

**ORDINANCE NO. 09-22**

**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 5-5-3 PERMITTED HOME OCCUPATIONS** by adding the following:

(15) An office of a state-licensed medical professional with no more than one treatment room.

**Section 2:** Change **UZO Section 5-5-4 PROHIBITED HOME OCCUPATIONS** by eliminating the following and renumbering the rest of the list in this section:

(e) Physician, dentist, optometrist, podiatrist, chiropractor, naturopathic doctor, hypnotherapist, acupuncturist, or any medical or dental clinic, office, or hospital;

INTRODUCED ON FIRST READING ON THE 4 DAY OF April, 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 4 DAY OF April, 2022, HAVING BEEN PASSED BY A VOTE OF 7 IN FAVOR AND 1 ABSTENTION, THE ROLL CALL VOTE BEING:

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

  
Peter Bunder, Presiding Officer

Attest:

Sana G. Booker  
Sana G. Booker, Clerk



PRESENTED BY ME TO THE MAYOR OF THE CITY OF WEST LAFAYETTE, INDIANA  
ON THE 5 DAY OF April, 2022.

Sana G. Booker  
Sana G. Booker, Clerk

THIS ORDINANCE APPROVED AND SIGNED BY ME ON THE 5 DAY OF  
April, 2022.

[Signature]  
John R. Dennis, Mayor

Attest:

Sana G. Booker  
Sana G. Booker, Clerk



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**Unified Zoning Ordinance Amendment #103  
ALLOWING MEDICAL PROFESSIONAL HOME OCCUPATIONS**

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**Staff Report  
March 10, 2022**

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Currently, our ordinance allows many types of small businesses as “home occupations.” As long as these businesses located in a residence meet UZO standards, and are not listed under “prohibited home occupations,” they are allowed by right. There is no special exception or rezone required; they are permitted wherever a residence is permitted.

One of the prohibited home occupations listed is:

“(e) physician, dentist, optometrist, chiropractor, naturopathic doctor, hypnotherapist, acupuncturist, or any medical or dental clinic, office or hospital.”

Staff has from time to time fielded questions from medical-related people, particularly licensed massage therapists, interested in running a home occupation. Because of the longstanding prohibition, they are told the ordinance does not allow this type of home occupation.

This prohibition was discussed at the August 2021 Administrative Officer’s meeting and it was agreed that as long as the person was licensed by the state, it would not effect a neighborhood any more than a one-chair beauty shop or someone teaching piano would. A clinic, which would house more than one medical professional, would still be prohibited as a home occupation.

This proposed change to the ordinance was discussed at the December 2021 Ordinance Committee meeting and again at the January 2022 meeting. The Committee requested a list of “medical professionals” that require a state license that this amendment would now allow to be in a residence. That list includes the following medical professions:

- Acupuncture
- Anesthesiologist Assistant
- Athletic Trainers
- Behavioral Health & Human Services
- Chiropractors
- Dentistry
- Diabetes Educators
- Dietitians
- Genetic Counselors
- Massage Therapy

Medical (Physicians & Osteopathic Physicians)  
Midwifery  
Nursing  
Occupational Therapy  
Optometry  
Physical Therapy  
Physician Assistant  
Podiatric Medicine  
Psychology  
Respiratory Care  
Speech Language Pathology and Audiology  
Telehealth

The UZO currently prohibits “any medical or dental clinic, office or hospital” as a home occupation. This amendment would change that by eliminating the prohibition, and adding the following to the list of permitted home occupations: “An office of a state-licensed medical professional with no more than one treatment room.” If a profession is not listed above, it would not meet that qualification. Staff realizes a number of the professions listed above would be unlikely to locate in the practitioner’s home, but that is a moot point.

This amendment was approved by the Ordinance Committee at its March meeting. (The section regarding self-storage warehouse businesses has been tabled and will be discussed at the April Ordinance Committee meeting.)

**STAFF RECOMMENDATION:**

Approval



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Area Plan Commission of Tippecanoe County, Indiana

March 17, 2022  
Ref. No.: 2022-050

West Lafayette Common Council  
222 N Chauncey  
West Lafayette, IN 47906

**CERTIFICATION**

**RE: UZO AMENDMENT #103:**

This amendment would change the sections on "home occupations" to include the currently prohibited state-licensed medical professionals (UZO Sections 5-5-3 and 5-5-4).

Dear Council Members:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on March 16, 2022, the Area Plan Commission of Tippecanoe County voted 10 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,

David Hittle  
Executive Director

DH/jae

Enclosure: Staff Report and Ordinance