

**AREA PLAN COMMISSION OF TIPPECANOE COUNTY  
ORDINANCE & BYLAW COMMITTEE  
MINUTES OF A PUBLIC HEARING**

DATE ..... February 04, 2026  
TIME ..... 4:37 P.M.  
PLACE ..... COUNTY OFFICE BUILDING  
20 N. 3RD STREET  
LAFAYETTE, IN 47901

*This meeting was held in-person. Members of the public could watch the livestream of the meeting at <https://www.youtube.com/c/TippecanoeCountyGovernment>*

**MEMBERS PRESENT**

Jackson Bogan    Kathy Parker  
Diana Luper      Vicki Pearl  
Tom Murtaugh    Gary Schroeder

**MEMBERS ABSENT**

Larry Leverenz  
Jerry Reynolds

**STAFF PRESENT**

Ryan O’Gara      Kathy Lind  
Amanda Esposito    Patrick Jones, Atty

Jackson Bogan called the meeting to order at 4:37 PM.

**I. APPROVAL OF MINUTES**

Gary Schroeder moved to approve the minutes from the January 7, 2026, public hearing. Vicki Pearl seconded, and the minutes were approved by unanimous voice vote.

**II. UPDATING LOT COVER PERCENTAGES IN SELECT ZONES**

This amendment, proposed at the request of Ordinance Committee, would allow larger houses in our single-family zones without requiring a building coverage variance.

Kathy Lind, APC staff, stated that this proposed amendment was discussed in December, but tabled to get input from the Builders Association of Greater Lafayette (BAGL). This originally stemmed from a suggestion by Tom Murtaugh. A chart showed current zoning requirements for lot and vegetation coverages. Originally, staff proposed increasing the building coverage by 5% and decreasing vegetation coverage by 5% for R1, R1A, and R1B. Research was only done on the few BZA cases asking for lot coverage variances over the years. In creating example maps from the Winding Creek neighborhood, staff realized that there were a lot of houses exceeding lot coverage percentages without variances. This had them thinking they needed to increase the coverage further and needed more time to research.

Ryan O’Gara, APC staff, said he would like to come back with a more thought-out recommendation and that it would be more generous.

Steve Schreckengast, 635 S Earl Ave, Lafayette, said that they like generosity if it doesn’t cost more. He clarified that the building coverage percentage would increase while the vegetation coverage would decrease. He mentioned he had a building plan with a recessed area and by putting a roof over it to make it a covered patio, it exceeded the maximum coverage. Being more flexible in the ordinance would prevent these mistakes. BAGL would be supportive of increasing the lot coverage and decreasing the vegetation percentages.

Jackson Bogan said the next two months will be focused on solar and asked if this could be discussed in May.

Ryan O’Gara agreed that staff could be prepared for a recommendation by May.

Vicki Pearl asked if BAGL could get the recommendation ahead of time to view it as a group and provide input before it came to the committee.

Tom Murtaugh mentioned that this situation came about because of the Estridge development going with an R3 zoning to get the lot coverage they needed. He was curious what the zoning requirements in other counties, like Hamilton, were.

Gary Schroeder agreed that Estridge was happy with the 40% building coverage, 30% vegetation coverage and said they should figure out why there are maximum building and vegetation coverage numbers. Houses built in the past were small lots that had some separation between them for safety and to get fire equipment through.

Ryan O'Gara said the main reason he could think of was for drainage, what hits the ground and is pervious and impervious, as well as space. Aesthetics play a part along with safety, which is the function of setbacks. Zoning is rooted in the health, safety, and welfare of the community. Engineering solutions can address drainage.

Tom Murtaugh asked what the coverage was currently.

Kathy Lind responded that it's 30% in R1 and R1A and 35% in R1B and R1C.

Gary Schroeder asked for additional comments.

Steve Schreckengast, 635 S Earl Ave, Lafayette, added that House Bill 1001 was currently going through the House which should be done at the end of March and might have an impact on the discussion.

### **III. BYLAW CHANGE: INCREASING OUR FEES FOR REQUIRED SIGNAGE**

The cost of purchasing signs for cases has gone up significantly...therefore the current \$10 fee per sign no longer covers our cost.

Ryan O'Gara reported that the vendor who has provided cardboard signs for cases is moving away from cardboard. Staff have looked regionally and no other vendors do cardboard. They ordered a test batch of a new corrugated plastic sign which will be sturdier and weather-proof. The cost of the new signs is \$32, which is an increase from \$10 per sign. This is the only fee item that is being updated.

Jackson Bogan clarified that the old signs will still be charged \$10 until they are used up.

Gary Schroeder asked if the fee increase was in the bylaws or if it was information only.

Ryan O'Gara said the signs are in the fee schedule which is ultimately part of the county's official ordinance. The administrative question is whether this item needed to go to APC for a full vote or if it could be referred to the commissioners from the committee.

Patrick Jones asked if this fee was set by an ordinance from the commissioners.

Tom Murtaugh said that the commissioners passed an ordinance for fees for all departments.

Patrick Jones said it would go directly to the commissioners, rather than the APC, because it does not change the UZO.

Vicki Pearl asked if the address on the sign needed to be changed.

Ryan O'Gara clarified that the sign was an example of a Lafayette variance sign, so it had a different address.

Gary Schroeder moved to send a recommendation to the County Commissioners to increase the fee for APC signs to \$32. Vicki Pearl seconded, and the motion carried by unanimous voice vote.

#### **IV. CHANGING FOOTNOTE 52 OF THE UZO USE TABLE REGARDING GROUND FLOOR RESIDENTIAL**

West Lafayette is requesting this change for its CBW-zoned Discovery Park District overlay neighborhood.

Ryan O’Gara referenced the Discovery Park District (DPD) form-based overlay which is a geographically defined area on the west side of campus. The DPD is looking for more flexibility in the CBW zone within that geographical area to permit multi-family without having to provide commercial space on the ground floor. CBW zoning, like CB zoning in Lafayette, is meant to be a commercial zone but allows for mixed-use. West Lafayette City approves of this opportunity, and the suggestion was to target the footnote in the UZO that would create an exemption in CBW zoning for the location in the form-based overlay for DPD. Should someone wish to trigger the multi-family option, it would be up to the discretion of the administrative officer (AO) to permit square footage on the ground floor for residential use.

Chad Spitznagle, West Lafayette Housing Director, referenced the housing project done in the past on 3<sup>rd</sup> and McCormack which didn’t have any first-floor commercial space. There is also married student housing that doesn’t have a need for first-floor commercial space. Adding the footnote for the AOs approval will allow them to advance work on the DPD overlay and provide flexibility on not needing to find commercial use for an area that is not, historically, entirely commercial.

Vicki Pearl asked if this would allow changes to spaces that have already been built but might not be filled.

Chad Spitznagle, West Lafayette Housing Director, said he’s not aware of any current spaces or projects needing the change. The Continuum project has first-floor commercial space but is a planned development.

Ryan O’Gara added that there are no projects on the ground in that situation zoned CBW.

Jackson Bogan asked for public comments. There were none.

Gary Schroeder moved that the ground floor buildings zoned CBW within Discovery Park District overlay is exempt from the requirement at the discretion of the administrative officer. Vicki Pearl seconded, and the motion carried by unanimous voice vote.

#### **V. CHANGING PUBLIC COMMENT TIME LIMITS**

Ryan O’Gara brought up the March and April meetings where they will discuss the solar ordinance update. As promised to the solar committee and the public, those two meetings will be advertised as an opportunity for the public to come and give comments about the ordinance draft. The solar committee members will be in attendance to answer questions and provide suggestions. It has been discussed that the meetings will go until 7 PM. Larry Leverenz suggested that each speaker be allowed 3 minutes, which is consistent with city council and county commission meetings. That time is not consistent with APC and BZA bylaws, but the subcommittees of the APC do not have bylaws. There may be a lot of attendees at these meetings so a time limit should be made clear from the beginning. The 3-minute limit would apply to these two meetings only.

Tom Murtaugh asked what the meeting format was going to look like, i.e. have a discussion of what would be presented for the first hour with public input during the second hour.

Ryan O’Gara said the format had not been decided but should be discussed. He recommended that staff give a small presentation with an overview of the proposed changes followed by a Q&A of the solar committee members. The board would need to decide how much time to allot to each of those segments.

Jackson Bogan asked if a presentation from a collective group would be expected.

Ryan O’Gara said that wouldn’t surprise him, but he hasn’t been approached by a group wanting to do so. Jackson Bogan asked if the chair could allow more than 3 minutes in individual cases.

Patrick Jones said that procedurally, the chair has the discretion to allow more than 3 minutes unless he’s overruled by the majority of the committee. Theoretically, the committee could allow no public comment or allow any amount of time.

Jackson Bogan said he didn’t want to end up limiting a group of 20 people with a formalized proposal to just 3 minutes.

Ryan O’Gara said in a case the BZA heard, an hour-long presentation was divided up between group members who each spoke for their time limit.

Gary Schroeder made mention of a solar presentation in a commissioner’s meeting, and they were allowed to speak longer than the time limit.

Tom Murtaugh added that the group that made that presentation is represented on the solar committee and didn’t think there would be a request to have that kind of presentation at this meeting.

Kathy Parker asked if they could request lengthy presentations be submitted beforehand.

Tom Murtaugh said his concern was that there wasn’t a lot of time for this discussion between just two meetings.

Ryan O’Gara said the intent was for the solar committee to present recommendations to the ordinance committee who can then recommend a draft to the APC. That purpose shouldn’t be drowned out by an ocean of comments.

Kathy Lind asked if the time limit could be included in the advertisement.

Jackson Bogan clarified that the meeting will essentially go from 4:45 PM to 7 PM.

Gary Schroeder suggested that the staff could give their presentation, give an allotted time for people to speak in favor or opposition, and have time for the committee to ask questions after.

Tom Murtaugh worried someone wouldn’t get heard and suggested that instead of separating comments into “for” and “against” that people sign up as they arrive to speak.

Ryan O’Gara said this is an unusual situation because they haven’t placed a time limit on a meeting before.

Jackson Bogan said that there will roughly be two hours for the meeting and the first agenda item should be a staff report, then questions from the commission, and any remaining time until 7 PM would be for public comment. He asked if people cared whether it was for or against or if it was just open sign up.

Amanda Esposito, APC staff, said staff would probably have a problem with the for/against agenda because there isn’t a vote for anything at this time, the meeting is just for comments and feedback.

Tom Murtaugh suggested advertising that public comments would be taken at the March meeting with the April meeting for the committee’s discussion with no public comment.

Amanda Esposito added that they can include in the advertising that those unable to come to the March meeting can direct comments to the APC office to be given to the committee.

Jackson Bogan clarified that the agenda would go as follows: staff report, public comment, then comments from the commission, if time allows, before the meeting ends at 7 PM.

Gary Schroeder added that first meeting might provide directions on whether they need more public input at the second meeting.

Tom Murtaugh said the second meeting might not even go until 7 PM.

Jackson Bogan said the reality was that in the second meeting there must be an action made. He said he was good with the 3-minute time limit if they can allow additional time if a presentation is needed.

Gary Schroeder moved that the public input at the March and April meetings be limited to three minutes at the discretion of the chair to allow more time if a presentation was made.

Tom Murtaugh asked if that information would be included in the advertisement.

Amanda Esposito said if she were to get more time by doing a presentation, then she would opt for the presentation.

Jackson Bogan said he feared if they didn't let the public know about a limit that they would come prepared with longer presentations.

Tom Murtaugh said the advertisement should say 3 minutes only.

Gary Schroeder moved to amend his motion to limit public input at the March and April ordinance committee meetings to three minutes. Vicki Pearl seconded, and the motion carried by unanimous voice vote.

#### **VI. CITIZEN COMMENTS**

Jackson Bogan asked if there were any citizen comments. There were none.

#### **VII. ADJOURNMENT**

Gary Schroeder moved to adjourn. The meeting adjourned at 5:11 pm.

Respectfully Submitted,  
Danielle Bistline  
Recording Secretary

Reviewed By,



Ryan O'Gara  
Executive Director