

ORDINANCE NO. 27-10

**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: Add to **UZO Section 4-6 Parking and Loading Requirements** under **4-6-11 Exclusions, Reductions, and Exceptions**, a new section known as 4-6-11 (e) to read as follows:

For the *near campus area* of West Lafayette the parking standards, except for hotels, motels and places of public assembly, based on zone and region shall be as follows: (See Appendix I for the map indicating regions within the *near campus area*.)

- (1) Region 1: Within CBW and NB zones, for uses determined to be commercial by the **Administrative Officer**, the parking requirement shall be zero.
- (2) Region 2: Within CBW and NB zones, for uses determined to be commercial by the **Administrative Officer**, the parking requirement shall be one space per employee on the largest shift.
- (3) Region 3: Within CBW, NB, and GB zones, the parking requirement for eating and drinking establishments, retail, services, (other than those listed above) and office uses shall be one space per 250 square feet.
- (4) The parking requirement for residential uses in any zone within the *near campus area* shall be one space per bedroom.
- (5) For zones other than CBW, NB, and GB located within these three regions, and for uses other than those mentioned above, the parking standards within these regions are determined as specified in 4-6-3 above.
- (6) For areas outside of these three regions but within the **University-Proximate** area, parking standards are determined as specified in 4-6-4 above.
- (7) Parking standards for planned developments located within these regions remain as approved at the time of their rezoning.

Section 2: Add to **UZO Section 1-10-2 Words and Terms Defined** the following definition:

NEAR CAMPUS AREA. A geographic area made up of three regions between the Purdue campus and the Wabash River within the City of West Lafayette as shown on the map in Appendix I.

Section 3: Change **UZO Section 2-12-11 NB Zone Minimum Off-Street Parking Requirements** to read as follows:

See Sections 3-2 and 4-6-3. For property within the *near campus area*, see 4-6-11 (e).

Section 4: Change **UZO Section 2-16-11 GB Zone Minimum Off-Street Parking Requirements** to read as follows:

See Sections 3-2 and 4-6-3. For property within the *near campus area*, see 4-6-11 (e).

Section 5: Change **UZO Section 2-19-11 CBW Zone Minimum Off-Street Parking Requirements** to read as follows:

See Sections 3-2 and 4-6-3. For property within the *near campus area*, see 4-6-11 (e).

Section 6: Add the attached map as Appendix I.

Section 7: Change **UZO Section 1-10-2 Words and Terms Defined** to read as follows:

UNIVERSITY-PROXIMATE RESIDENCE. Any newly constructed or converted *dwelling unit* within the corporate limits of the City of West Lafayette, lying south of Stadium Avenue extended to the Wabash River, or north of Stadium Avenue to the centerline of Meridian Street between the centerlines of Grant Street and Northwestern Avenue, for which an *improvement location permit* has been obtained subsequent to the adoption of this definition. (See the map in Appendix I.)

Section 8: Change the maximum building height standard in the CBW shown in the chart in **UZO Section 4-2-1 Summary of Standard Area, Width, Coverage, and Height Requirements** from 35' to 100'. Also change footnote 7 to read as follows:

Except for CBW zoned property north of Stadium Avenue, where the maximum height shall be 65'.

Section 9: Change the maximum building height standard in the R3W and R4W shown in the chart in **UZO Section 4-2-1 Summary of Standard Area,**

Width, Coverage, and Height Requirements to 35'. Also delete footnote 5 and renumber the footnotes and table accordingly.

Section 10: Change **UZO Section 1-10-2 Words and Terms Defined** to read as follows:

BUILDING HEIGHT. In all *zones* the vertical distance from the finished ground level at the wall of the *building* nearest and most parallel to the *front lot line* (measured as an average of the ground level at its 2 furthest corners) to the top of the roof.

Section 11: Change **UZO Section 2-10-11 R3W Maximum Building Height** to read: 35' (See 4-5 for exceptions)

Section 12: Change **UZO Section 2-11-11 R4W Maximum Building Height** to read: 35' (See 4-5 for exceptions)

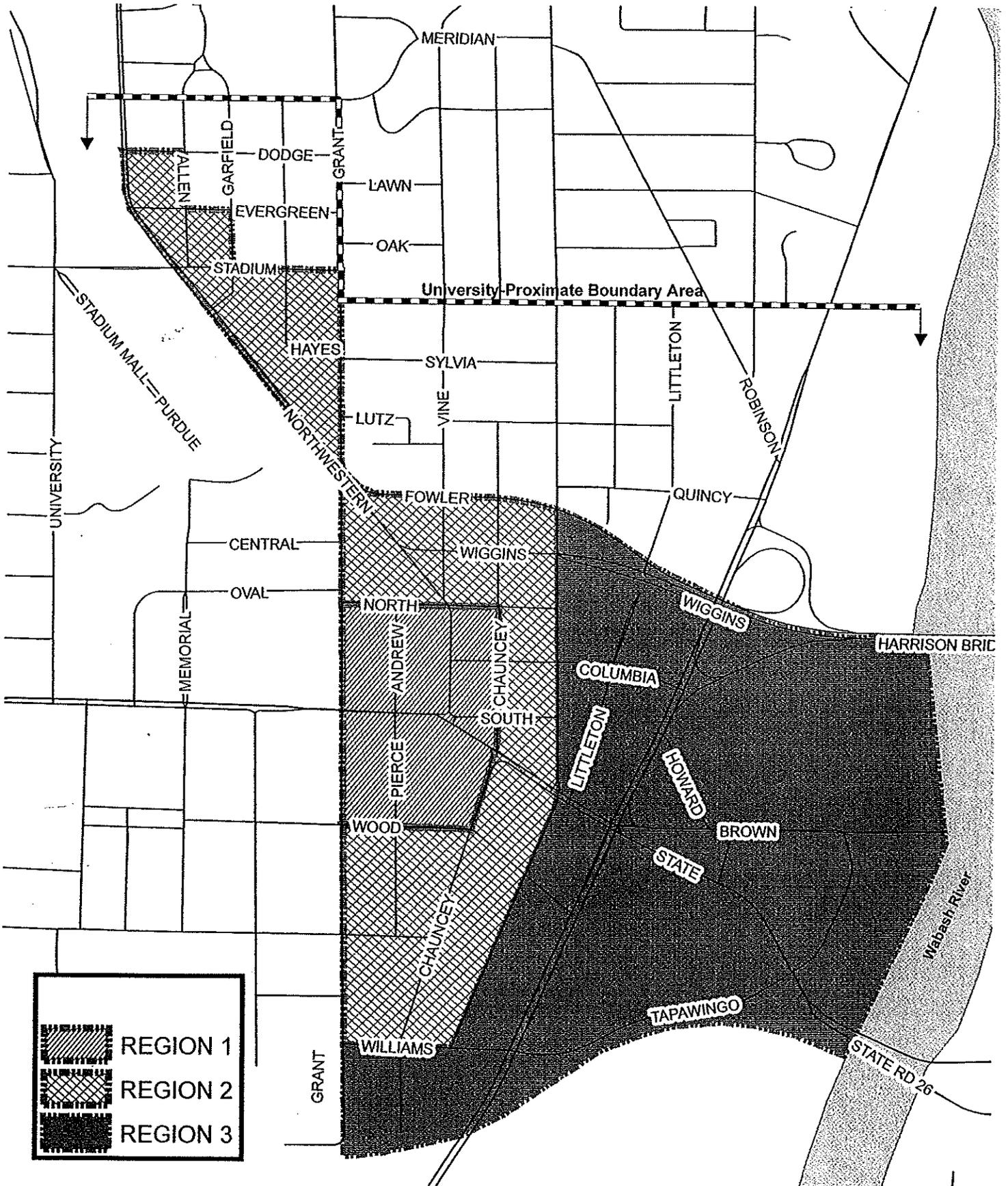
Section 13: Change **UZO Section 2-13-10 NBU Maximum Building Height** to read: 35' (or to original height if being repaired, restored or rehabilitated)

Section 14: Change **UZO Section 4-6-7 Required Bicycle Parking Spaces for Specified Uses Listed in the Permitted Use Table** by amending the "required bicycle *parking spaces*" listed under "parking group c" to read as follows:

5% of required auto *parking spaces* but not less than 2, except in the *near campus area* Regions 1 and 2 which shall be as required by the *Administrative Officer*.

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

Appendix I: Near Campus Area



THE

Area Plan Commission

of TIPPECANOE COUNTY

20 NORTH 3RD STREET
LAFAYETTE, INDIANA 47901-1209

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SALLIE DELL FAHEY
EXECUTIVE DIRECTOR

September 16, 2010
Ref. No.: 10-236

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

RECEIVED

SEP 20 2010

CLERK - TREASURER

CERTIFICATION

RE: UZO ORDINANCE AMENDMENT #68.

An amendment to change the required auto and bicycle parking standards in the Village area of West Lafayette, and to change the height requirements in the CBW, R3W and R4W zones.

Dear Council Members:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on September 15, 2010, the Area Plan Commission of Tippecanoe County voted 13 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 #68
VILLAGE PARKING AND WEST LAFAYETTE BUILDING HEIGHT**

**STAFF REPORT
August 12, 2010**

**Unified Zoning Ordinance Amendment #68
Village Parking and West Lafayette Building Height**

Staff Report
August 12, 2010

AUTO PARKING:

Currently the Village area of West Lafayette has no special parking standards other than the twenty-five year old special parking requirements for university-proximate residences. A restaurant or bar located in the CBW district (Central Business – West Lafayette) is required to provide 1 parking space per 100 square feet, the same standard that a restaurant or bar located in the GB district on SR 26 East is required to provide. A typical retail establishment is required to have 1 space per 200 square feet of gross floor area, the same as a store in any GB district.

Unfortunately, most of the properties in the Village, like Lafayette's downtown, were developed with buildings completely covering the lots. This leaves no space for required parking, which means new commercial developments (unless they are done as a PD, like Panda Express) would either need a parking variance or would need to provide on-site parking, giving any potential new retail construction a suburban look which is simply undesirable in the Village. New businesses locating in existing buildings, or existing businesses looking to expand in the Village area, typically require parking variances or a PD rezone.

Residential parking for the majority of Tippecanoe County is the simple formula of two spaces per unit. Residential planned developments in and near the Village have for many years negotiated a parking standard that is basically one space per bedroom or occupant. Parking for residences in the CBW above a commercial ground floor, are currently the same as all university-proximate residences and are based on the size of each apartment as follows:

4-6-4 REQUIRED AUTO PARKING SPACES FOR UNIVERSITY-PROXIMATE RESIDENCES:

UNIT TYPE	LIVING AREA (sq. ft.)	AUTO PARKING SPACES (per unit)
A	825 and over	3.0
B	650 - 824	2.25
C	470 - 649	1.6
D	under 470	1.1
<i>Efficiency</i>	---	1.0

Based on a parking study of the Village area, existing parking standards for commercial and residential uses in Lafayette's CB (Central Business District), and on parking negotiated in planned developments in West Lafayette (commercial, residential and

mixed use), the staffs of both the West Lafayette City Engineer's Office and the APC have worked together to come up with the following proposal.

Proposed parking changes:

1. The zoning ordinance should reflect three separate areas within the University-Proximate area (See definition below; this will remain unchanged.) with gradually changing parking requirements for commercial and residential uses, modified based on their proximity to Purdue University or Downtown Lafayette. (See attached map for these three regions.)
 - a. Region 1 – Core Village area close to Purdue.
 - b. Region 2 – Intermediate/Transitional areas.
 - c. Region 3 – Levee/Landing area.

2. Parking Requirements:
 - a. Region 1:
 - i. CBW & NB – None for a use determined to be commercial by the **Administrative Officer** + 1 per bedroom for residences.
 - ii. R3W and R4W – 1 parking space per bedroom.
 - b. Region 2:
 - i. CBW & NB – For a use determined to be commercial by the **Administrative Officer**, one space per employee on the largest shift + 1 per bedroom for residences.
 - ii. R3W and R4W – 1 parking space per bedroom.
 - c. Region 3:
 - i. CBW, NB, and GB – 1 parking space per 250 square feet (Eating and Drinking, Retail, Service and Office uses only) + 1 per bedroom for residences.
 - ii. R3W and R4W – 1 parking space per bedroom.

It was decided that certain uses, such as hotels, motels and places of public assembly, should be excluded from the reduced parking requirements proposed above. These uses are the same that are excluded from the reduced parking requirements found in Lafayette's CB district. Hotels, motels and places of public assembly are to provide the full amount of parking the UZO requires of those uses.

For zones other than CBW, NB, GB, R3W, and R4W located within these three regions, and for uses other than those mentioned above, the parking standards are determined by use as listed in Section 3-2 Permitted Use Table of the UZO. Parking standards for planned developments located within these regions remain as approved at the time of their rezoning. For areas outside of these three regions but within the University-Proximate area, see UZO Section 4-6-4 for parking standards.

UNIVERSITY-PROXIMATE RESIDENCE. Any newly constructed or converted *dwelling unit* within the corporate limits of the City of West Lafayette, lying south of Stadium Avenue extended to the Wabash River, or north of Stadium Avenue to the centerline of Meridian Street between the centerlines of Grant Street and Northwestern Avenue, for which an *improvement location permit* has been obtained subsequent to the adoption of this definition.

BUILDING HEIGHT:

The West Lafayette City Engineer raised the possibility of changing the building height standards while updating the required parking in the greater Village area. Currently West Lafayette's height requirement in R3W and R4W is very different than that requirement in every other jurisdiction and every other zone. Instead of simply measuring height to the top of the roof, the definition of building height reads as follows: "In R3W and R4W zones, the vertical distance from the lowest point of the average finished ground level all around the building to the *finished floor of the upper story.*" Maximum building height in these two zones is "14' at the finished floor of the upper story." This proposal would change the height in R3W and R4W so that it is the same as in the R3 and R4 zones: 35 feet.

The maximum height in the CBW is 35' and is also limited to no more than three stories. Compared to the maximum height in Lafayette's CB, which is 100', the difference is huge. The City of West Lafayette would like to increase this height maximum to make it agree with Lafayette's downtown height standard except for a small area to the north of the Village. The CBW zone actually extends north along Northwestern Avenue all the way to Dodge Street, two blocks north of Stadium within the New Chauncey Neighborhood. Although buildings on the west side of Northwestern on campus (including Mackey Arena which is currently being refurbished and enlarged) are substantially taller than 35', it was decided that 100' tall buildings on the east side of Northwestern would be too much for the existing residences nearby. While a 100' tall building would not be unacceptable in the Village area, it could be considered intrusive in the narrow corridor between the Purdue campus and the houses in the New Chauncey Neighborhood and the residences surrounding it. The decision was made to limit the height in the CBW north of Stadium to 65', with the proposed 100' building height permitted to the south of Stadium in the CBW.

The proposed changes to the height standards are as follows:

BUILDING HEIGHT. In all *zones* except R3W and R4W, the vertical distance from the finished ground level at the wall of the *building* nearest and most parallel to the *front lot line* (measured as an average of the ground level at its 2 furthest corners) to the top of the roof. In R3W and R4W *zones*, the vertical distance from the lowest point of the average finished ground level all around the *building* to the finished floor of the upper *story.*

All mention of maximum building heights of 14' at the finished floor of the upper story will be removed. Maximum height in R3W and R4W will be 35'.

Maximum height in the CBW will be changed from 35' to 100' with footnote 7 changed to read, "Except for CBW zoned property north of Stadium Street, where the maximum height shall be 65'."

BICYCLE PARKING:

The UZO bike parking standard is based on a percentage of the required parking spaces for cars (although with the stipulation that the number of bike parking spaces provided must not be less than two). With the proposed amendment, the auto parking standards for business uses in certain portions of the Village would be reduced to zero. If the UZO is not amended any further, this would make the required bicycle parking in this scenario automatically become two by default (since 5% of zero is zero, making every business provide the ordinance minimum of two).

Bicycle Parking Group "c" is the requirement that provides the standards for bike parking for retail establishments. (Parking Groups "a" and "b" are for residential uses and can remain unchanged. Parking Group "d" and "e" are for specific uses and also should remain the same.) Group c currently requires "5% of required auto parking spaces but not less than 2."

APC and West Lafayette staff debated how best to address this issue. Lafayette's CB district (which, like the new parking standard proposed in the CBW amendment has minimal auto parking requirements) handles bicycle parking by simply not requiring any. Lafayette has recently installed bicycle parking downtown on its own. This has the advantage of making the bike parking consistent, esthetically pleasing, and in locations chosen by the city.

Clearly the Village area with its large student population needs to provide bicycle parking. And like Lafayette, the City of West Lafayette would like to have a say in the placement of bicycle racks and the number of spaces needed. The proposed addition to UZO Section 4-6-7, Parking Group c is underlined below:

5% of required auto *parking spaces* but not less than 2, *except in the near campus area* Regions 1 and 2 which shall be as required by the *Administrative Officer*.

The parking and height changes were approved by the APC Ordinance Committee at its July meeting; the bicycle parking portion of the amendment was approved in August.

STAFF RECOMMENDATION:

Approval