

## ORDINANCE NO. 35-22

### TO AMEND CERTAIN PORTIONS OF THE UNIFIED ZONING ORDINANCE OF TIPPECANOE COUNTY, INDIANA, DESIGNATING THE TIME WHEN THE SAME SHALL TAKE EFFECT.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF WEST LAFAYETTE, INDIANA, THAT ORDINANCE NO. 32-97 IS HEREBY AMENDED AS FOLLOWS:

**Section 1:** Change **UZO Section 1-10-2 Words and Terms Defined** by adding the following:

**TRANSIENT GUEST HOUSE.** A *primary use* consisting of a *single-family, two-family, or multi-family dwelling* where none of the units are required to be owner-occupied, within which transient accommodations may be provided for rent for a period of less than one month, subject to the restrictions of UZO Section 4-11-13.

**TRANSIENT GUEST RENTAL.** An *accessory use* consisting of an owner-occupied *dwelling unit* within which limited transient guest accommodations may be provided for rent for a period of less than one month and no more than 60 days per calendar year, while the owner is not required to be present, subject to the restrictions of UZO Section 4-11-13.

**TRANSIENT GUEST ROOM.** Limited transient guest accommodations within an owner-occupied abode where up to a maximum of two rooms may be rented and the owner must be present on site. A transient guest room shall meet the requirements of a *home occupation* or *rural home occupation* and is subject to the restrictions of UZO Section 4-11-13(b).

**Section 2:** Change **UZO Section 3-2 Permitted Use Table** by adding the following two uses to the table:

“**Transient Guest House**” (Special Conditions: 4-11-13) permitted by right in the R3 zones, the R4 zones, MRU, CB and CBW; and by special exception in the R1 zones, R2 zones, and the Rural zones.

“**Transient Guest Rental**” (Special Conditions: 4-11-13) permitted by right in all zones which permit “Single-family dwellings” by right.

**Section 3:** Change **UZO Chapter 4** by adding the following new **Section 4-11-13 TRANSIENT GUEST ACCOMMODATION:**

4-11-13 TRANSIENT GUEST ACCOMMODATION:

- (a) To ensure compatibility with neighboring uses:
- (1) The exterior of a **dwelling** used for a **transient guest room** or as a **transient guest rental** or as a **transient guest house** shall not be modified (or if built new, constructed) in any way that substantially lessens its basic appearance as a **dwelling**; and
  - (2) No exterior **signage** shall be permitted for a **transient guest rental**, or a **transient guest house**.
- (b) The owner of a **dwelling** desiring to use such **dwelling** for a **transient guest room** or as a **transient guest rental** or as a **transient guest house** shall first obtain a permit for such use from the appropriate **Administrative Officer**.

**Section 4:** Change **UZO Chapter 5, Section 5-5-3 PERMITTED HOME OCCUPATIONS** by adding the following number (14):

- (a) Home occupations may include, but are not necessarily limited to the following:

(14) A **transient guest room**

**Section 5:** Change **UZO Chapter 5, Section 5-5-4 PROHIBITED HOME OCCUPATIONS** by amending it as follows:

For reasons of incompatibility with permitted **uses**, and/or violations of neighborhood character, permitted **home occupations** shall not include the following:

- (j) **Bed and breakfast**, tourist home or boarding home;

**Section 6:** Change **UZO Chapter 5, Section 5-5-7 PROHIBITED RURAL HOME OCCUPATIONS** by eliminating (g) Tourist and/or boarding home in the list of prohibited **rural home occupations**.

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

INTRODUCED ON FIRST READING ON THE 7 DAY OF November, 2022.

MOTION TO ADOPT MADE BY COUNCILOR DeBoer, AND SECONDED BY COUNCILOR Thomas.

DULY ORDAINED, PASSED, AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF WEST LAFAYETTE, INDIANA, ON THE 7 DAY OF November, 2022, HAVING BEEN PASSED BY A VOTE OF 8 IN FAVOR AND 1 OPPOSED, THE ROLL CALL VOTE BEING:

	AYE	NAY	ABSENT	ABSTAIN
Blanco	✓			
Brown	✓			
Bunder	✓			
DeBoer		✓		
Hardesty	✓			
Leverenz	✓			
Parker	✓			
Sanders	✓			
Thomas	✓			

  
 Peter Bunder, Presiding Officer

Attest:

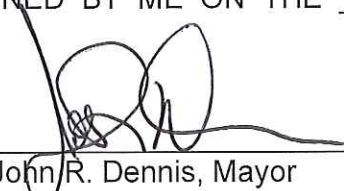
  
 Sana G. Booker, Clerk



PRESENTED BY ME TO THE MAYOR OF THE CITY OF WEST LAFAYETTE, INDIANA  
 ON THE 8 DAY OF November, 2022.

  
 Sana G. Booker, Clerk

THIS ORDINANCE APPROVED AND SIGNED BY ME ON THE 8 DAY OF  
November, 2022.

  
 John R. Dennis, Mayor

Attest:

  
 Sana G. Booker, Clerk

