

ORDINANCE NO. 43-04

**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 4-11-2 Boarding, Breeding, Training, and Riding Horses to read as follows:

- (a) SIC Group 0752, Boarding or training horses, describes those operations performed for horses that do or do not belong to the occupant of the premises.
- (b) When a non-occupant's horse is boarded for stud, SIC Group 02, Agricultural production – livestock, applies.

Section 2: Change UZO Section 3-2 Permitted Use Table to read as follows: SIC 0752 Boarding, and/or training horses: Allow by right in R1, GB, HB, I1, I2, I3, A, AA, AW, and FP zones (and eliminate from R1A, R1B, R1Z, R2, and R3).

Section 3: Change UZO Section 3-2 Permitted Use Table to read as follows: SIC 2048 Prepared feed and feed ingredients for animals and fowls, except dogs and cats: Allow by special exception in the A zone (in addition to the three industrial zones already permitted with a special exception) with a footnote that reads: Allowed in the A zone by special exception only if the volume of feed produced is less than 3000 tons per year.

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

INTRODUCED AND FILED ON THE ____ DAY OF _____, 20____.

DULY ORDAINED, PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF WEST LAFAYETTE, INDIANA, ON THIS THE ____ DAY OF _____, 20____, HAVING BEEN PASSED BY A VOTE OF ____ IN FAVOR AND ____ OPPOSED.

Jan H. Mills, Presiding Officer

ATTEST:

Judith C. Rhodes, Clerk-Treasurer

**PRESENTED BY ME TO THE MAYOR OF THE CITY OF WEST LAFAYETTE,
INDIANA, ON THE ____ DAY OF _____, 20____, AT THE HOUR OF
_____.**

Judith C. Rhodes, Clerk-Treasurer

**THIS ORDINANCE APPROVED AND SIGNED BY ME ON THE _____ DAY OF
_____, 20____, AT THE HOUR OF _____.**

ATTEST:

Jan H. Mills, Mayor

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]

SALLIE DELL FAHEY
EXECUTIVE DIRECTOR

October 21, 2004
Ref. No.: 04-580

RECEIVED

OCT 22 2004

West Lafayette City Council
609 W. Navajo Street
West Lafayette, IN 47906

CLERK - TREASURER

CERTIFICATION

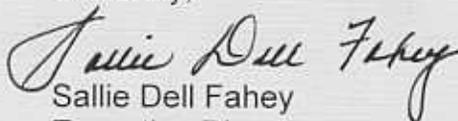
RE: UZO AMENDMENT #46

An amendment which includes changes to the sections of the ordinance regarding boarding, breeding, and training horses; and also includes changes to the Use Table regarding the manufacturing of prepared feed and feed ingredients for animals and fowls, except dogs and cats.

Dear Council Members:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on October 20, 2004, the Area Plan Commission of Tippecanoe County voted 12 yes – 0 no on the motion to approve the enclosed UZO amendment. Therefore, the Area Plan Commission of Tippecanoe County recommends to the West Lafayette City Council that the proposed zoning ordinance amendment be approved.

Sincerely,



Sallie Dell Fahey
Executive Director

SDF/bb

Enclosure: Staff Report and Ordinance

**UZO TEXT AMENDMENT
AMENDMENT 46: HORSES AND PREPARED FEED
MANUFACTURERS**

October 13, 2004

UZO TEXT AMENDMENT
AMENDMENT 46: HORSES AND PREPARED FEED
MANUFACTURERS

October 13, 2004

1. HORSES

The way the ordinance is currently written, a person living within one of six residential zones can board and train other people's horses, but they cannot have any horses of their own (except two horses as an accessory use). Staff, with the support of the Administrative Officers and the Ordinance Committee, would like to remedy this contradiction.

And thus:

- **Section 4-11-2(a):** modify language in this section regarding SIC 0752 to read, "SIC Code Group 0752, Boarding or training horses, describes those operations performed for horses that do or do not belong to the occupant of the premises".
- **Section 4-11-2(b):** modify language in this section regarding SIC 02 to read, "~~When these same operations are performed for the occupant's horses, or when a non-occupant's horse is boarded for stud,~~ SIC Group 02, Agricultural Production -- Livestock, applies.

It was also decided to change the Permitted Use Table to allow this use by right in the R1, GB, HB, I1, I2, I3, A, AA, AW, and FP zones and eliminate this use from R1A, R1B, R1Z, R2, and R3 zones.

2. FEED MANUFACTURERS

Currently the Ordinance only permits this use (specifically SIC 2048: Prepared feed and feed ingredients for animals and fowls, except dogs and cats) by special exception in the three Industrial zones. We have in operation currently a small feed manufacturer in the Agricultural zone. This use was red-tagged, and the issue of amending the zoning ordinance to allow a small, animal feed manufacturer in the A zone was discussed. In talking to the owner of the business, staff and ordinance committee members learned that 3000 tons per year or less is normal for a small operator. Large industrial types of feed manufacturers (such as Purina for example) create many more tons of feed per year and should, it was felt, be kept in industrial zones by special exception only. At the September 9th meeting of the Ordinance Committee, and after discussion at the Administrative Officer's meeting the following proposal was decided:

Allow this use in the A zone (in addition to the I zones now permitted with special exception) but only with a special exception and a footnote that limits the size of the operation in the A zone. The footnote would read: Only if the volume of feed produced is less than 3000 tons per year.

STAFF RECOMMENDATION:

Approval