FOR PLANNED DEVELOPMENT SUBMISSIONS

B-1 PRELIMINARY *PLATS* FOR PD SUBMISSIONS

B-1-1 GENERAL:

When a petitioner files either a planned development Draft Plan under 2-27-5 above or a planned development Preliminary Plan under 2-27-7 that would create one or more ***lots***, his/her submission shall include a preliminary ***plat*** prepared in conformance with this section. This ***plat*** shall be prepared by a Registered Land Surveyor at a convenient scale not more than 100' to the inch. If more than one sheet is used, all sheets shall be numbered in sequence. All sheets shall measure 24" x 36".

B-1-2 FEATURES OF A PD PRELIMINARY *PLAT*:

The PD preliminary ***plat*** shall include the following:

(a) name and address of the owner of the land being platted, name and address of the developer if other than the owner, auditor's key number of the land being platted, and name and seal of the Registered Land Surveyor;

(b) proposed name of the Planned Development and its ***streets*** both public and private, date of drawing including revision dates, north arrow and scale;

(c) exact location of the property with respect to surrounding properties, and exact location, width and names of all ***streets***, plus alleys and other ***easements*** within the PD and names of adjoining ***developments*** and ***streets*** both public and private;

(d) location and dimensions of all boundary lines of the property, expressed in feet and hundredths of a foot;

(e) location of existing ***streets***, ***easements***, water bodies, streams, swamps, ***flood plains***, railroads, ***buildings***, parks, ***cemeteries***, drainage ditches and bridges;

(f) location and width of all existing and proposed ***streets***, ***alleys***, ***rights-of-way***, ***easements***, ***building setback*** lines and proposed street names;

(g) location, dimensions and areas of all existing and proposed ***lots***, numbered consecutively;

(h) indication of proposed land ***use*** for all ***lots***;

(i) all improvements other than public ***right-of-way*** to be dedicated or reserved for public use or for the common use of all property owners, identified and numbered as ***lots*** or outlots and labeled as to ***use***; with purpose, ownership and maintenance included in PD covenants; and

(j) sufficient data to readily determine location, bearing and length of all lines and to reproduce them on the ground, and location of all proposed monuments.

B-2 CONSTRUCTION PLANS FOR PD SUBMISSIONS

B-2-1 GENERAL (Amend 18):

When a petitioner files Final Detailed Plans under 2-27-10 above that include developer-installed public improvements as part of the planned development, his/her submission shall include a full set of Construction Plans for those improvements. These shall be prepared by a Registered Engineer or a Registered Land Surveyor. (By state statute, a Registered Land Surveyor cannot prepare and sign any parts of Construction Plans involving a water utility, a lift station or any other kind of pressurized situation.) Plans shall be drawn at a convenient scale not more than 50' to the inch. These include: public improvements intended to be accepted for public maintenance; public improvements not intended to be accepted for public maintenance consisting of plans that require approval by a public agency; and any sanitary sewer and water systems owned by a private utility company. If more than one sheet is used, all sheets shall be numbered in sequence. All sheets shall measure 24" x 36". The petitioner may phase construction plans to match phases in the approved PD, but should the ***APC*** require it, amenities located in other phases shall be made part of these Construction Plans as well.

B-2-2 FEATURES OF PD CONSTRUCTION PLANS:

Construction Plans for a PD shall include:

(a) plans and profiles showing existing and proposed elevations along center lines of all ***streets***. Where a proposed ***street*** intersects an existing ***street*** or ***streets***, the elevation along the center line of the existing ***street*** or ***streets*** within 100' of the intersection shall be shown, plus radii of all curves, lengths of tangents, and central angles of all ***streets***. (Where steep slopes exist, and on request of the local government engineer, the ***APC*** may require that cross-sections of all proposed ***streets*** at 100' stations be shown on line at right angles to the center line of the ***street***, at each ***lot line***, and at points 25' inside each ***lot line***.

(b) plans and profiles showing:

(1) location and typical cross-section of ***street*** pavements, including curbs and gutters, sidewalks, drainage ***easements***, servitudes, ***rights-of-way***, manholes and catch basins;

(2) location of street signs and traffic control signs;

(3) location, size and invert elevations of existing and/or proposed sanitary sewers, stormwater drains and fire hydrants, showing connection to any existing or proposed utility systems; and

(4) location and size of all water or other underground utilities or ***structures***;

(c) location, size, elevation and other appropriate description of any existing facilities or utilities, including but not limited to: existing ***streets***, sewers, drains, water mains, ***easements***, water bodies, streams, ***flood plains***, and other pertinent features within the proposed planned development;

(d) topography, drawn to the same scale as the preliminary ***plat***, with a contour interval of 2', referred to the latest National Geodetic Vertical Datum at the site;

(e) all specifications and references required by the member government(s), including a site grading plan for the entire planned development;

(f) a driveway permit for any state ***road*** entrance approved by the Indiana Department of Transportation, including detailed plans for this approved permit;

(g) a driveway permit for any county ***road*** entrance approved by the County Highway Department, including detailed plans approved for this permit;

(h) where required, plans for a temporary turnaround at the stub end of any ***street***;

(i) fire hydrants approved by the appropriate fire department, with plans for actual placement of hydrants approved by the jurisdiction in cooperation with its fire department;

(j) an Erosion and Sediment Control Plan meeting the requirements of *327 I.A.C. 15-5* approved by the Tippecanoe County Soil and Water Conservation District (Amend 18);

(k) a storm water management (drainage) plan approved by the appropriate drainage board or jurisdictional engineer (Amend 18);

(l) an overall utility coordinating sheet approved and signed by the non-government utility companies (Amend 18); and

(m) name, address, title and signature of the Registered Engineer and Land Surveyor, plus date, including all revision dates (Amend 18).

B-3 FINAL *PLATS* FOR PD SUBMISSIONS

B-3-1 GENERAL:

When a petitioner's PD creates one or more ***lots***, (s)he must file a final ***plat***, either as part of Final Detailed Plans, or after Final Detailed Plans have been approved. This ***plat*** shall be prepared in conformance with this section by a Registered Land Surveyor at a convenient scale not more than 100' to the inch. It shall show any conditions required by the PD rezoning, and any changes or additions required by government review of Construction Plans. If more than one sheet is used, all sheets shall be numbered in sequence. All sheets shall measure 24" x 36". A reproducible mylar of the final ***plat*** shall also be included.

B-3-2 FEATURES OF A PD FINAL *PLAT*:

The PD final ***plat*** shall include the following:

(a) name of the PD. (If the final ***plat*** represents only a portion of the approved PD, each phase, or any of its component parts, or any of the parts' sections, shall correspond only to approved construction plans.)

(b) legal description of the PD, including Section, Township, Range and government township, with Township, Range or Section Line accurately tied to the PD by bearing and distance in feet and hundredths of a foot;

(c) sufficient data to readily determine location, bearing and length of all lines and to reproduce them on the ground, and location of all proposed monuments;

(d) the appropriate corporation line where present;

(e) County Auditor's Key Number for the overall property;

(f) scale, graphic bar scale, date and all revision dates, and north arrow;

(g) exact location, and width of all ***streets***, ***alleys*** and other ***easements*** within the PD, and all street names;

(h) boundary of the PD, based on an accurate traverse survey with angular and lineal dimensions in feet and hundredths of a foot;

(i) all radii, central angles, points of curvature and tangency, length of tangents, lengths of arcs, widths of ***rights-of-way*** and similar data for all ***streets***. (All ***street*** lines shall be tied to other ***streets*** and ***alleys*** with accurate dimensions in feet and hundredths of a foot and angles or bearings.);

(j) assigned street address for each lot requiring one;

(k) where needed, a "No Vehicular Access" statement along the ***right-of-way*** line included on the plat and in the PD covenants as enforceable by ***APC*** and irrevocable by lot owners;

(l) if there is a mortgage on this property, a release from the mortgage company to dedicate necessary ***right-of-way***, and if not, a signed affidavit stating so;

(m) all ***easements*** dimensioned and identified as to specific use; all existing ***easements***, covenants or restrictions on the final ***plat***(s), referenced with the corresponding recorded Document Number and date recorded;

(n) all lot numbers and ***lot lines*** with accurate dimensions in feet and hundredths of a foot, and bearings in degrees, minutes and seconds, with lot numbers not duplicating others in other parts or phases or sections of the same PD;

(o) all improvements other than public ***right-of-way*** to be dedicated or designated for public use or for the common use of all property owners, identified and numbered as ***lots*** or outlots and labeled as to ***use***; with purpose, ownership and maintenance included in PD covenants;

(p) all recorded ***subdivisions*** or PDs bounding the final ***plat***, shown in dotted lines by name and County Recorder's Document Number;

(q) all building ***setback*** lines or building envelopes;

(r) for newly constructed ***condominium*** or attached zero-lot-line PDs, exact measurements locating ***buildings*** and common ***lot lines*** after

foundations have been put in place, on an amended ***plat*** as per 2-27-12 above;

(s) where necessary, the ***regulatory flood*** elevation and ***flood plain*** boundary, including certification of the areas of the ***plat*** that are at or above the ***regulatory flood*** elevation (100 year flood elevation), as specified above in 2-26-5;

(t) a temporary turnaround shown in Construction Plans at the stub end of any ***street***;

(u) all required ***setbacks*** and/or building envelopes shown on the final plat(s);

(v) name, address, seal and certification of the Registered Land Surveyor preparing or certifying the ***plat***, as per B-3-3 below; and

(w) a Planned Development Dedication Certificate, owner's certification and notarization, as per B-3-4 below.

B-3-3 PD REGISTERED LAND SURVEYOR'S CERTIFICATE:

A final ***plat*** submitted as part of a PD's Final Detailed Plans or Amended Final Detailed Plans, shall carry a certificate signed by a Registered Land Surveyor in substantially the following form:

LAND SURVEYOR'S CERTIFICATE
I, _____, hereby certify that I am a registered land surveyor of the State of Indiana; that this plat correctly represents a survey completed by me on _____, 20___; that all the monuments shown thereon actually exist, and their location, size, type and material are accurately shown; that the computed error of closure of the boundary survey is not more than 1' in 10,000'; and that this plat complies with the planned development provisions of the Unified Zoning Ordinance. (SEAL) _____ Signature

B-3-4 PD DEDICATION CERTIFICATE, OWNER'S CERTIFICATION AND NOTARIZATION:

A final ***plat*** submitted as part of, or following, a PD's Final Detailed Plans or Amended Final Detailed Plans, shall carry a completed Dedication Certificate, signed by all owners and notarized, in substantially the following form. Portions concerning easements and covenants shall be omitted if not part of the final ***plat***.

DEDICATION CERTIFICATE

I (We), _____, the undersigned owner(s) of the real estate shown and described herein, do hereby lay off, plat and divide said real estate in accordance with the herein plat.

This Planned Development shall be known and designated as _____, an addition to _____, *(name of city, town or township)*, County of Tippecanoe, State of Indiana. All public streets, alleys and open places shown and not heretofore dedicated are hereby dedicated to the public.

EASEMENTS -- Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat. Unless otherwise negotiated as part of the PD process. within these easements, no buildings, structures, signs, parking lots, planting, or other material shall be placed or be permitted to remain. The easement area of each lot or outlot and all improvements in it shall be maintained continuously by the owner of the lot, except for those improvements for which a public authority or utility is responsible.

All lots are subject to certain covenants and restrictions recorded in Document _____ on the _____ day of _____, 20___, in the Office of the Recorder for County of Tippecanoe, State of Indiana. Invalidation of any one of the foregoing covenants or restrictions by judgment of court order shall in no wise affect any of the other covenants or restrictions which shall remain in full force and effect.

The foregoing covenants or restrictions are to run with the land and shall be binding on all parties and all persons claiming under them until January 1, 20___ *(25-year period suggested)*, at which time said covenants or restrictions shall be automatically extended for successive periods of 10 years unless, by vote of a majority of property owners within the entire planned development, it is agreed to change such covenants or restrictions in whole or in part. (Multiple owners of a single property shall be considered a single owner. The developer shall be considered a single owner until all property is sold.)

Invalidation of any one of the foregoing covenants or restrictions by judgment of court order shall in no wise affect any of the other covenants or restrictions which shall remain in full force and effect. The right to enforce these provisions by injunction, together with the right to cause the removal by due process of law of any structure or part thereof erected or maintained in violation hereof, is hereby dedicated to the public, and reserved to the several owners of the several lots of this Planned Development to their heirs and assigns.

WITNESS MY (OUR) HAND(S) AND SEALS(S) THIS _____ DAY OF _____, 20___.

_____
Signature

State of _____,

County of _____

_____
Signature

(**continued)**

DEDICATION CERTIFICATE, cont'd.
Before me, the undersigned Notary Public in and for the County and State, personally appeared _____, who acknowledges the execution of the forgoing instrument as his/her voluntary act and deed, for the purpose therein expressed.
WITNESS MY HAND AND SEAL THIS _____ DAY OF _____, 20___. _____ Signature Residing in _____ County. _____ Printed Name My Commission expires _____, 20___.

B-4 SURETY REQUIREMENTS FOR PD SUBMISSIONS

B-4-1 GENERAL:

(a) When the petitioner is to install public improvements or improvements for common usage as part of the planned development, he or she shall either:

(1) complete the improvement upon approval of the Construction Plans portion of Final Detailed Plans; or

(2) seek the Commission's approval at the time the ***plat*** is approved (whether submitted with Construction Plans or at a later time), to post bond for these improvements, or submit a certified check, or irrevocable letter of credit or certificate of deposit, along with the final ***plat***. Improvements for common usage include landscaping, recreational components and all other facilities either located in common areas or designated for common use.

(b) The petitioner shall make all such improvements at his or her expense, without reimbursement from the participating jurisdiction or any public improvement district within it, unless that public entity agrees to share those expenses. The signed agreement to share expenses shall be included in Final Detailed Plans.

B-4-2 ACCEPTABLE FORMS AND TERMS OF SURETY:

(a) The petitioner may choose to provide surety in any of the following forms:

(1) a certificate of deposit;

(2) a performance bond;

(3) a certified check; or

(4) an irrevocable letter of credit.

(b) Surety shall be equal to 100% of the completion cost of public improvements and/or improvements for common usage included in the

final plat being submitted. The appropriate ***Administrative Officer*** shall approve the amount of surety the petitioner must provide.

(c) Surety shall comply with all statutory requirements, and shall be satisfactory to ***APC***'s Legal Counsel in form, sufficiency and manner of execution. Examples of these forms are shown in B-4-3 through B-4-5 below.

(d) The period of surety shall not exceed 2 years from the date of final plat approval. The ***APC*** may, at the time of rezoning, specify a shorter period within which improvements must be completed. If so, this shall be reflected in the surety. The ***APC*** may grant the petitioner a single extension of up to 1 year, provided that new surety for 1 year is filed, should he or she prove difficulty.

(e) The ***APC*** may at any time during the period of surety, accept a substitution of principal.

B-4-3 PLANNED DEVELOPMENT PERFORMANCE BOND, SECURED BY DEPOSIT:

PLANNED DEVELOPMENT PERFORMANCE BOND, SECURED BY DEPOSIT
KNOW ALL PERSONS BY THESE PRESENTS, that I (we), _____, of _____ in the County of Tippecanoe, Indiana, hereby am (are) held and stand firmly bound, and bind and obligate myself (ourselves), and my (our) successors, assigns, executors, administrators, heirs, and devisees to Tippecanoe County in the sum of_____ dollars ($_____), and have secured my (our) compliance with this obligation by the deposit with the County Auditor of said sum in money, savings bank books duly assigned, or negotiable securities, in an amount satisfactory to the Area Plan Commission;
The condition of this obligation is such that is the undersigned of his/her (their) successors, assigns, executors, administrators, heirs, or devisees shall have within the time specified in the order of the Area Plan Commission fully and satisfactorily performed in the manner specified, all of the conditions, covenants, terms, agreements, and provisions contained in the application signed by _____ and dated _____, 20____, and in the approval of a definitive plan of a certain planned development entitled _____ and drawn up by _____ and dated _____, 20____, which was granted on _____, 20___, or is hereafter granted by the Area Plan Commission, then this obligation shall be null and void;
OTHERWISE it shall remain in full force and effect, and the aforesaid security for the payment of said sum shall be and become the sole property of Tippecanoe County as liquidated damages.
IN WITNESS THEREOF, the obligor has hereunto set his/her (its, our) hand(s) this ____ day of _____, 20___. _____

B-4-4 PLANNED DEVELOPMENT PERFORMANCE BOND:

PLANNED DEVELOPMENT PERFORMANCE BOND
(TO BE ISSUED ON BONDING COMPANY STATIONARY)

KNOW ALL PERSONS BY THESE PRESENTS, that I (we),_____ _____, as Principal, and _____, as Surety, are held and firmly bound unto Tippecanoe County, Indiana, in the sum of_____ ($_____), for payment of which we firmly bind ourselves, our heirs, executors, administrators, and assigns.

THE CONDITION OF THIS BOND is such that if the said Principal shall complete the construction of _____ *(COMPLETE DESCRIPTION OF IMPROVEMENTS AND DESCRIPTION OF PROPERTY LOCATION)*, according to the approved plans and specifications on file with the Area Plan Commission of Tippecanoe County, on or before _____, 20__, *(NOT MORE THAN 2 YEARS FROM DATE BOND IS ISSUED),* then this obligation is null and void, otherwise to remain in full force and effect.

IN WITNESS WHEREOF, we have hereunto set our hands and seal this _____ (DAY, DATE, MONTH, YEAR).

_____
Name of Principal

ATTEST BY _____
Signature of Principal

_____
Typed Name of Individual Signing

_____
Name of Surety

APPROVED BY:_____ _____
Signature of Representative

_____
Typed Name of Individual Signing

Area Plan Commission of Tippecanoe County

_____
Director

B-4-5 IRREVOCABLE LETTER OF CREDIT:

IRREVOCABLE LETTER OF CREDIT
(TO BE ISSUED ON BANK STATIONERY

Name of Bank _____
Tippecanoe County, Indiana
Date: _____, 20____

Dear Sirs:
We hereby open our irrevocable credit in your favor available by your drafts at sight on us for a sum not exceeding $_____ for the account of _____ (PURCHASER), to be accepted by your signed statement that drawing is due to default or failure to perform by PURCHASER, the following improvements on or before _____:(Insert date not more than 24 months from date of this letter):
1.
2.
3.
in _____. a planned development in Tippecanoe County, Indiana.

Acting through the Board of Commissioners, you will notify us when either:
1. The improvements have been timely completed and the credit may be released, or
2. The purchaser has failed to perform or is in default thereunder.

All drafts drawn hereunder must be marked "Drawn under _____ _____(Name of Bank). Credit No. _____, dated _____, 20___"

The amount of any draft drawn under this credit must, concurrently with negotiation, be endorsed on the reverse side hereof, and the presentment of any such draft shall be a warranty by the negotiating bank that such endorsement has been made and that documents have been forwarded as herein required.

Except so far as otherwise expressly stated herein, this credit is subject to the uniform customs and practices for commercial documentary credits fixed by the 13th Congress of the International Chamber of Commerce.

We hereby agree with the drawers, endorsers, and bona fide holders of drafts under and in compliance with the terms of this credit that the same shall be duly honored on due presentation and delivery of documents as specified if negotiated on or before _____, 20____.

Very truly yours,

_____
Name of Bank

By:_____
Authorized signature

B-4-5 FAILURE TO COMPLETE IMPROVEMENTS:

(a) If the petitioner fails to complete required public improvements and/or improvements for common usage within the established period of surety, the participating jurisdiction may request that Tippecanoe County declare the surety to be in default. The County shall then have these improvements installed as per Final Detailed Plans, regardless of the extent of development within the PD at the time of default.

(b) Upon inspection, if a participating jurisdiction finds that an improvement has not been constructed in accordance with Final Detailed Plans, the petitioner shall complete the improvement according to those plans. The petitioner and the entity providing surety shall be severally and jointly liable for that completion.

B-4-6 TEMPORARY PUBLIC IMPROVEMENTS:

The petitioner shall build and pay for all temporary improvements requested by the participating jurisdiction and required by the ***APC***. The petitioner shall maintain them for the period specified by the ***APC***. As part of the Final Detailed Plans submission, the petitioner shall submit separate suitable surety for temporary improvements, to insure that they are properly constructed, maintained and removed.

B-4-7 INSPECTION OF PUBLIC IMPROVEMENTS AND IMPROVEMENTS FOR COMMON USAGE:

(a) If a participating jurisdiction or any of its agencies or departments finds that any of the improvements have not been constructed in accordance with the approved Final Detailed Plans, the petitioner shall be responsible for completing that improvement according to the Plans. Where the cost of the improvements is covered by surety, the petitioner and the provider of the surety shall all be liable for completing the public improvements or improvements for common usage according to specifications.

(b) The petitioner's engineer or surveyor shall provide the participating jurisdiction with detailed "as built" construction plans of the improvements, indicating location, dimensions, materials, and other information required by the ***APC*** or participating jurisdiction. The petitioner shall provide the participating jurisdiction with a maintenance bond per B-4-8-b below.

(c) The participating jurisdiction shall determine if all required improvements have been completed satisfactorily. Following a positive finding, the participating jurisdiction shall thereafter accept the public improvements for maintenance in accordance with established procedures, and the homeowners association shall accept the improvements for common usage.

(d) It shall be the responsibility of the participating jurisdiction to provide the ***APC*** a copy of the maintenance bond, and notification of those improvements accepted for public maintenance.

(e) Surety shall be reduced upon actual acceptance of public improvements or improvements for common usage, but only by the amount originally estimated for completion of those improvements.

B-4-8 MAINTENANCE OF PUBLIC IMPROVEMENTS:

(a) The petitioner shall be required to maintain all public improvements on individual platted ***lots*** and provide for snow removal on ***streets*** and sidewalks, if required, until acceptance of public improvements by the participating jurisdiction.

(b) The petitioner shall be required to file a maintenance bond, for a period of 3 years, with the participating jurisdiction, prior to acceptance, in an amount not to exceed 10% of the cost of all public improvements, and in a form satisfactory to the participating jurisdiction. This is to assure the satisfactory condition of the required public improvements for a period of 3 years after the date of their acceptance by the participating jurisdiction.

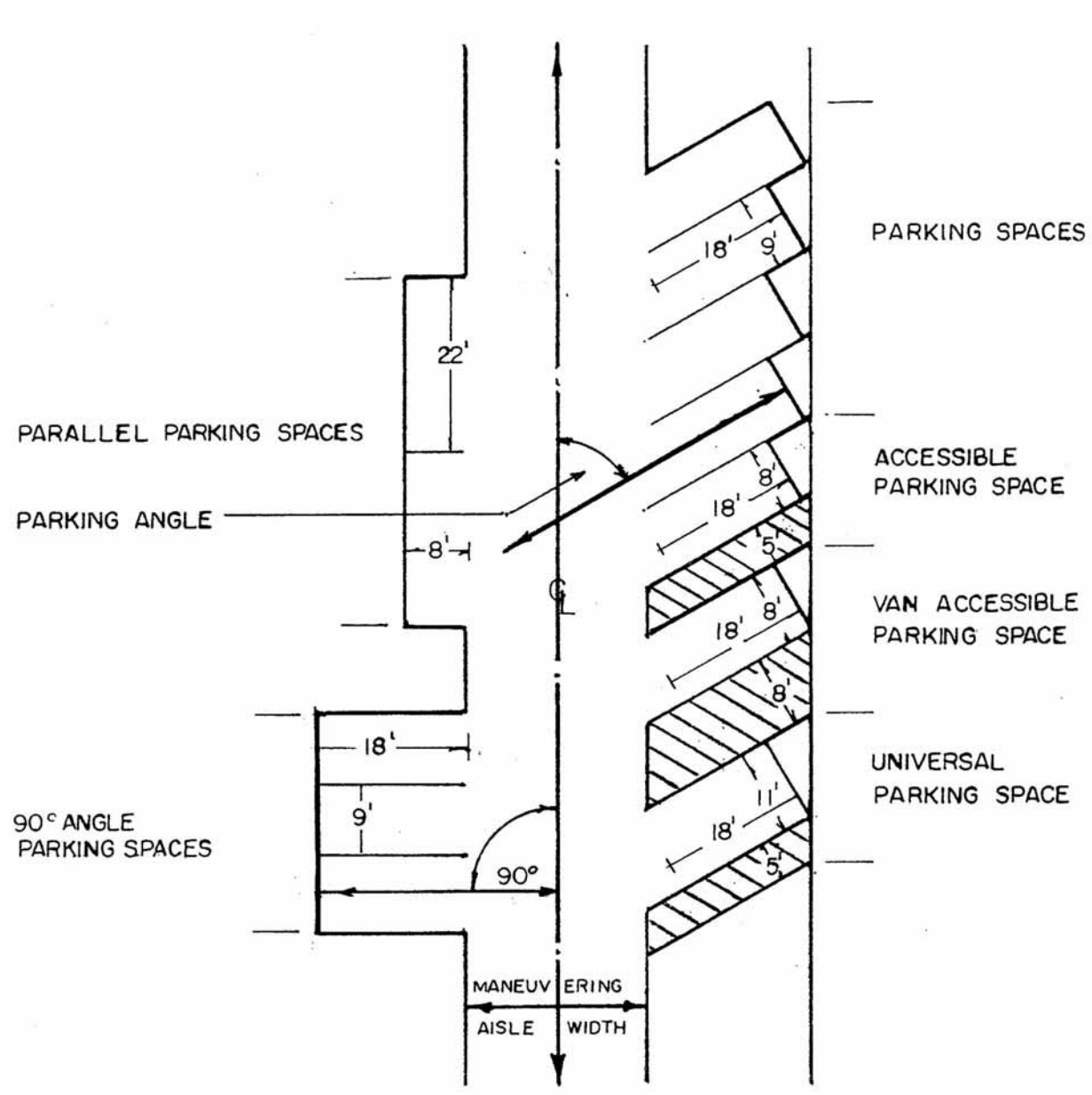
B-4-9 ISSUANCE OF *IMPROVEMENT LOCATION PERMITS*:

(a) No ***improvement location permit*** shall be issued for a ***dwelling unit*** unless surety for public improvements has been filed, and the ***plat*** recorded.

(b) No ***improvement location permit*** shall be issued for the last 10% of ***lots*** in a recorded ***plat***, or phase, part or section of a ***plat*** (or the last 2 lots if 10% is less than 2), until all public improvements other than sidewalks, and all improvements for common usage have been fully completed and accepted for maintenance by the participating jurisdiction or homeowners association.

APPENDIX C: DIAGRAM FOR MEASURING REQUIRED AUTO *PARKING SPACE* AND *PARKING AREA* DIMENSIONS

(FOR *PRIMARY USES* OTHER THAN *SINGLE-* AND *TWO-FAMILY DWELLINGS*)



APPENDIX D-1: COMPUTING *SIGN* AREA PER *SIGN-LOT*

D-1 ON-PREMISE *SIGN* SIZE REQUIREMENTS

D-1-1 BASIC INFORMATION:

(a) Total ***sign*** area depends on the specifics of a situation. The zoning ordinance recognizes that:
  (1) heavier duty business ***zones*** need bigger ***signs***;
  (2) faster roads need bigger ***signs***; and
  (3) ***buildings*** set further back from the ***road*** need bigger ***signs***.

(b) The ordinance provides rewards for minimizing clutter by minimizing the use of ***freestanding signs***.

(c) The ordinance determines total square footage of ***sign*** area per ***primary use***, but the number of ***signs*** used is entirely at the discretion of the land owner or occupant.

(d) Should the ***primary use*** occupy more than one ***frontage***, then the total for all ***frontages*** is added together, yet may be distributed to these ***frontages*** at the discretion of the land owner or occupant.

D-1-2 CALCULATING *SIGN* AREA:

(a) Regardless of calculations, one is guaranteed a minimum ***sign*** area, called a ***sign area assurance***. For the most part, ***sign area assurance*** equals the ***zonal base rate*** shown as Item A. in the following table, D-2 (Amend 5). These are exceptions:
  (1) If a ***primary use building*** in an NBU or MR ***zone*** has a ground floor area of more than 15000 sq.ft,, ***sign area assurance*** is calculated as 0.2% of that ground floor area (.002 x GFA).
  (2) If a ***primary use building*** in any other ***commercial zone***, or in any ***industrial zone***, has a ground floor area of more than 20000 sq.ft., ***sign area assurance*** is calculated as 0.2% of that ***ground floor area*** (.002 x ***ground floor area***).

(b) Similarly, one is limited to a maximum amount of signage, called a **sign *area cap***. This comes into use when the calculated maximum ***sign*** area per *sign-lot* exceeds 6% of the ground floor area of the ***primary use building. Signage*** is then limited to 6% of GFA.

(c) An institutional land use (SIC Code numbers 801 through 972), operating in a ***residential*** or ***rural zone***, has a ***zonal base rate*** of 20'.

(d) In calculating the ***road*** speed limit multiplier (Item B in D-2 below), if the official ***road*** speed limit changes along the length of a ***use's*** frontage, the greater of the speed limits shall be used. (Amend 20)

(e) Where a ***sign-lot*** has no actual ***street frontage***, the ***road*** speed limit multiplier is derived from that of the adjoining ***road*** or ***roads*** from which the ***primary use*** derives its access, at that point of access.

(f) ***Frontage*** along I-65 does not count in this calculation.

(g) If the speed limit increases after ***signs*** are installed, permitted ***sign*** area may be recalculated and increased. If the speed limit decreases, there shall be no requirement to reduce ***sign*** area.

(h) ***Building setback*** for the ***building setback*** multiplier (Item C), shall be measured from the edge of the ***right-of-way*** to the nearest wall (or gas station ***canopy***).

(i) 4-8-6 above indicates how much of ***sign*** area is permitted to be freestanding (Item D). The owner or occupant shall then figure:

(1) what percentage of the full allowance is intended to be used; and thus

(2) the multiplier to be awarded for minimizing ***freestanding signage***.

(j) (Deleted, Amend 20)

D-2 CALCULATING MAXIMUM *SIGN* AREA FOR A *SIGN-LOT* (Amend 20)

Step 1: Calculate A x B x C x D (for every frontage) = E
Step 2: Calculate .06 x GROUND FLOOR AREA of the primary use building; enter it as "F:" ***only*** if it is less than "E;" leave "F" blank if it is more than or equal to "E."
Step 3: Maximum sign area = the lesser of "E" and "F."

ALWAYS APPLY

A. The ZONAL BASE RATE is:

R1, R1A, R1B, R1U, R1Z, R2, R2U, RE (Am 27)	= 6 sq.ft.
R3, R3W, R3U, R4W	= 20 sq.ft.
INSTL: RES./RURAL (Amend 5)	= 20 sq.ft.
NBU, MR	= 30 sq.ft.
NB, OR, GB, HB, CB, CBW, I1, I2, I3	= 40 sq.ft.
A, AW, AA, FP	= 10 sq.ft.

B. The ROAD SPEED LIMIT FACTOR is:

up to 30 mph	= 1.0
31 to 44 mph	= 1.5
45 to 55 mph	= 2.5 (Amend 1)

C. The BUILDING SETBACK FACTOR is:

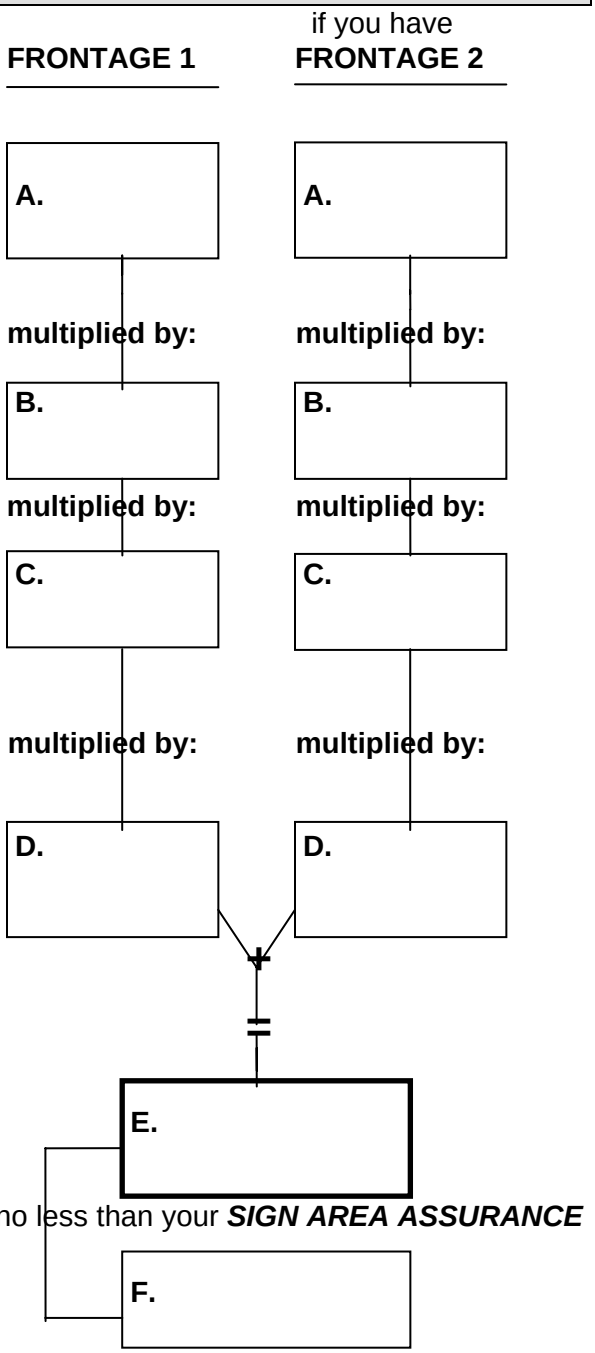
0' to 59	= 1.0	201' to 300'	= 2.5
60' to100'	= 1.1	301' to 400'	= 3.0
101' to 150'	= 1.25	401' to 500'	= 3.5
151' to 200'	= 1.75	501' or more	= 4.0

MAY APPLY

D. The FRSTNDNG SIGN USE FACTOR is (See 4-8-6): (Amend 5)

bldg. setback less than 25' = NA

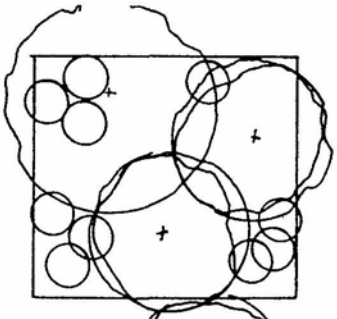
0% of allowance	= 1.3
1 to 50%	= 1.2
51 to 75%	= 1.1
76% or more	= 1.0



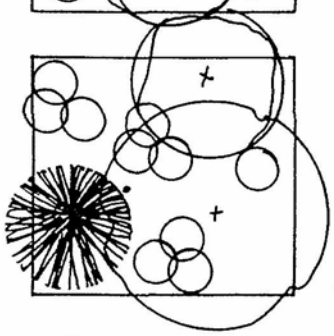
YOUR MAXIMUM SIGN AREA PER SIGN-LOT IS "E" UNLESS YOU NEED TO FIGURE "F."

If 6% of the GROUND FLOOR AREA of your PRINCIPAL USE BUILDING is less than the total in "E," then you have a ***SIGN AREA CAP*** (.06 x GFA = "F") instead.

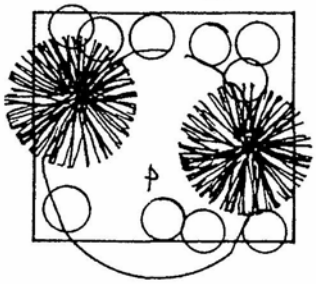
APPENDIX E-1: *STANDARD PLANT UNITS* -- ALTERNATIVES 1 - 5



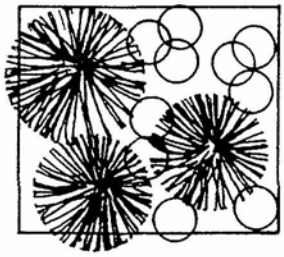
ALTERNATIVE 1: one 3" caliper ***canopy tree***
two 1½" caliper ***understory trees***
ten 3' high ***shrubs***



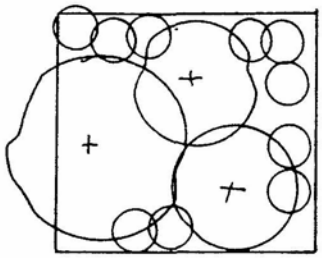
ALTERNATIVE 2: one 2" caliper ***canopy tree***
one 1½" caliper ***understory tree***
ten 3' high ***shrubs***
one 8' high ***evergreen tree***



ALTERNATIVE 3: one 2" caliper ***canopy tree***
ten 3' high ***shrubs***
two 6' high ***evergreen trees***



ALTERNATIVE 4: ten 3' high ***shrubs***
one 8' high ***evergreen tree***
two 6' high ***evergreen trees***



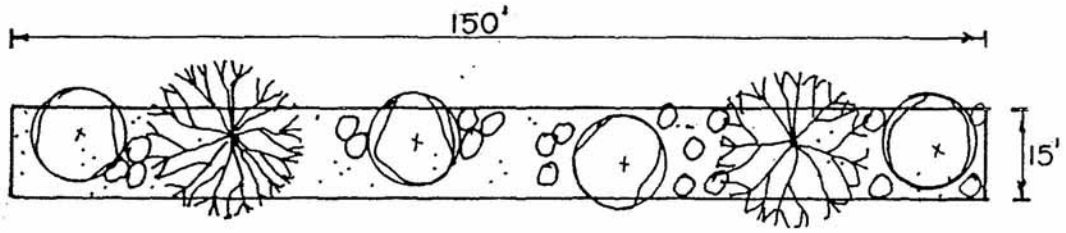
ALTERNATIVE 5: two 3" caliper ***canopy trees***
one 2" caliper ***canopy tree***
ten 3' high ***shrubs***

Canopy trees may be reduced in caliper by 1" and ***evergreen trees*** may be reduced in height by 2' if the ***bufferyard*** features a 3' high berm.

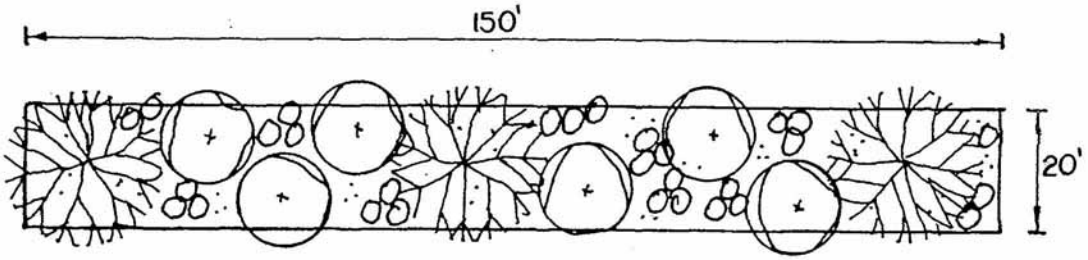
APPENDIX E-2: ILLUSTRATION OF *BUFFERYARDS* -- TYPES A, B, and C

(USING ALTERNATIVE 1 AS AN EXAMPLE)

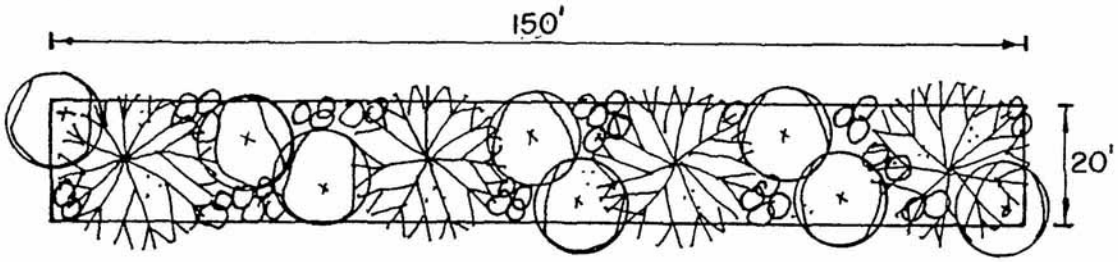
TYPE A: two ***canopy trees***
four ***understory trees***
twenty ***shrubs***



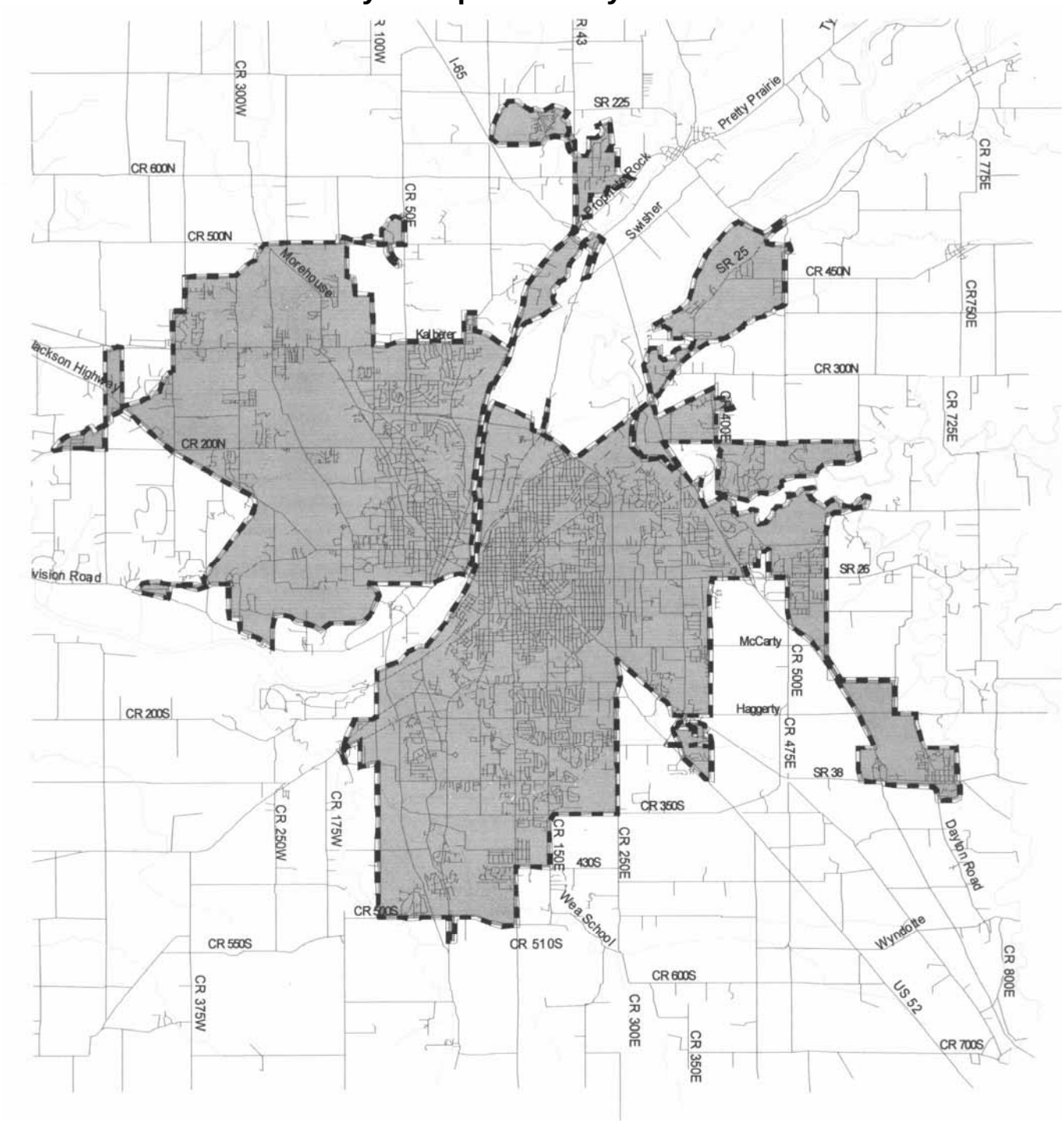
TYPE B: three ***canopy trees***
six ***understory trees***
thirty ***shrubs***



TYPE C: four ***canopy trees***
eight ***understory trees***
forty ***shrubs***



APPENDIX F-1: URBANIZED AREA BOUNDARY
AS DEFINED BY THE UNITED STATES BUREAU OF CENSUS
(See definition of *Urban Area*, which in subsection (b) includes any incorporated city or town



APPENDIX F-2: *ROADS* AND HIGHWAYS ON THE INTERSTATE, *NATIONAL* AND *FEDERAL-AID PRIMARY HIGHWAY* SYSTEMS:

SR 25 N: UAB to the Carroll County Line

SR 25 S: UAB to SR 28

SR 26 E: UAB to the Clinton County Line

SR 28: Clinton County Line to the Fountain County Line

SR 43: I-65 to the White County Line

US 52 W: UAB to the Benton County Line

US 231 S: UAB to the Montgomery County Line

I-65: Clinton County Line to the White County Line

UAB = Urbanized Area Boundary as designated by the United States Bureau of Census(See Appendix F-1)

INDIANA SCENIC BYWAYS

River Road Scenic Byway: A stretch of roadway from I-65 southwest to Ross Hills Park, including SR 43 (North River Road) south of I-65, US 231 from Harrison Bridge to South River Road, South River Road, Division Road west of South River Road to CR 875 W and CR 875 W. (Amend 38)

APPENDIX G

CERTIFICATION OF FARMLAND RURAL ESTATE SUBDIVISION

For the property (complete metes and bounds legal description attached) located in _____ Township, _____ (Section, ¼ section, Township, Range) containing _____ acres, more or less, a designated employee of the USDA Farm Service Agency has found the following to be true based on Farm Service Agency aerial photographs:

Year aerial photograph was taken	Total Acreage in Rural Estate request	Acreage not mechanically harvested	Percentage of area not mechanically harvested
1997			%
1998			%
1999			%
2000			%
2001			%

Signed and certified this _____ day of _____, 20___.

_____ _____

USDA Farm Service Agency name printed; title