

ORDINANCE NO. 29-12

**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 definition:

FARM DRAINAGE TILE CONTRACTOR. A business which installs and maintains agricultural drainage.

Section 2: Change **UZO Section 3-2 Permitted Use Table**, by adding under SIC 16 the following category:

"Farm Drainage Tile Contractor" with new footnote 66, parking group 6, permitted by the right in the I1, I2, and I3 zones and by special exception in the A zone.

Section 3: Change **UZO Section 3-2 Permitted Use Table**, by adding the following new footnote:


Footnote 66: In the A zone, all work, materials and equipment shall be indoors and on lots with a minimum of two acres in area.

This ordinance shall be in full force and effect from and after its passage and signing by the Mayor.

INTRODUCED ON FIRST READING ON THE 5 DAY OF November, 2012.

DULY ORDAINED, PASSED, AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF WEST LAFAYETTE, INDIANA, ON THE 5 DAY OF November, 2012, HAVING BEEN PASSED BY A VOTE OF 7 IN FAVOR AND 0 OPPOSED, THE ROLL CALL VOTE BEING:

	AYE	NAY	ABSENT	ABSTAIN
Bunder	✓			
Burch	✓			
Dietrich	✓			
Hunt	✓			
Keen	✓			
Thomas	✓			
VanBogaert	✓			




 Presiding Officer

Attest:



 Judith C. Rhodes, Clerk-Treasurer

PRESENTED BY ME TO THE MAYOR OF THE CITY OF WEST LAFAYETTE, INDIANA ON
 THE 9 DAY OF November, 2012, AT THE HOUR OF
9:00 A.M.




 Judith C. Rhodes, Clerk-Treasurer

THIS ORDINANCE APPROVED AND SIGNED BY ME ON THE 9 DAY OF
November, 2012, AT THE HOUR OF 9:00 A.M.



 John R. Dennis, Mayor

Attest:



 Judith C. Rhodes, Clerk-Treasurer

THE

Area Plan Commission

of TIPPECANOE COUNTY

20 NORTH 3RD STREET
LAFAYETTE, INDIANA 47901-1209

(765) 423-9242
(765) 423-9154 [FAX]
www.tippecanoe.in.gov/apc

SALLIE DELL FAHEY
EXECUTIVE DIRECTOR

October 18, 2012
Ref. No.: 12-295

West Lafayette Common Council
609 W. Navajo Street
West Lafayette IN 47906

CERTIFICATION

**RE: UZO AMENDMENT #74--FARM DRAINAGE TILE
CONTRACTOR:**

A proposed amendment that adds "farm drainage tile contractor" to the primary use table and makes them allowed by special exception in the A zone.

Dear Council:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on October 17, 2012, the Area Plan Commission of Tippecanoe County voted 11 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 West Lafayette Common Council that the proposed zoning ordinance amendment be approved.

Sincerely,


Sallie Dell Fahey
Executive Director

SDF/lmu

Enclosure: Staff Report and Ordinance

**UNIFIED ZONING ORDINANCE AMENDMENT #74
FARM DRAINAGE TILE CONTRACTOR**

**STAFF REPORT
October 11, 2012**

**Unified Zoning Ordinance Amendment #74
Farm Drainage Tile Contractor**

**Staff Report
October11, 2012**

Staff was contacted by a business owner who wants to legitimize his existing farm drainage tile installation business. Currently the ordinance lumps this use in with “Heavy construction other than building construction – contractors” and only allows these farm drainage contracting businesses in the three industrial zones. After several meetings with the business owner as well as meetings with the site’s property owner, staff spoke with the County Commissioners and brought a proposed ordinance amendment before the Ordinance Committee of the APC.

Because this business is an agriculturally-related use serving farmers, everyone agreed with staff that in addition to allowing this use in the industrial zones, it should also be permitted in the Agricultural zoning district, but with some stipulations to protect neighboring properties. It was decided it should only be allowed in the A zone with a special exception from the ABZA. It was also decided that a footnote would be added that limits the use to properties of 2 acres in area or larger, and prohibits outside storage of equipment and materials in the A zone.

This proposal received a positive recommendation on September 5, 2012 from the Ordinance Committee and has staff’s support.

STAFF RECOMMENDATION:

Approval

ORDINANCE NO. _____

**AN ORDINANCE AMENDING CHAPTER 3
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 1-10-2 Words and Terms Defined, by adding the following definition:

FARM DRAINAGE TILE CONTRACTOR. A business which installs and maintains agricultural drainage.

Section 2: Change **UZO Section 3-2 Permitted Use Table**, by adding under SIC 16 the following category:

“Farm Drainage Tile Contractor” with new footnote 66, parking group 6, permitted by right in the I1, I2, and I3 zones and by special exception in the A zone.

Section 3: Change **UZO Section 3-2 Permitted Use Table**, by adding the following new footnote:

Footnote 66: In the A zone, all materials and equipment shall be stored indoors and on lots with a minimum of two acres in area.

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