

ORDINANCE NO. 2001-04-CM

AN ORDINANCE AMENDING CHAPTERS 1 and 4 and APPENDIX D

OF ORDINANCE NO. 97-51-CM

BEING THE UNIFIED ZONING ORDINANCE

OF TIPPECANOE COUNTY.

Be it ordained by the County Commissioners of Tippecanoe County, Indiana, that Ordinance No. 97-51-CM, being the Unified Zoning Ordinance of Tippecanoe County is hereby amended as follows:

**Section 1:** Change 1-10-2, WORDS AND TERMS DEFINED, of 1-10, DEFINITIONS, of CHAPTER 1, GENERAL PROVISIONS, by revising the definition of SIGN-LOT, to read:

**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*.

**Section 2:** Change subsection (b) of 4-8-2, COMPUTATIONS, of 4-8 SIGNS, of CHAPTER 4, ADDITIONAL USE RESTRICTIONS, to read:

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.

**Section 3:** Insert a new paragraph (3) in subsection (b) of 4-8-3, SIGNS ALLOWED ON PRIVATE PROPERTY WITH AND WITHOUT PERMITS, of 4-8 SIGNS, of CHAPTER 4, ADDITIONAL USE RESTRICTIONS, to read:

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 square feet up to a maximum of 400 square feet;

and renumber current paragraphs (3) and (4) as (4) and (5) respectively.

**Section 4:** Change the renumbered paragraph (4) in subsection (b) of 4-8-3, SIGNS ALLOWED ON PRIVATE PROPERTY WITH AND WITHOUT PERMITS, of 4-8 SIGNS, of CHAPTER 4, ADDITIONAL USE RESTRICTIONS, to read:

the sum of the area of all *integrated center signs* conforms to the requirements of the table in 4-8-7-b. *Setback* is always measured from the edge of the *right-of-way* to the leading edge of the *sign*;

**Section 5:** Change 4-8-4, PERMITTED SIGNS BY TYPE AND ZONE, of 4-8, SIGNS, of CHAPTER 4, ADDITIONAL USE RESTRICTIONS, by replacing the designation "P" (allowed with sign permit) for FREESTANDING: INTEGRATED CENTER signs in the NBU zone with "N" (not allowed).

**Section 6:** Change 4-8-4, PERMITTED SIGNS BY TYPE AND ZONE, of 4-8, SIGNS, OF CHAPTER 4, ADDITIONAL USE RESTRICTIONS, so that the line for sign type entitled "FREESTANDING: ALL OTHERS" shall have added a footnote number 10. The footnotes at the end of 4-8-4 shall have a footnote 10 added which reads as follows: "Not permitted for *primary uses* within *integrated centers* other than as allowed in footnote 3 above."

**Section 7:** Change 4-8-5, MAXIMUM SIGN AREA PER SIGN-LOT, BY ZONE, of 4-8, SIGNS, of CHAPTER 4, ADDITIONAL USE RESTRICTIONS, to read:

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.

Also, in the column heading of the fourth column of the table, change the heading to read:

**PERCENT OF PERMITTED FREESTANDING SIGN AREA USED<sup>3</sup>**

Also, under the fourth column of the table, delete the subheading:

**PERCENT OF PERMITTED FREESTANDING SIGN AREA USED<sup>3</sup>**

Also, under the fourth column of the table, delete:

**PERCENT OF FLOOR AREA IN INTEGRATED CENTER<sup>4</sup>**

1 - 5%:	<b>0.3</b>
6 - 10%:	<b>0.4</b>
11 - 25%:	<b>0.5</b>
26 - 50%:	<b>0.6</b>
51 - 75%:	<b>0.75</b>
76 - 99%:	<b>1.0</b>

Also, change Footnote 1 to read:

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.

Also, change Footnote 3 to read:

As a percentage of the total area of *freestanding signage* permitted in 4-8-6 below.

Also, delete Footnote 4, "This factor does not apply in either CB or CBW zones," from the table.

**Section 8:** Change 4-8-6, NUMBER PER SIGN-LOT, AREA, HEIGHT AND SETBACK OF INDIVIDUAL *FREESTANDING SIGNS*, BY ZONE, of 4-8, SIGNS, of CHAPTER 4, ADDITIONAL USE RESTRICTIONS, to read:

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).

Also, under the first column of the table, FREESTANDING SIGN CHARACTERISTICS, change the heading for row 1 to read:

**MAXIMUM NUMBER PERMITTED PER SIGN-LOT**

Also, in the column heading of the ninth column of the table, delete the reference to CBW.

Also, under the fifth through ninth columns of the table, change the MAXIMUM NUMBER PERMITTED PER SIGN-LOT to read:

1 per each *road frontage*

Also, delete footnote 1, "Or *alley* entrance in the absence of any driveway," in the table and renumber current footnotes 2 and 3 as 1 and 2 respectively.

**Section 9:** Change 4-8-7, *SIGNAGE FOR INTEGRATED CENTERS*, of 4-8, SIGNS, of CHAPTER 4, ADDITIONAL USE RESTRICTIONS, by inserting a new subsection (a) to read:

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.

Also, reletter current subsection (a) as (b) and change to read:

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.

Also, under the second column of the table, INTEGRATED CENTER GROUND FLOOR AREA FACTOR, change to read:

up to 20,000 sq.ft.	= 1.0
20,001 -- 100,000 sq.ft.	= 1.5
100,001 -- 200,000 sq.ft.	= 2.0
200,001+ sq ft	= 3.0

Also, under the third column of the table, ROAD SPEED LIMIT FACTOR, change to read:

Up to 30	= 1.0
31 -- 44mph	= 1.5
45 -- 55mph	= 2.5

Also, change footnote 1 to read:

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.

**Section 10:** Change 4-8-8, PERMITTED SIGN CHARACTERISTICS BY ZONE, of 4-8 SIGNS, of CHAPTER 4, ADDITIONAL USE RESTRICTIONS, so that the reference to footnote 1 for sign characteristic entitled "CHANGEABLE COPY SIGN" for "INSTITUTIONAL USES: RESIDENTIAL / RURAL" shall be deleted and that footnote 1, "Allowed without a sign permit if there are no electrical components," shall be deleted.

Also, renumber current footnotes (2) and (3) as (1) and (2) respectively.

**Section 11:** Change subsection (b) of 4-8-9, EVENT ORIENTED SIGNS, of 4-8 SIGNS, of CHAPTER 4, ADDITIONAL USE RESTRICTIONS, to read:

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, no more than 4 times per year.

**Section 12:** Change subsection (c) of 4-8-9, EVENT ORIENTED SIGNS, of 4-8 SIGNS, of CHAPTER 4, ADDITIONAL USE RESTRICTIONS, to read:

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.

**Section 13:** Change subsection (f) of 4-8-10, OUTDOOR ADVERTISING SIGNS, of 4-8 SIGNS, of CHAPTER 4, ADDITIONAL USE RESTRICTIONS, to read:

*Outdoor advertising signs* shall not be placed closer than 1000' from each other. This distance is to be measured radially.

**Section 14:** Insert a new subsection (i) of 4-8-10, OUTDOOR ADVERTISING SIGNS, of 4-8 SIGNS, of CHAPTER 4, ADDITIONAL USE RESTRICTIONS, to read:

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.

**Section 15:** Delete subsection (e) of 4-11-9, AUTOMATED TELLER MACHINES, of 4-11 MISCELLANEOUS RESTRICTIONS, of CHAPTER 4, ADDITIONAL USE RESTRICTIONS and reletter current subsection (f) as (e).

**Section 16:** Change the relettered subsection (e) of 4-11-9, AUTOMATED TELLER MACHINES, of 4-11 MISCELLANEOUS RESTRICTIONS, of CHAPTER 4, ADDITIONAL USE RESTRICTIONS, to read:

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.

**Section 17:** Change subsection (d) of **D-1-2, CALCULATING SIGN AREA, of D-1 ON-PREMISE SIGN SIZE REQUIREMENTS, of APPENDIX D COMPUTING SIGN AREA PER SIGN-LOT,** to read:

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.

**Section 18:** Delete subsection (j) of **D-1-2, CALCULATING SIGN AREA, of D-1 ON-PREMISE SIGN SIZE REQUIREMENTS, of APPENDIX D COMPUTING SIGN AREA PER SIGN-LOT.**

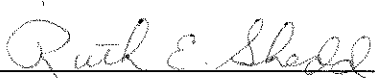
**Section 19:** Delete Item E of **D-2, CALCULATING MAXIMUM SIGN AREA FOR A SIGN-LOT, of APPENDIX D COMPUTING SIGN AREA PER SIGN-LOT** and reletter current Item F and Item G as Item E and Item F respectively.

**Section 20:** This ordinance shall be in full force and effect from and after the date of passage.

**ADOPTED AND PASSED BY THE BOARD OF COMMISSIONERS OF TIPPECANOE COUNTY, INDIANA THIS 5th DAY OF February, 2001.**

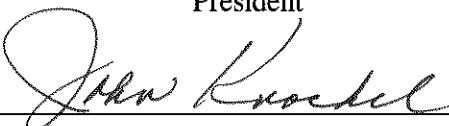
THE BOARD OF COMMISSIONERS OF THE COUNTY OF TIPPECANOE

Yes

  
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President

Yes

  
\_\_\_\_\_

Vice President

Yes

  
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Member

ATTEST:

  
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Robert A. Plantenga, Auditor