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CH29 29 .8 - Amend Vol 1.10.5, 2.1.2, 2.3, 6.1.2, 7.1.2, 8.1.2, 9.1.2, 10.1.2

WHEREAS, the Town Council of the Town of Lapel, Indiana, has heretofore enacted what is commonly referred to as the Unified Development Ordinance and/or Zoning Code; and

WHEREAS, since the enactment of the Unified Development Ordinance, it has come to the attention of the Town Council of the Town of Lapel, Indiana and the Town of Lapel Plan Commission that event centers have been precluded from the list of uses in the aforementioned volumes and corresponding zoning districts; and

WHEREAS, the Town Council of the Town of Lapel, Indiana and the Town of Lapel Plan Commission has a need to distinguish between event centers located in the agricultural zoning district (Ag) and event centers located in the General Commercial (C1), Downtown Commercial (C2), Industrial and Social (Is), Light Industrial (II), and General Industrial (Ig) zoning districts; and

WHEREAS, on the 13th day of August, 2020, the Lapel Plan Commission held a hearing after due publication of notice of the same, regarding the proposed change to the Unified Development Ordinance proposed by staff and has forwarded the same to the Town Council of the Town of Lapel, Indiana, with a favorable recommendation that the amendment contained herein be approved; and

WHEREAS, the Town Council of the Town of Lapel, Indiana believes the recommended amendments to the Unified Development Ordinance is in the best interest of the health, safety, and welfare of the citizens of Lapel, Indiana.

THEREFORE, BE IT ORDAINED by the Town Council of the Town of Lapel, Indiana that:

SECTION I

Volume 1.10.5 Glossary of Defined Words, shall be amended to include the following:

Agricultural Event Center: A facility located on agriculturally zoned land of five (5) acres or larger that has an ongoing viable agricultural use that provides a facility for any type of social gathering consisting of multipurpose meeting and/or recreational facilities, typically consisting of one or more meeting or multipurpose room and a kitchen and/or outdoor barbecue facilities, that are available for use by various private groups of four hundred (400) or fewer persons for such activities as meetings, parties, weddings, receptions, and dances.

Commercial Event Center: A facility located on private property located in a commercial district that primarily functions to provide a facility for any type of social gathering and consisting of multipurpose meeting and/or recreational facilities, typically consisting of one or more meeting or multipurpose room and a kitchen and/or outdoor barbecue facilities, that are available for use by various private groups for such activities as meetings, parties, weddings, receptions, and dances.

SECTION II

Volume 2.1.2 Permitted and Special District Uses, shall be amended to include Agricultural Event Centers as a Special use in the Agricultural District (Ag).

SECTION III

Volume 2.3. Appending, shall be amended to include Subsection v2.3.2 Amendments, and shall include the following:

V2.3.2.1

Agricultural Event Center

Development and Operational Standards

The following development and operational standards apply to event centers located in the Agricultural District.

i. Parking

Agricultural event centers shall provide parking at a ration of one (1) parking space for each two and one-half (2.5) guests permitted on-site, at maximum capacity, as identified by the Fire Inspector. Additionally, there shall be one parking space provided for each permanent employee. Off-site parking is not permitted. Parking surfaces may be constructed of asphalt, concrete, pervious pavement, gravel, or grass so long as the primary agricultural use of the property is not impeded.

ii. Access Standards

- a. Access roads to an agricultural event center shall comply with all local and state regulations and fire safety standards as determined by Indiana Code and the Fire Inspector.
- b. All new points of ingress/egress shall require a permit and shall adhere to the entrance/drive standards and sight visibility standards in this ordinance.

c. If an agricultural event center is accessed by a private road, the applicant shall provide an affirmative written statement of the legal right to access and use the said road for the purposes requested in the application and as may be conditioned. Said statement shall be supported by written approval of two-thirds (2/3) of the property owners served by the private road. Both the written statement and written approvals shall be included with the initial application submittal. The applicant shall include the proposal for road maintenance or provide evidence of an existing road maintenance agreement. The applicant shall be required to indemnify the town for any claims resulting from said road access, which requirement shall be included as a condition of approval of the permit.

iii. Minimum Lot Size

Agricultural event centers shall have a minimum lot size of five (5) acres.

iv. Setbacks

All outdoor activities associated with an agricultural event center shall have a minimum setback of 150 feet from all exterior property lines. Parking areas are excluded from this requirement but are still required to meet setback standards for the Agricultural District.

v. Event Size

Agricultural event centers shall have a maximum capacity of 400 guests.

vi. Number of Events

Agricultural event centers may be allowed a maximum of sixty (60) events per calendar year.

vii. Hours of Operation

Agricultural event centers shall be permitted to operate between the hours of 10:00am and 12:00am on Fridays and Saturday and from 10:00am to 9:00pm on Sundays through Thursdays.

viii. Noise Regulations

Agricultural event centers shall be subject to the Town of Lapel's noise ordinance. All noise generating activities, such as music, shall be required to be in an enclosed structure if they occur during permitted operating hours that are beyond those allowed by the Town's noise ordinance. Noise generating activities located inside an enclosed structure and outside of the hours permitted by the Town's noise ordinance shall not exceed twenty (20) decibels as measured at the exterior property lines.

ix. Lighting

Lighting for agricultural event centers shall be designed in a manner that reduces light pollution while providing the maximum light necessary for security and safe pedestrian movement.

- a. All ground lighting used to cast light on building facades, features of buildings, or signs must have shields to assure that light does not project beyond the building or sign and must utilize the least amount of light necessary to light the facade, building feature, or sign. The light fixture and any bulb must be shielded from view of any street, sidewalk, or other public rights-of-way.
- b. All freestanding lights and lights mounted on walls or facades shall have cut-off luminaires with 90 degrees or less of an angle (downlighting).

x. Prohibited Lighting

The following lighting types shall be prohibited from use for event centers in the Agricultural District: Searchlights, Laser source lights, Neon or fluorescent lighting (excluding CFLs), Blinking, Flashing or lights resembling those used by emergency vehicles.

xi. Food Regulations

Commercial kitchens approved for agricultural event centers shall only be used in conjunction with on-site events. Restaurants are not allowed as a part of an agricultural event center.

xii. Bathroom Facilities

- a. Permanent public bathroom facilities shall meet the regulations provided in the Indiana Building Code as well as those required by the American's with Disabilities Act.
- b. Agricultural event centers without permanent restroom facilities available on site shall be required to provide a minimum of one (1) portable restroom per every 50 guests (rounding to the nearest 50), regardless of the duration of an event.

SECTION IV

Volume 6.1.2 Permitted and Special District Uses, shall be amended to add Conference / Event Centers as a permitted use in the General Commercial District (C1)

SECTION V

Volume 7.1.2 Permitted and Special District Uses, shall be amended to add Conference / Event Centers as a permitted use in the General Commercial District (C2)

SECTION VI

Volume 8.1.2 Permitted and Special District Uses, shall be amended to add Conference / Event Centers as a permitted use in the Institutional and Social District (Is)

SECTION VII

Volume 9.1.2 Permitted and Special District Uses, shall be amended to add Conference / Event Centers as a permitted use in the Light Industrial (II)

SECTION VIII

Volume 10.1.2 Permitted and Special District Uses, shall be amended to add Conference / Event Centers as a permitted use in the General Industrial District (Ig)

SECTION IX

Introduced and filed on the 20th day of August, 2020.