

ORDINANCE NO. 2021-12

AN ORDINANCE AMENDING THE UNIFIED ZONING ORDINANCE

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DAYTON, INDIANA, THAT ORDINANCE NO. 97-11, BEING THE UNIFIED ZONING ORDINANCE OF TIPPECANOE COUNTY IS HEREBY AMENDED AS FOLLOWS:

Section 1: Add the following **UZO Sections 7-4** through **7-4-5** to **Chapter 7**:

7-4 HIGHLAND PARK NEIGHBORHOOD *FORM-BASED OVERLAY*

7-4-1 PURPOSE AND INTENT

- (a) The purpose of the Highland Park Neighborhood *Form-Based Overlay* is to ensure that future redevelopment in the neighborhood is of a character in keeping with the historic nature of the neighborhood. Redevelopment within the overlay shall comply with the following standards and the provisions of this Ordinance.
- (b) The intent of the Highland Park Neighborhood *Form-Based Overlay* is to protect the historic nature of the neighborhood through specific land use and development requirements.

7-4-2 DISTRICT BOUNDARY AND DEVELOPMENT SECTORS

- (a) The Highland Park Neighborhood *Form-Based Overlay*, shall be as shown on the following map and contains two *Development Sectors*: "Historic Residential" and "Right-Of-Way / Existing Neighborhood Open Space".



7-4-3 USES IN THE HIGHLAND PARK NEIGHBORHOOD

- (a) Unless otherwise prohibited or specified in this section, all permitted and special **uses** within the overlay shall conform to properties' underlying **zones** as delineated in the Permitted Use Table per Chapter 3 of the UZO.
- (b) Areas within the overlay designated as "Right-Of-Way / Existing Neighborhood Open Space" fall under the UZO definition of **Right-Of-Way** and are bound to the requirements of that definition and of all applicable state and local regulations governing and limiting its use.

7-4-4 REQUIREMENTS FOR NEW SINGLE-FAMILY DETACHED DWELLINGS

Within the Historic Residential sector, all new single-family detached **dwellings** built after the adoption of this ordinance shall be subject to the development standards consistent with their underlying **zone** except for those development standards specifically controlled by this section. A final determination of compliance with these items shall be made by the **APC** staff in consultation with the **Administrative Officer**, in its review for zoning compliance approval.

(a) Site Layout:

- (1) Per UZO Section 4-4-1, average **setbacks** along **street frontages** shall be permitted for qualifying, **form-based overlay** projects based on the qualifying criteria in that section unless a reduced standard is found in this section.

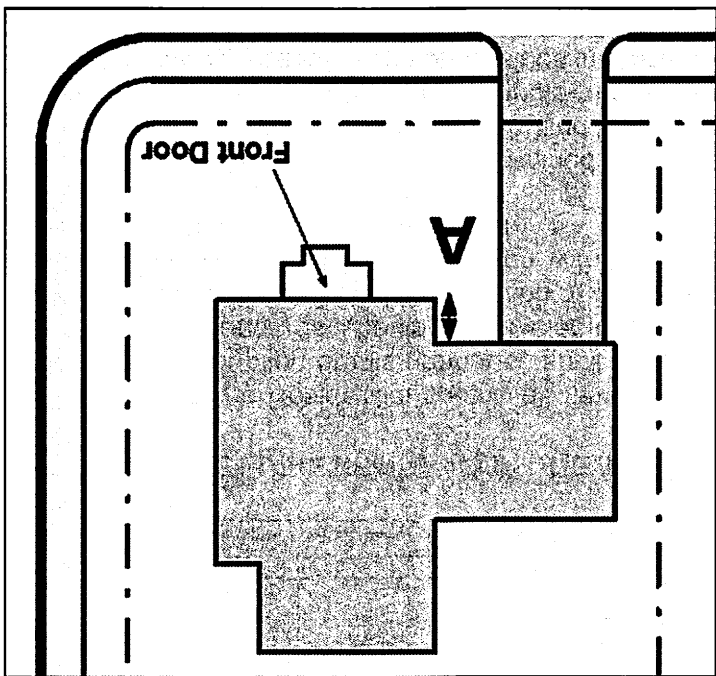
(b) Permitted Materials & Style Requirements:

- (1) Below are the materials and style requirements for the Highland Park Neighborhood **Form-Based Overlay**. These requirements apply only to single-family detached homes that are to be newly constructed and their detached garages (if any). Prohibited Exterior Finishing Materials include:
 - Corrugated Fiberglass
 - Exterior Insulation and Finish System (EFIS)
 - Mirrored Glass
 - Styrofoam (exposed as final finish)
 - Tyvek or equivalent wrap (exposed as final finish)
 - Unfinished Concrete Block

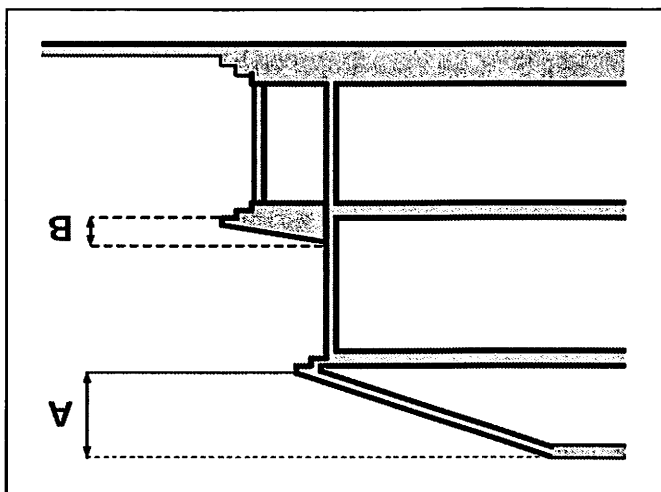
(c) Architecture, Design & Integrity for single-family detached **dwellings**:

- (1) Minimum ground floor elevation: 2.5-feet above grade.
- (2) Main Roof Structure Pitch Range (Illustrated as "A" below): The roof pitch shall be at a ratio of 6:12 or steeper (flat-roof **dwellings** excluded).
 - i. Exception: Ancillary Roof Structures (Illustrated as "B" below), (Front and Rear roofed-porches for example) can have roof pitches less than 6:12.

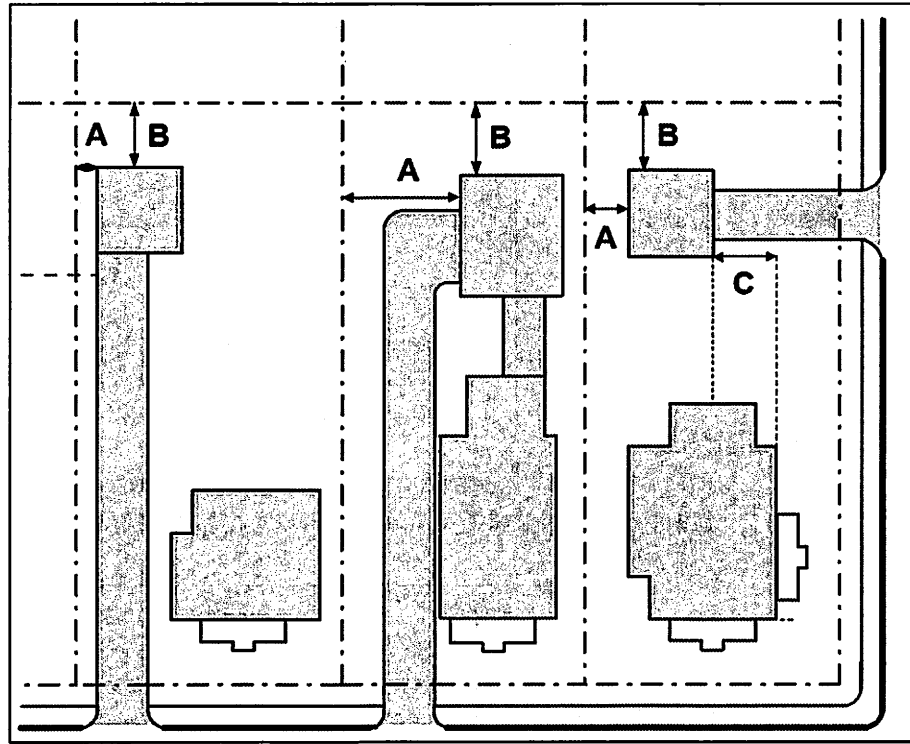
- (2) Front-loaded, detached garages: Shall be located behind the primary structure in the rear yard and setback a minimum of 1-foot from side/rear lot lines (illustrated as "A" and "B" respectively).
- (3) Corner-lot detached garages shall be located behind the street-facing facade of the dwelling a minimum of 5-feet (illustrated as "C" below).
- (4) Corner lot garages may load from any **street frontage**.
- (5) Where meeting the standards for detached garages is not possible due to the configuration of the lot, topography, setbacks, setbacks, or other development



- (d) Garages
 - (1) Front-loaded, attached garages must be recessed at least 5-foot minimum behind the facade the front door of the **dwelling** is located, as illustrated as "A" below.



constraints, the **Administrative Officer** may consider alternatives for detached garages that do not comply with the requirements of this section.

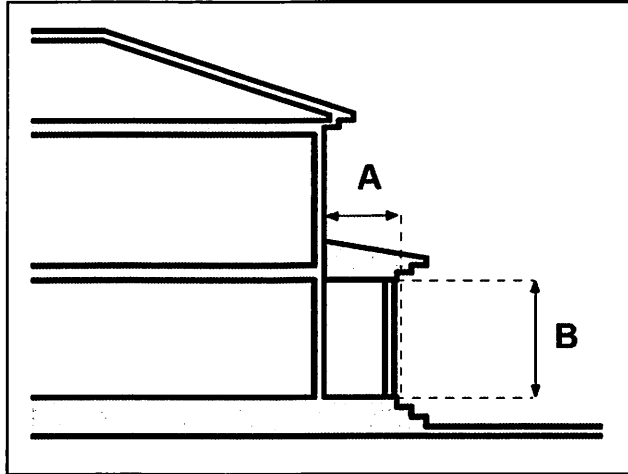


7-4-5 OPTIONAL REQUIREMENTS FOR NEW SINGLE-FAMILY DETACHED DWELLINGS

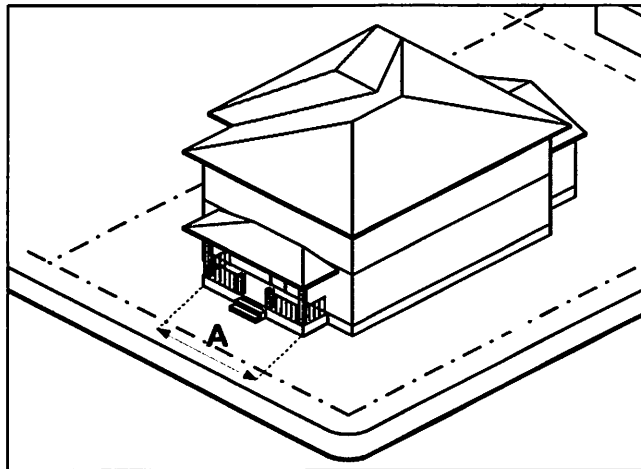
Within the Historic Residential sector, all new single-family detached **dwellings** built after the adoption of this ordinance shall be subject to the following optional development standards should these elements be incorporated into the final design of the house. A final determination of compliance with these items shall be made by the **APC** staff in consultation with the **Administrative Officer**, in its review for zoning compliance approval.

- (a) **Four-Sided Architecture:** As determined by the **Administrative Officer**, a finished elevation in terms of quality and distribution of materials on a façade is required on every side of a single-family **dwelling**. Each side shall be architecturally similar to the other sides in terms of the final finish.
- (b) **Roofed Front Porches:** If a new single family detached **dwelling** means to incorporate a roofed front porch with the **dwelling's** primary entrance located along a street frontage, the following requirements shall apply. Roofed front porches that are designed with standards less than one or more of the following requirements shall be considered roofed front stoops and are not regulated by this section. Unroofed porches and stoops are also not regulated by this section.
 - (1) Roofed front porches shall maintain a 5-foot minimum depth from the **dwelling's** façade (illustrated below as "A")

- (2) Roofed front porches shall maintain height of 8-feet minimum from the porch floor to porch ceiling (illustrated below as "B").
- (3) Roofed front porch floor height above grade: No higher than the elevation of the ground floor of the *dwelling*.



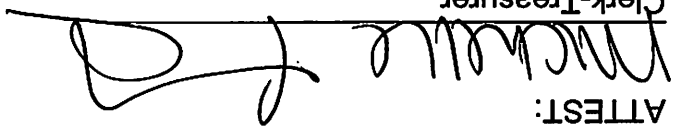
- (4) Roofed front porches shall maintain a minimum width of at least 25% of the width of the *dwelling's* facade they are located on (illustrated as "A" below).



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

ADOPTED AND PASSED BY THE TOWN COUNCIL OF THE TOWN OF DAYTON, INDIANA THIS 9th DAY OF August, 2021.

Clerk-Treasurer



ATTEST:

Presiding Officer



Area Plan Commission of Tippecanoe County, Indiana

July 22, 2021
Ref. No.: 2021-161

Town Council of Dayton
PO Box 557
Dayton, IN 47941

CERTIFICATION

RE: UZO AMENDMENT #101:

This amendment would add requirements for a form-based overlay for the historic Highland Park Neighborhood to Chapter 7.

Dear Council Members:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on July 21, 2021, the Area Plan Commission of Tippecanoe County voted 15 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 Town Council of Dayton that the proposed zoning ordinance amendment be approved.

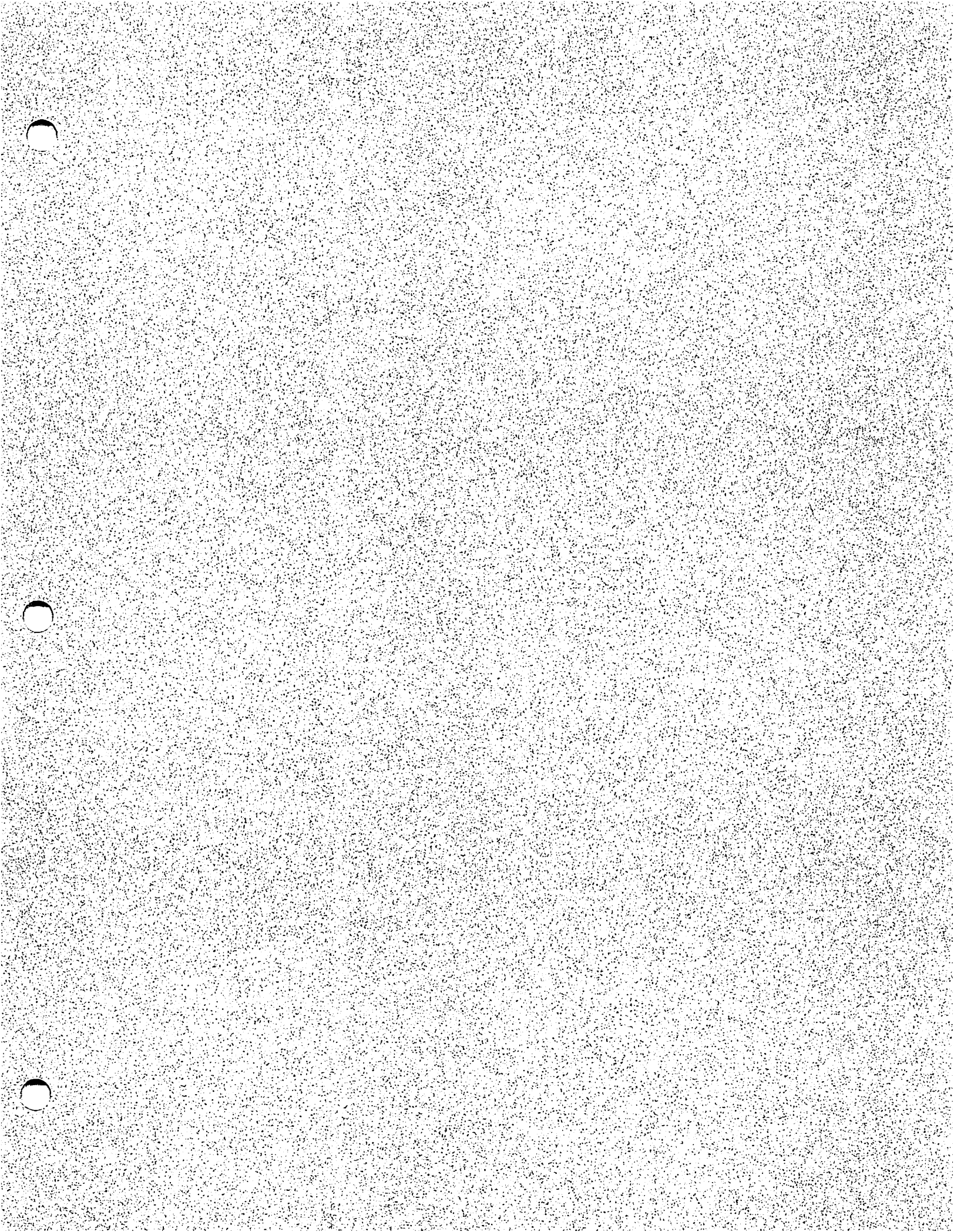
Sincerely,

David Hittle
Executive Director

DH/crl

Enclosure: Staff Report and Ordinance





Unified Zoning Ordinance Amendment 101 HIGHLAND PARK NEIGHBORHOOD FORM-BASED OVERLAY

Staff Report
July 15, 2021

BACKGROUND:

In early 2018, a Preservation Steering Committee was formed by Highland Park residents to study and propose strategies to preserve the look, feel and quality of life in Highland Park. The effort was born out of a neighborhood survey that was administered by the Highland Park Neighborhood Association which determined that:

- Residents bought their Highland Park home because of the character of the neighborhood, its location, and the architecture/ design of their home.
- Neighbors are proud to live in Highland Park
- Residents like the neighborhood because of its historic character, location, and the diversity in architecture of homes.

After the Lafayette City Council passed a resolution in 2019 for APC to work with the neighborhood to address their concerns, the committee evaluated with staff various strategies to preserve the neighborhood and came up with a proposal for a form-based zoning overlay. The committee coalesced around the idea of a limited overlay focused on certain features of suburban types of home architecture that do not fit well into Highland Park.

After numerous neighborhood meetings and a positive recommendation from the Ordinance Committee in June of this year, staff is confident that the concerns of the neighborhood relative to new home construction will be addressed by this amendment.

PROPOSAL

Section 1 Add Section 7-4 Highland Park Neighborhood Form-Based Overlay to Chapter 7, Form-Based Overlays

RECOMMENDATION:

Approval

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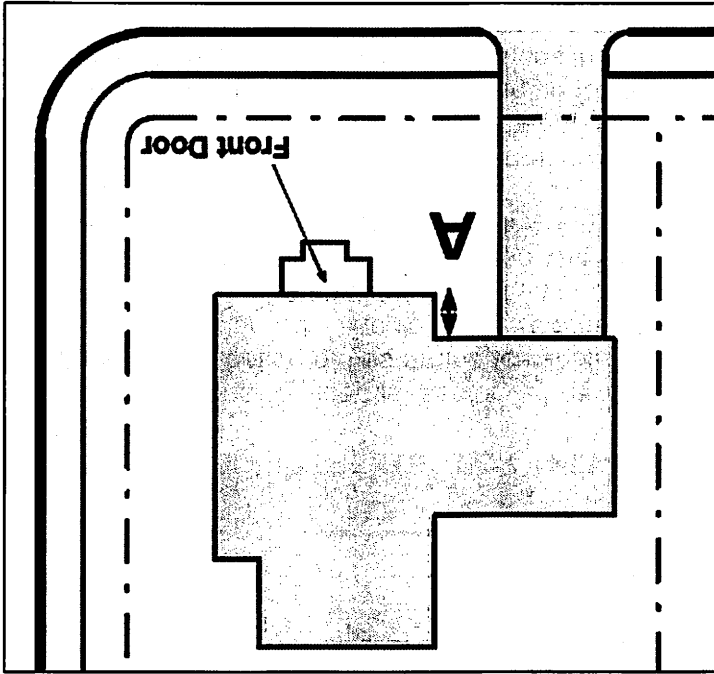
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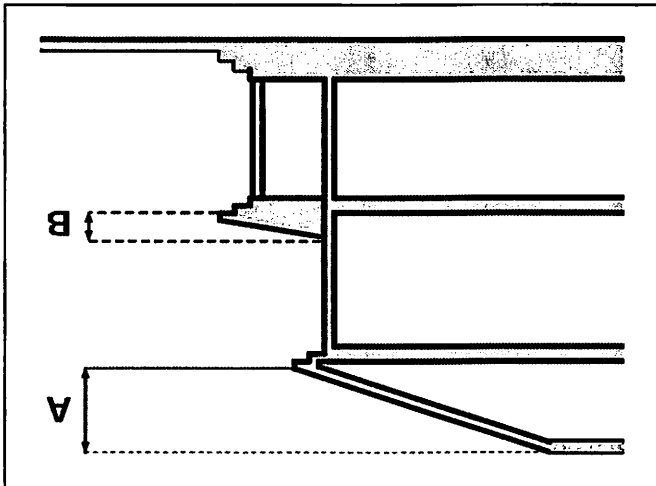
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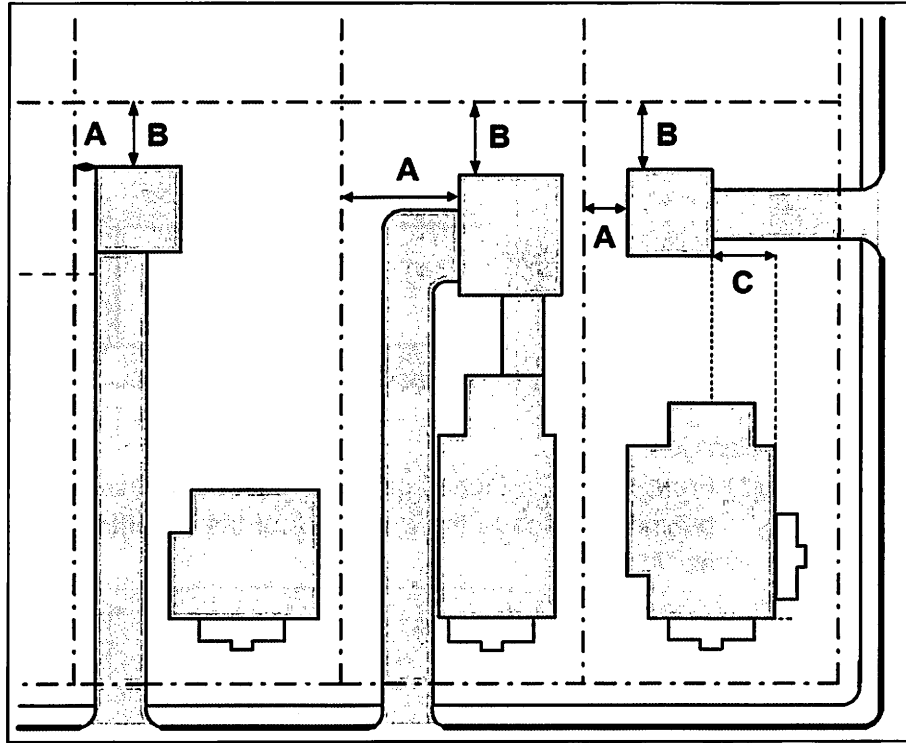


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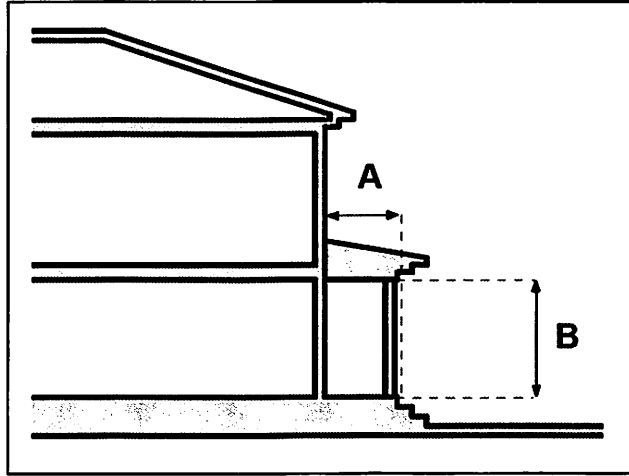


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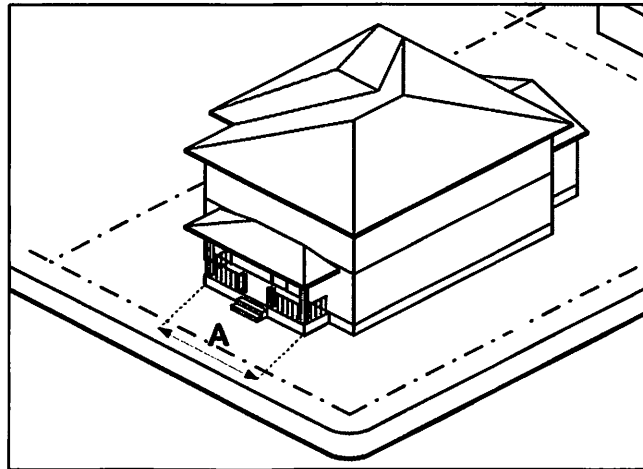
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Clerk-Treasurer

ATTEST:

Presiding Officer