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## Area Plan Commission of Tippecanoe County, Indiana

July 21, 2022  
Ref. No.: 2022-169

Tippecanoe County Commissioners  
20 N. 3<sup>rd</sup> Street  
Lafayette, IN 47901

### CERTIFICATION

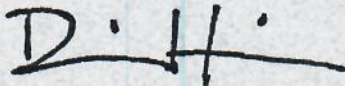
**RE: UZO AMENDMENT #106:**

This proposed amendment would add two entries in Section 3-2 Permitted Use Table of the UZO: towing services and impound lots.

Dear County Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on July 20, 2022, the Area Plan Commission of Tippecanoe County voted 15 yes – 0 no on the motion to approve the enclosed amendment to the Unified Zoning Ordinance. Therefore, the Area Plan Commission of Tippecanoe County recommends to the County Commissioners that the proposed zoning ordinance amendment be approved.

Sincerely,



David Hittle  
Executive Director

DH/jae

Enclosure: Staff Report and Ordinance

**ORDINANCE NO. \_\_\_\_\_**  
**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF**  
**TIPPECANOE COUNTY, INDIANA, NO. 97-51-CM**

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF TIPPECANOE COUNTY, INDIANA, THAT THE UNIFIED ZONING ORDINANCE, BEING A SEPARATE ORDINANCE AND NOT PART OF A UNIFIED COUNTY CODE IS HEREBY AMENDED AS FOLLOWS:**

**Section 1:** Change **UZO Section 3-2 PERMITTED USE TABLE** by adding the following uses below "SIC 754 Automotive services except repair":

Towing Service: This use would be permitted by right in the GB, HB, I1, I2 and I3 zones.

Impound Lots: This use would be permitted in the GB and I3 zones by right.

This ordinance shall be in full force and effect from and after its passage.

**(Adopted And Passed) (Denied) by the Board Of Commissioners of Tippecanoe County, Indiana, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.**

VOTE:

\_\_\_\_\_

\_\_\_\_\_  
David S. Byers, President

\_\_\_\_\_

\_\_\_\_\_  
Tracy A. Brown, Vice President

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Thomas P. Murtaugh, Member

ATTEST:

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Robert Plantenga, Auditor

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## Unified Zoning Ordinance Amendment #106 TOWING SERVICES AND IMPOUND LOTS AMENDMENT

Staff Report  
JULY 14, 2022

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### **BACKGROUND:**

In April of this year staff was contacted by a realtor who was inquiring about an I3 zoned property and whether or not it could support a towing business and impound lot. Currently the UZO classifies this use as SIC 754 "Automotive Services except repair" which also includes similar uses such as car washes, auto detailing, rust proofing and window tinting. However, these uses (including towing services and impound lots) are only allowed in the GB, HB, I1 and I2 zones. Both towing businesses and impound lots are not permitted in the I3 zone.

Our industrial zones, I1, I2, and I3 differ by the intensity of the use and amount of outdoor activity. I1 is low in impact because they are operated entirely indoors and have attached loading facilities. I2 is moderate in impact because they are operated entirely indoors except for outdoor loading facilities. I3 is heavy in impact because more than just loading activities are conducted outside. It alone allows outside storage of goods and materials.

Because impound lots are storage areas for heavily damaged vehicles and are usually outdoors, the one industrial zone that allows outdoor storage should be the one zone that allows this use. But currently, it does not.

After meeting with the Administrative Officer's on May 5, 2022, Staff is proposing to pull both towing services and impound lots from SIC 754 and add them as two new line items in the permitted use table under that heading: Towing services and Impound lots. Towing services where there is no impound lot present are less intensive and should be permitted by right in the GB, HB, I1, I2 and I3 zones. However, impound lots are typically operated with large outdoor areas for storage of vehicles and staff originally believed that I3 zoning alone would best fit this use.

After the Ordinance Committee approved this amendment at its June 1, 2022 meeting, staff looked further into existing operations in Tippecanoe County and discovered that at least two businesses, possibly more, operating towing services and impound lots were located in the General Business zone. (The General Business zones allows the outdoor storage of materials like the I3 zone allows.) In an effort to not make these businesses nonconforming, staff is recommending that Impound Lots be permitted by right in the GB zone as well as the I3 zone.

### **STAFF RECOMMENDATION:**

Approval

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING CHAPTERS 3 & 5  
OF ORDINANCE NO. \_\_\_\_\_  
BEING THE UNIFIED ZONING ORDINANCE  
OF TIPPECANOE COUNTY.**

**Be it ordained** by the (County Commissioners of Tippecanoe County, Indiana; the Common Council of the City of Lafayette, Indiana; the Common Council of the City of West Lafayette, Indiana; the Town Council of the Town of Battle Ground, Indiana; the Town Council of the Town of Dayton, Indiana; and the Town Council of Clarks Hill, Indiana), that Ordinance No. \_\_\_\_\_, being the Unified Zoning Ordinance of Tippecanoe County is hereby amended as follows:

**Section 1:** Change **UZO Section 3-2 PERMITTED USE TABLE** by adding the following two line items below "SIC 754 Automotive services except repair):

Towing Service: This use would be permitted by right in the GB, HB, I1, I2 and I3 zones.

Impound Lots: This use would be permitted in the GB and I3 zones by right.

This ordinance shall be in full force and effect from and after its passage.