

ORDINANCE NO. 90-20-CM

ORDINANCE AMENDING CHAPTERS 2, 3, AND 4
OF ORDINANCE NO. _____
BEING THE UNIFIED ZONING ORDINANCE
OF TIPPECANOE COUNTY

Be it ordained by the (County Commissioners of Tippecanoe County, Indiana; the City Council of the City of Lafayette, Indiana; the City Council of the City of West Lafayette, Indiana; the Town Board of the Town of Battle Ground, Indiana; the Town Board of the Town of Dayton, Indiana) that Ordinance No. _____, being the Unified Zoning Ordinance of Tippecanoe County is hereby amended as follows:

Section 1. Amend section 2.1 (Kinds of Districts: Establishment) of the Unified Zoning Ordinance by adding a new subsection (14) to read as follows:

(14) In the City of West Lafayette, Central Business Districts, designated "CBP", are established to include core business areas in the city which experience significant pedestrian traffic and which require 60 percent of the parking otherwise required for certain customer oriented business uses as set forth in section 4.15(k), and 100 percent of the parking required for other uses.

The remaining subsections of section 2.1 presently numbered (14) through (18) are renumbered (15) through (19) to remain in sequence.

Section 2. Amend the first sentence of Unified Zoning Ordinance section 2.5 (Subdivisions, Planned Developments and Condominiums) to read as follows:

The subdivision of land pursuant to the requirements of the Subdivision Ordinance of the cities of Lafayette and West Lafayette, the towns of Battle Ground and Dayton, and Tippecanoe County, Indiana, shall be permitted in these districts: A, AA, FP, FC, R1, R1A, R1B, R2, R3, R4, CB, CBP, AB, LB, LBS, GB, SC, I and IR.

Section 3. Amend Unified Zoning Ordinance section 3.1 (Primary Uses) to allow the following uses in a CBP district:

PRIMARY USES	CBP
RESIDENTIAL USES	
Dwelling, single-family	X(10)
Boarding or lodging house	X(10)
Dwelling, two-family	X(10)
Dwelling, multi-family	X(10)
Shared housing	X(10)
PUBLIC FACILITIES	
Church or temple	X
Governmental offices	X
Kindergarten or day nursery	X
Police station or fire station	X
Public library or museum	X
Public park or recreational facility	X
Public or employee parking area(1)	X
School, public or parochial	X
Telephone exchange or public utility substation	S
Trade or business school	X
Transmission lines for gas, oil, electric or other utilities	S
University or college	X
BUSINESS USES: APPLIANCES	
Electric appliance service and sales	X
Radio-TV service and sales	X
Other similar uses	X
BUSINESS USES: AUTOMOBILE SERVICES	
Automobile repair (all indoors)	X

Filling or service station(1)	X
Public parking garage	X
Public parking area	X
Other similar uses	S
BUSINESS USES: CLOTHING SERVICES	
Dressmaking shop	X
Drycleaning establishment(2)	X
Laundry agency	X
Millinery shop	X
Self-service laundry	X
Shoe repair shop	X
Tailor and pressing shop	X
Other similar uses	S
BUSINESS USES: FOOD SALES AND SERVICES	
Bakery - retail	X
Dairy - retail	X
Delicatessen	X
Grocery	X
Meat market	X
Restaurant	X
Supermarket	X
Other similar uses	S
BUSINESS USES: GENERAL BUSINESS	
Bank	X
Business or professional office	X
Postal station	X
Telegraph office	X
Other similar uses	S
BUSINESS USES: PERSONAL SERVICES	
Barber shop	X
Beauty shop	X
Reducing salon	X
Other similar uses	X
BUSINESS USES: RECREATION	
Bait sales	X
Billiard room(3)	X
Bowling alley(3)	X
Dancing academy(3)	X
Lodge or private club	X
Night club(3)	X
Private recreational development	S
Tavern(3)	X
Theater, indoor(3)	X
BUSINESS USES: RETAIL SALES	
Apparel shop	X
Department store	X
Drugstore	X
Flower shop(4)	X
Gift shop	X
Hardware store	X
Jewelry store	X
Newsdealer	X
Record shop	X
Retail showroom	X
Stationery	X
Variety store	X
Other similar uses	X
BUSINESS USES: MISCELLANEOUS	
Clinic	X
Home service	X
Hospital	X
Hotel or motel	X
Railway station or motorbus station	X
Photographic studio	X
Retail business not otherwise covered	X

(10) Residential uses in CBP must be located above the ground floor, except that one handicapped accessible dwelling unit may be located on the ground floor of non-elevator buildings.

Section 4. Amend subsection (a) of Unified Zoning Ordinance section 4.1 (Height of Structures) to read as follows:

(a) (TIPPECANOE COUNTY, DAYTON) Except as otherwise provided by this section, or in Chapter 6, no structure may be erected or changed so as to make its height greater than twenty-five feet if it is in an R1, R1A, R1B, R2 or FC District, or thirty-five feet if it is in an A, AA, R3, R4, AB, LB, GB, CBP, SC, or IR District, or one hundred feet if it is in a CB or I District. Provided, however, that in the City of West Lafayette only, in an R3 District, the height of the finish floor of the upper story shall not exceed 14 feet. Also, provided that no building in a CBP zone shall have more than three stories, regardless of height, any part of which is above grade at the front elevation of the building.

(a) (LAFAYETTE, WEST LAFAYETTE, BATTLE GROUND) Except as otherwise provided by this section, no structure may be erected or changed so as to make its height greater than twenty-five feet if it is in an R1, R1A, R1B, R2 or FC District, or thirty-five feet if it is in an A, R3, R4, AB, LB, GB, CBP, SC, or IR District, or one hundred feet if it is in a CB or I District. Provided, however, that in the City of West Lafayette only, in an R3 District, the height of the finish floor of the upper story shall not exceed 14 feet. Also, provided that no building in a CBP zone shall have more than three stories, regardless of height, any part of which is above grade at the front elevation of the building.

Section 5. Amend Unified Zoning Ordinance section 4.6 (Standard Setbacks) to read as follows:

(a) In any district except the CB and CBP districts, where there is no such requirement, minimum depth of front yard for a lot abutting a street shall be as follows:

<u>Street Type</u>	<u>Minimum Front Yard</u>
Local or Place	25 feet
Collector	30 feet
Secondary Arterial	40 feet
Primary Arterial	60 feet

Arterials are designated by the Adopted Thoroughfare Plan; collectors are designated by resolution of the commission.

However, along a local street in a residence district or business district other than CB or CBP, where fifty percent of lots in that block face are occupied by principal use buildings, minimum depth of front yard for that block face shall be the average depth of front yard for those buildings, provided that such front yard shall be no less than 10 feet. But buildings to be removed to make way for a new building shall not be included when calculating average depth of front yard to be applied to the new building.

A through lot has a front yard on each abutting street.

For any corner lot, these front yard setback standards shall also apply to the side yard abutting the primary or secondary arterial, collector, local street or place.

Where a lot does not abut a street, minimum depth of front yard shall be 25 feet, measured from a designated front lot line.

For any accessory building, minimum depth of front yard shall be the same as for the principal use building.

(b) Minimum depth of rear yard, in feet, for primary and accessory buildings shall be as follows:

Zoning District	Residential Use		Nonresidential Use	
	Primary	Accessory	Primary	Accessory
R1, R1A, R1B, R2, R3, R4, A, AA, FC	25	10	25	10
LB	15	15	15	15
GB, AB	15	15	15/40 (1)	15/40 (1)
CB, CBP	0	0	0	0
I	--	--	15/40 (1)	15/40 (1)
IR	15	15	15/40 (1)	15/40 (1)

(1) Where rear lot line abuts a residential district

(c) Minimum depth of side yard, in feet, for primary or accessory buildings shall be as follows:

Zoning District	Residential Use	Nonresidential Use
R1, R1A, R1B, R2, R3, R4, A, AA, FC	6	6
LB, GB, AB	0	0/10 (1)
CB, CBP	0	0
I	--	0/30 (1)
IR	6	0/30 (1)

(1) Where side lot line abuts a residential district

Section 6. Amend Unified Zoning Ordinance section 4.14 to add a subsection (f) as follows:

(f) Each principal use building in a CBP development shall provide a loading berth for its use and all deliveries shall use the same unless the administrative officer certifies that there is a street or alley loading zone within 130 feet of the development in which case the development may elect not to include a loading berth. If no loading berth is included, all deliveries must be made using the certified street or alley loading zone.

Section 7. Amend Unified Zoning Ordinance section 4.15 to add a subsection (k) as follows:

(k) In West Lafayette only, the maximum number of parking spaces required for customer oriented retail uses in a CB District shall be 59.9% of that otherwise set forth in this section. The minimum number of parking spaces required for customer oriented retail uses in a CBP District shall be 60.0% of that otherwise set forth in this section. Customer oriented retail uses include department store, retail showroom, apparel shop, flower shop, drugstore, hardware store, stationer, newsdealer, record shop, photo studio, barber shop, beauty shop, reducing salon, restaurant, delicatessen, bakery, grocery, meat market, supermarket, electrical appliance shop, radio-TV shop, dressmaker, millinery, tailor and pressing shop, shoe repair, dry cleaning shop, self-service laundry, laundry agency, billiard room, tavern, night club and similar business uses. No such parking shall be located between the building and the right-of-way line of any adjoining street. For existing buildings only, the board may grant a variance to permit the required parking to be located between the building and the right-of-way line of any adjoining street.

Section 8. Amend Unified Zoning Ordinance section 4.17(d)(2) to read as follows:

(2) For each primary use other than those listed in paragraph (1), signs shall be permitted as accessory uses according to the number and net area of signs set forth below:

Sign and Sign Area

District	Number of Signs	Net Sign Area (each)
AB & SC	3	60 square feet
LB	1	30 square feet
GB & CB	2	40 square feet

In CBP districts one sign of 30 square feet shall be permitted for each street frontage of each integrated center and one sign of 30 square feet permitted for each separate retail use and one additional sign of 10 square feet facing the parking lot for each use with a public entrance facing the parking lot (if a sign facing a street frontage is not visible from the parking lot). No portion of a sign may be located above the lower edge of the roof line. For purposes of this section, a separate use is a contiguous space, regardless of goods sold or services offered, which is operated as one space without intervening lockable partitions. No free standing or overhanging signs are permitted. One additional sign of 10 square feet is permitted for the integrated center, whose placement must be approved by the administrative officer, identifying the location of the entrance to any parking lot located on the opposite side of the building from the street.

Any change in a sign, including the facing, shall require an improvement location permit.

Enacted by the Board of Commissioners of the County of Tippecanoe, Indiana, on this 15th day of October, 1990.

THE BOARD OF COMMISSIONERS
OF THE COUNTY OF TIPPECANOE

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