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158.01(D) Zoning Districts

(1) Zoning Districts Established

(a) The County is hereby divided into zoning districts set forth in the table below. The subdivision of land may occur in all of these zoning districts.

(b) Where the phrase "residential zoning district" is used in this Ordinance, it means the zoning districts listed under the "Residential Districts" heading in the table below.

(c) Where the phrase "nonresidential zoning district" is used in this Ordinance, it means the zoning districts listed under the "Nonresidential Districts" heading in the table below.

(d) Where the phrase "special purpose" or "overlay district" is used in this Ordinance, it means the zoning districts listed under the "Special Purpose and Overlay Districts" heading in the table below.

Zoning Districts	
Designation	Name
Residential Districts	
A-1	Agricultural District
R-1	Single-Family District
R-2	Two-Family District
R-3	Multiple Family District
R-4	Residential Mixed Use District
Non-residential Districts	
B-1	Neighborhood Business District
B-2	General Business District
B-3	Heavy Business District
M-1	Limited Manufacturing District
M-2	Heavy Manufacturing District
Special Purpose and Overlay Districts	
GPUD & DPUD	General & Detailed Planned Unit Development District
E-3	Office & Business Park District
W	Wellhead Overlay
A-3	Farmland Preservation District
A-4	Concentrated Animal Feeding Protection District
A-E	Alternative Energy District
TC	Town Character Preservation Overlay
D-C	Data Center Overlay

(2) Zoning Maps

(a) The Zoning Maps, dated February 28, 2024 are hereby incorporated by reference into this Ordinance. This incorporation readopts, reestablishes, and ratifies all PUD district ordinances for Elkhart County, Indiana, in existence at the time of repeal of the prior Zoning Ordinance of Elkhart County, Indiana; said PUD district ordinances remain in full effect until otherwise amended pursuant to this Ordinance. This incorporation also includes any amendments to the Zoning Maps that may be made from time to time.

(b) The Zoning Maps show the areas included in the above zoning districts. All notations, references, indications and other matters shown on the Zoning Maps are as much a part of this Ordinance as if they were fully described in its text.

(c) Two copies of the Zoning Maps are on file in the office of the County Auditor, one copy is on file in the office of the Plan Director and such maps are available for public inspection.

(d) The Plan Director is responsible for maintaining the Zoning Maps and must post all amendments to the map as soon as possible after the effective date of the Zoning Map Amendment.

(3) Determination & Interpretation of District Boundaries

(a) In determining the boundaries of zoning districts, and establishing the regulations applicable to each district, due and careful consideration has been given to the Comprehensive Plan, existing conditions, the character of buildings erected in each district, the most desirable use for which the land in each district may be adapted, and the conservation of property values throughout the County.

(b) If uncertainty exists as to the exact boundaries of any district as shown on the Zoning Maps, the Zoning Administrator shall make a determination based on the following rules of interpretation:

i. If district boundaries are indicated as following the centerline of a street or alley or along lot lines, or approximately along those lines, those lines must be construed to be the district boundaries. If no centerline is established, the boundary is interpreted to be midway between the right-of-way lines.

ii. In un-subdivided areas, or where a district boundary subdivides a lot, the exact location of the boundary shall be determined by use of the scale of the Zoning Maps or by GIS mapping software.

iii. If the boundary remains uncertain, the Board of Zoning Appeals shall interpret the intent of the Zoning Maps to determine the location of the boundary in question.

(4) Procedure Relating to Vacated or Disannexed Area

(a) Territory disannexed by a town or city after the adoption of this ordinance, must remain as zoned or be designated as a comparable County zoning district unless changed by a Zoning Map Amendment.

(b) Except as provided in paragraph (c) below, if an appropriate legislative body vacates any public right-of-way, such as a street, alley, public way, railroad right-of-way or waterway, then the zoning districts adjoining each side of that public right-of-way must be extended to the center of that vacation.

158.01(M) Compliance

(1) No Structure may be located, erected, constructed, reconstructed, moved, altered, converted, enlarged or used, and no land use may be established except when in full compliance with all provisions of this Ordinance and when the permits and certificates that this Ordinance requires have lawfully been issued.

(2) Determining the Need to Undergo a Subdivision Process

Any parcel that has only a metes-and-bounds description and has not undergone a subdivision process shall be subject to the tables in the Plan Commission Rules of Procedure, Exhibit P, for determining the need to undergo the subdivision process. Any parcel determined to need to undergo the subdivision process shall not be eligible for an Improvement Location Permit until it has done so in accordance with this Elkhart County Development Ordinance only.

(3) Conformity with Regulations

No Improvement Location Permit or Certificate of Occupancy shall be issued for any parcel or plat of land that was created by subdivision after the effective date of, and not in conformity with, the provisions of these regulations. Also, no construction of any public or private improvement shall take place or be commenced except in conformity with the applicable standards of these regulations and the Building Code. A Certificate of Occupancy, as defined by the Development Ordinance, shall not be granted for the use of any structure within an approved subdivision until the required improvements have been bonded or constructed, inspected and approved by the responsible County officials.

158.01(N) Development without Peril

Land to be developed under this ordinance shall be of such a character that it can be developed without peril of health, flood, fire, or other menace. Developed land shall have access to available existing public facilities and improvements and shall have proper provisions for drainage, water supply, sewage disposal and other necessary public improvements and transportation facilities adequate for serving the subdivision. A private well and a septic system in lieu of public water and sewer facilities are allowable where such facilities do not exist and where permitted under this Ordinance and approved by the Elkhart County Health Department.

158.01(O) Lot Frontage

All lots or parcels must abut a public right-of-way:

(1) That has been constructed, paved and maintained by the appropriate jurisdiction in which it is located; or

(2) For which a surety or bond has been accepted, guaranteeing its construction and paving; or

(3) Has indirect access to a public right-of-way through a permanent access easement:
   (a) Approved as a Developmental Variance in accordance with Sec. 158.11(J); or
   (b) Approved as part of a Detailed Planned Unit Development in accordance with Sec. 158.11(E).

158.01(P) Number of Buildings with Dwelling Units on a Lot

(1) Every building erected or structurally altered to provide dwelling units must be located on a lot as defined in Article 158.02.

(2) The maximum number of buildings with dwelling units per lot shall be established by the table below.

Districts that Allow Residential Uses	Maximum Number of Residential Buildings Per Lot
A-1	1 plus 1 ADU
R-1	1 plus 1 ADU
R-2	1 plus 1 ADU
R-3	Unlimited
R-4	Unlimited
B-1	1 plus 1 ADU
B-2	1
B-3	Unlimited Upper Story
E-3	Unlimited
A-3	1 plus 1 ADU
A-4	1 plus 1 ADU

County. Elkhart County, Indiana.

Covenant. A private agreement restricting the use and occupancy of real estate, which is a part of the conveyance and is binding on all subsequent purchasers.

Cross Section. A profile of the ground surface perpendicular to the centerline of a street, sidewalk, waterway, or other improvement.

Curb Level. The level of the established curb in front of the building measured at the center of that front. If a building faces on more than one street, the "curb level" is the average of the levels of the curbs at the center of the front of each street. If no curb elevation has been established, the mean finished grade immediately adjacent to the building is the "curb level."

D

Data Center. A physical facility that houses critical computing and networking equipment, including servers, storage systems, and net work infrastructure, and ancillary uses such as, but not limited to, office spaces, warehousing for data center accessory equipment and materials and storage in a building for data center accessory equipment and materials.

Dedication. The setting apart of land or interest in land for public use by the recording of the plat, an ordinance, resolution, entry in the official minutes, or express manifestation on the part of the owner.

Deed Restriction. See "Covenant."

Design Standards. A set of guidelines defining parameters to be followed in a site or building design and development.

Department. The Elkhart County Planning and Development Department.

Detailed Planned Unit Development (DPUD) District. A zoning district for which a Detailed Planned Unit Development Ordinance has been adopted and that complies with this Ordinance.

Detailed Planned Unit Development (DPUD) Ordinance. A zone map amendment ordinance adopted by the Legislative Body with jurisdiction over the subject property creating a DPUD after certification of the proposal from the Elkhart County Plan Commission.

Detailed Planned Unit Development (DPUD) Plat/Site Plan. A drawing submitted with the application for a Detail Planned Unit Development and, upon approval, made part of the Detailed Planned Unit Development Ordinance. Detailed Planned Unit Development plats/site plans must be signed and sealed by a registered Indiana Land Surveyor and must contain all information specified by the Development Ordinance and Rules of Procedure adopted by the Plan Commission.

Development. Any human-made change to improved or unimproved real estate including but not limited to:

(a) Construction, reconstruction, or placement of any addition to a building;
(b) Installing a mobile home on site, preparing a site for a mobile home or installing a recreational vehicle on site for more than 180 days;
(c) Installing utilities, erection of walls and fences, construction of roads;
(d) Construction of flood control structures such as levees, dikes, channel improvements, etc;
(e) Mining, dredging, filling, grading, excavation, or drilling operations;
(f) Construction and/or reconstruction of bridges or culverts;
(g) Outside storage of materials; or
(h) Any other activity that might change the direction, height or velocity of flood or surface waters.

"Development" does not include activities such as the maintenance of existing buildings and facilities such as painting, re-roofing; resurfacing roads; or gardening, plowing, and similar agricultural practices that do not involve filling, grading, excavation, or the construction of permanent buildings. (Also, See Article 158.09, Definitions - "Development" for specific terms and words; applicable to the National Flood Insurance Program).

Development Review Application. A petition, that must be submitted on forms and in such numbers as required by the Rules of Procedure of the Plan Commission or Board of Zoning Appeals, as appropriate, to undertake a development activity on a property.

Director. The Plan Director of the Elkhart County Planning and Development Department, or their duly authorized representatives.

Drain, Regulated. Also called a legal drain. An open drain, a tiled drain, or a combination of the two, having been accepted by and being under the authority and control of the Elkhart County Drainage Board, and is subject to the provisions of the Indiana Drainage Code, IC 36-9-27.

Drainage. Surface water runoff and the removal of water from land by drains, grading or other means during and after construction or development.

Drainage Facility. Any improvement on a property constructed to collect and convey stormwater, including, but not limited to, retention and detention areas, swales, tilling or culverts.

Driveway. A private roadway providing access for vehicles to a parking space, garage, dwelling or other structure intended for motor vehicle access.

Dry Hydrant. A non-pressurized permanent pipe assembly system installed into a water source that permits the withdrawal of water by suction to provide all weather access to an available water source for fire suppression.

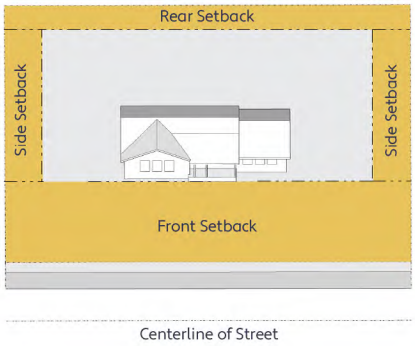
(4) Setbacks

(a) Open and Unobstructed

Every part of a required setback must be open and unobstructed from the ground to the sky except as authorized in this Ordinance.

(b) Measurement Methodology

A setback is measured as the minimum distance between the nearest part of the foundation of a structure and a road centerline, right-of-way line, or the front, side or rear property line of the lot on which the structure is located, as applicable.



(c) Front Setback Location (Except in the E-3 District)

A front setback extends across the full width or depth of the lot and lies between the center line of the adjacent street and the nearest part of the foundation of a structure. Corner lots will have two front setbacks for each street frontage.

(d) Front Setback Location in the E-3 District

In the E-3 zoning district, a front setback lies between the right-of-way line of the lot and the nearest part of the foundation of a structure. Corner lots will have two front setbacks for each street frontage.

(e) Side Setback Location

A side setback lies between the nearest part of the foundation of a structure and a side lot line, and extends from the required front setback line, or from the front lot line if there is no required front setback, to the required rear setback line. On corner lots, side setback will be determined by the building orientation.

(f) Rear Setback Locations

A rear setback extends across the full width or depth of the zoning lot and lies between the rear property line of the lot and the nearest part of the foundation of a structure. On corner lots, rear setback will be determined by the building orientation.

(g) Encroachment Allowed in the Required Setback

i. Except where a minimum side setback is less than 5 feet, cornices, canopies, gutters, eaves, or other architectural features may project into required setbacks up to 2.5 feet.

ii. ~~Balconies, decks, and porches without a roof or walls may project into a front or rear setback a maximum of 10 feet.~~
Unenclosed balconies, decks, and porches may project into a front or rear setback a maximum of 10 feet.

iii. Attached structures under 30 inches in height may encroach into half of the required side setback.

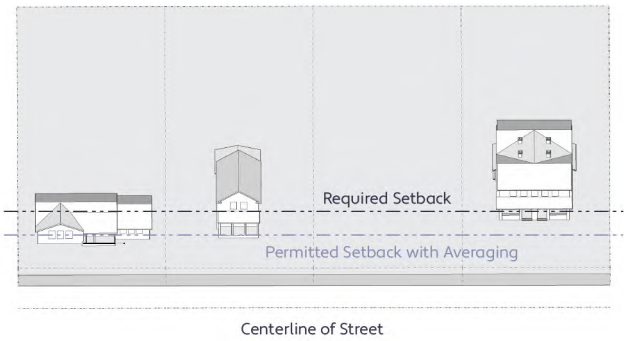
iv. An uncovered wheelchair ramp or stairway and necessary landings may project into required setbacks, provided they are setback a minimum of 3 feet from all property lines.

v. Bay windows and chimneys may project into required setbacks up to 2 feet, provided that such features do not occupy, in the aggregate, more than 1/3 of the length of the building wall on which they are located and provided they are set back a minimum of 3 feet from all property lines.

vi. Outdoor seating associated with a Restaurant Use Category may project a maximum of 12 feet into required setbacks, provided the space is at grade and is separated from the right-of-way by landscaping or a human-made barrier, subject to Building Permit review.

(h) Front Setback Averaging

If 25% or more of the lots in a block, or within a 300-foot span, whichever is less, on streets other than federal and state highways and designated major roads are occupied by buildings, the average front building line of those buildings determines the required front setback of the block. In nonresidential blocks, setback averaging must not result in a requirement that the front setback be greater than 50 feet from the street centerline.



(i) Platted Front Setback

The minimum front setbacks required in this Ordinance apply except when the front setback established in a recorded subdivision is greater than those required for the zoning district, in which case the platted setback controls.

(j) Residential Additions

The Zoning Administrator may approve an Improvement Location Permit for a residential addition within the front setback if the primary residential structure is nonconforming because of its location in the required front setback, subject to all of the following criteria:

i. The existing building line established by the primary residential structure is more than 40 feet from the centerline of the adjacent road and is not presently within any public rights-of-way.

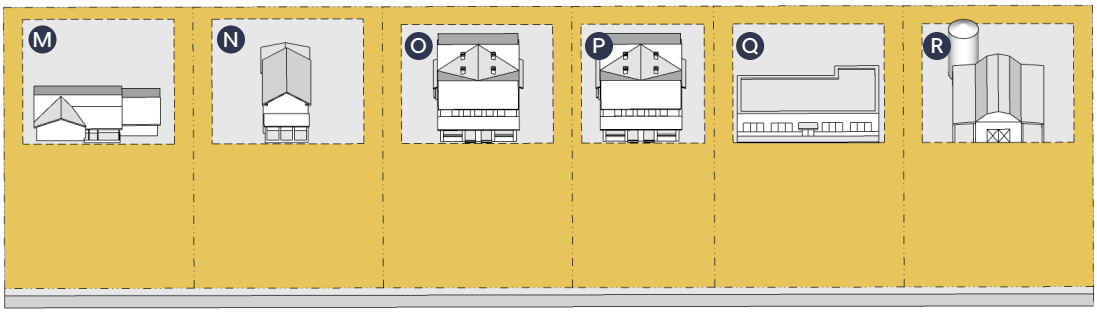
ii. The proposed addition will be at or behind the existing building line.

(2) Uses (cont.)

Use			Use-Specific Standards & Definitions
Agricultural Uses			
Agri-Business	S		158.05(B)(1)(a)
Agriculture, Field and Row Crops	P		158.05(B)(1)(b)
Agriculture, Livestock	C	✱	158.05(B)(1)(c)
Concentrated Animal Feeding Operation	✱		See Sec. 158.04(D)
Greenhouse, Retail	S		158.05(B)(1)(e)
Livestock Sale or Auction	S		158.05(B)(1)(f)
Roadside Stand, Tree Farm, U-Pick Produce, Community-Supported Agriculture Pickup	S		158.05(B)(1)(g)
Stable, Private and Noncommercial	P		158.05(B)(1)(h)
Stable, Public or Commercial	S		158.05(B)(1)(i)
Winery	S		158.05(B)(1)(j)
Industrial Uses			
Contractor Offices & Yards	S		158.05(B)(2)(c)
Fertilizer Manufacturing & Storage	S	✱	158.05(B)(2)(d)
Resource Extraction	C	✱	158.05(B)(2)(h)
Warehousing & Freight Movement.	S		158.05(B)(2)(i)
Welding, Tool Repair, or Machine Shop	S		158.05(B)(2)(k)
Wholesale Trade	S		158.05(B)(2)(l)
Office Uses			
TV Studio or Radio Station	S		158.05(B)(3)(b)
Public & Civic Uses			
Assembly Hall	S		158.05(B)(4)(a)
Cemetery	S		158.05(B)(4)(b)
Community Center	S		158.05(B)(4)(c)
County or Municipal Government Offices or Facilities	S		158.05(B)(4)(e)
Emergency Services, Fire or Police	S		158.05(B)(4)(g)
Library/Museum/Cultural Facility	S		158.05(B)(4)(i)
Medical/Dental Clinic or Laboratory	S		158.05(B)(4)(j)
Place of Worship	S		158.05(B)(4)(k)
School, Pre-K/Nursery	S		158.05(B)(4)(l)
School, Public or Private Elementary, Middle, or High	S		158.05(B)(4)(m)
Social Service Establishment	S		158.05(B)(4)(n)
University, College, or Seminary	S		158.05(B)(4)(o)
Recreation & Entertainment Uses			
Campground (Not Part of Park & Open Space)	S		158.05(B)(5)(a)
Casino	S		158.05(B)(5)(b)
Marina	S		158.05(B)(5)(c)
Parks & Open Space	S		158.05(B)(5)(d)
Recreation/Entertainment, Indoor	S		158.05(B)(5)(e)
Recreation/Entertainment, Outdoor	S		158.05(B)(5)(f)
Stadium/Arena	S		158.05(B)(5)(g)
Vehicle Race Track, Large	S	✱	158.05(B)(5)(h)
Vehicle Race Track, Small	S	✱	158.05(B)(5)(i)
Residential Uses			
Dwelling, Single-Family (attached)	C		158.05(B)(6)(c)
Dwelling, Single-Family (detached)	P		158.05(B)(6)(d)
Dwelling, Two-Family	P		158.05(B)(6)(e)
Group Home, 8 Residents or Fewer	P		158.05(B)(6)(g)
Group Home, More than 8 Residents	S		158.05(B)(6)(h)
Group Home, State Regulated	✱		See 158.05(B)(6)(i)
Manufactured Home (Permanent Foundation)	P		158.05(B)(6)(j)
Manufactured Home (Temporary Foundation), Park or Subdivision	S	✱	158.05(B)(6)(k)
Retail & Service Uses			
Barber or Beauty Shop	S		158.05(B)(7)(c)
Bed & Breakfast Inn	S	✱	158.05(B)(7)(d)
Buildings or Home Improvement Supplies	S		158.05(B)(7)(e)
Farmers Market, Indoor	S		158.05(B)(7)(g)
Farmers Market, Outdoor	S		158.05(B)(7)(h)
Garden & Landscaping Supplies	S		158.05(B)(7)(k)
Kennel	C	✱	158.05(B)(7)(m)
Resort	S		158.05(B)(7)(p)
Restaurant or Catering Establishment, with Drive-In or Drive-Through	S	✱	158.05(B)(7)(q)
Restaurant or Catering Establishment, without Drive-In or Drive-Through	S		158.05(B)(7)(r)
Retail & Service	S	✱	158.05(B)(7)(t)
Self-Service Storage	S		158.05(B)(7)(t)
Veterinary Clinic	S	✱	158.05(B)(7)(x)
Transportation Uses			
Airport/Heliport	S		158.05(B)(8)(a)
Parking Lot or Structure, Commercial	S		158.05(B)(8)(b)
Large vehicle, recreational vehicle, vessel, or heavy equipment storage ~~Truck, Tractor, Trailer, or Bus Storage or Parking Yard, Lot, or Garage~~	C	✱	158.05(B)(8)(d)
Utility Uses			
Solar Energy System	✱		See Sec. 158.04(F)
Utilities, Major	S		158.05(B)(9)(a)
Utilities, Minor	P		158.05(B)(9)(b)
Wireless Communication Facility	✱		158.05(B)(9)(c)
Data Center			See Sec. 158.06(H)

(3) Building Placement & Form (cont.)

Federal/State Highway or Major Road



Use		Front Setback (Min. from Centerline)	Side Setback (min.)	Rear Setback (min.)	Lot Size (min.)	Lot Width (min.)	Building Height (max.)	Lot Coverage (max.)	
								Interior Lot	Corner Lot
Single-Family (w/o Sewer)	M	120'	10'	15'	20,000 sq. ft.	100'	30'	25%	30%
Single-Family (w/ Sewer)	N	120'	10'	15'	20,000 sq. ft.	100'	30'	30%	35%
Two-Family (w/o Sewer)	O	120'	10'	15'	30,000 sq. ft.	100'	30'	25%	30%
Two-Family (w/ Sewer)	P	120'	5'	15'	13,200 sq. ft.	75'	30'	25%	30%
Non-Residential Uses	Q	120'	10'	15'	3 acres	100'	30'	25%	30%
Agricultural Uses	R	120'	10'	15'	3 acres	100'	30'	25%	30%

See Sec. 158.02(C) for Measurements & Special Cases.

(4) General Standards

~~(a) Large Vehicles~~

~~No tractor, trailer, tractor-trailer combination, or vehicle (including but not limited to a tow truck, dump truck, flatbed truck, semi-trailer, and the like) equal to or in excess of 1.5 tons carrying capacity, or which has a bed more than 8 feet long, may be parked in any platted subdivision in the A-1 zoning district where lots are less than three acres, or on any unnumbered County Road in an A-1 Subdivision.~~

Reserved.

(5) Accessory Uses & Structures

An accessory use or structure may be established provided that it is associated with a primary use and that it complies with the standards of Sec. 158.05(C).

Accessory Use Standards	Standards
Front Setback	Same as Primary Use
Side Setback	5' *
Rear Setback	10' *
Setback from Other Structures	6' *
Building Height	18'-25' *

*For all accessory use standards and special cases, see Sec. 158.05(C).

(5) Access, Parking, & Loading

Use	Standards
Off-Street Parking	158.07(C)
Vehicle Stacking	158.07(D)
Off-Street Loading & Unloading Docks	158.07(E)

For all access, parking, & loading standards see Article 158.07.

(7) Buffering

(a) Non-Agricultural or Nonresidential Uses
Non-agricultural or nonresidential uses in the A-1 district are required to provide a Class 1 boundary buffer, as outlined in Sec. 158.06(E), when adjacent to a residential use in an R-1, R-2, R-3, or R-4 district.

(b) Agricultural or Residential Uses
No buffering is required for agricultural or residential uses in the A-1 Agricultural District, unless specifically stated in Sec. 158.05(B) Use-Specific Standards & Definitions or Article 158.06 Buffering & Screening.

(8) Permitted Signs

Wall Sign	Projecting Sign	Monument Sign	Portable Sign	Freestanding, Yard Signs and All Other	Electronic Message Board
P		P		P	

For all sign standards see Article 158.08.

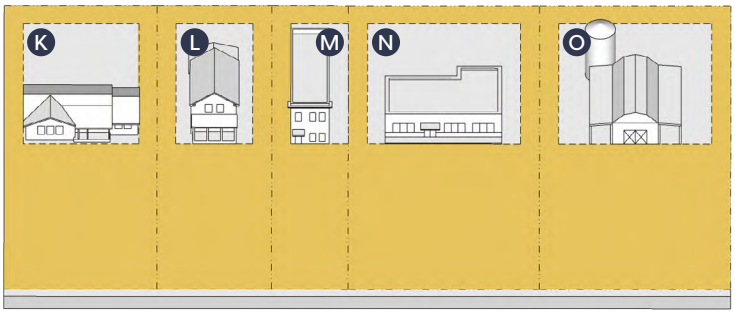
(2) Uses (cont.)

Use		Use-Specific Standards & Definitions
Agricultural Uses		
Agriculture, Field and Row Crops	P	158.05(B)(1)(b)
Greenhouse, Retail	S	158.05(B)(1)(e)
Roadside Stand, Tree Farm, U-Pick Produce, Community-Supported Agriculture Pickup	S	158.05(B)(1)(f)
Stable, Private and Noncommercial	S	158.05(B)(1)(g)
Public & Civic Uses		
Assembly Hall	S	158.05(B)(4)(a)
Cemetery	S	158.05(B)(4)(b)
Community Center	S	158.05(B)(4)(c)
County or Municipal Government Offices or Facilities	S	158.05(B)(4)(e)
Emergency Services, Fire or Police	S	158.05(B)(4)(g)
Library/Museum/Cultural Facility	S	158.05(B)(4)(i)
Place of Worship	S	158.05(B)(4)(k)
School, Pre-K/Nursery	S	158.05(B)(4)(l)
School, Public or Private Elementary, Middle, or High	S	158.05(B)(4)(m)
Social Service Establishment	S	158.05(B)(4)(n)
University, College, or Seminary	S	158.05(B)(4)(o)
Recreation & Entertainment Uses		
Marina	S	158.05(B)(5)(c)
Parks & Open Space	S	158.05(B)(5)(d)
Stadium/Arena	S	158.05(B)(5)(g)
Residential Uses		
Dwelling, Single-Family (attached)	C	158.05(B)(6)(c)
Dwelling, Single-Family (detached)	P	158.05(B)(6)(d)
Group Home, 8 Residents or Fewer	P	158.05(B)(6)(g)
Group Home, More than 8 Residents	S	158.05(B)(6)(h)
Group Home, State Regulated	*	See 158.05(B)(6)(i)
Manufactured Home (Permanent Foundation)	P	158.05(B)(6)(j)
Manufactured Home (Temporary Foundation), Park or Subdivision	S *	158.05(B)(6)(k)

Use		Use-Specific Standards & Definitions
Retail & Service Uses		
Barber or Beauty Shop	S	158.05(B)(7)(c)
Kennel	C *	158.05(B)(7)(m)
Resort	S	158.05(B)(7)(p)
Utility Uses		
Solar Energy System	*	See Sec. 158.04(F)
Utilities, Major	S	158.05(B)(9)(a)
Utilities, Minor	P	158.05(B)(9)(b)
Wireless Communication Facility	*	158.05(B)(9)(c)
Data Center		See Sec. 158.06(H)
Transportation uses		
Large vehicle, recreational vehicle, vessel, or heavy equipment storage	C *	158.05(B)(8)(d)

(3) Building Placement & Form (cont.)

Federal/State Highway or Major Road



Use		Front Setback (Min. from Centerline)	Side Setback (min.)	Rear Setback (min.)	Lot Size (min.)	Lot Width (min.)	Building Height (max.)	Lot Coverage (max.)	
								Interior Lot	Corner Lot
Single-Family (w/o Sewer)	K	120'	10'	15'	15,000 sq. ft.	80'	30'	25%	30%
Single-Family (w/ Sewer)	L	120'	10'	15'	7,200 sq. ft.	60'	30'	30%	35%
Single-Family (Attached)	M	120'	10'/0'	15'	4,000 sq. ft.	40'	30'	25%	30%
Non-Residential Uses	N	120'	10'	15'	15,000 sq. ft.	100'	30'	25%	30%
Agricultural Uses	O	120'	10'	15'	15,000 sq. ft.	100'	30'	25%	30%

See Sec. 158.02(C) for Measurements & Special Cases.

(4) General Standards

~~(a) Large Vehicles~~

~~No tractor, trailer, tractor-trailer combination, or vehicle (including but not limited to a tow truck, dump truck, flatbed truck, semi-trailer, and the like) equal to or in excess of 1.5 tons carrying capacity, or which has a bed more than 8 feet long, may be parked in any platted subdivision in the R-1 zoning district where lots are less than three acres, or on any unnumbered County Road in an R-1 Subdivision.~~

Reserved.

(5) Accessory Uses & Structures

An accessory use or structure may be established provided that it is associated with a primary use and that it complies with the standards of Sec. 158.05(C).

Accessory Use Standards	Standards
Front Setback	Same as Primary Use
Side Setback	5' *
Rear Setback	10' *
Setback from Other Structures	6' *
Building Height	18'-25' *

*For all accessory use standards and special cases, see Sec. 158.05(C).

(5) Access, Parking, & Loading

Use	Standards
Off-Street Parking	158.07(C)
Vehicle Stacking	158.07(D)
Off-Street Loading & Unloading Docks	158.07(E)

For all access, parking, & loading standards see Article 158.07.

(6) Buffering & Screening

Buffering and screening is required as outlined in Article 158.06.

(7) Permitted Signs

Wall Sign	Projecting Sign	Monument Sign	Portable Sign	Freestanding, Yard Signs and All Other	Electronic Message Board
		P		P	

For all sign standards see Article 158.08.

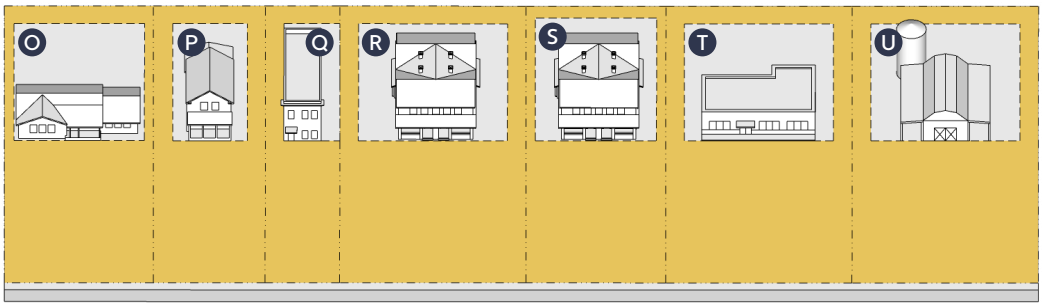
(2) Uses (cont.)

Use		Use-Specific Standards & Definitions
Agricultural Uses		
Agriculture, Field and Row Crops	P	158.05(B)(1)(b)
Greenhouse, Retail	S	158.05(B)(1)(e)
Roadside Stand, Tree Farm, U-Pick Produce, Community-Supported Agriculture Pickup	S	158.05(B)(1)(f)
Stable, Private and Noncommercial	S	158.05(B)(1)(h)
Public & Civic Uses		
Assembly Hall	S	158.05(B)(4)(a)
Cemetery	S	158.05(B)(4)(b)
Community Center	S	158.05(B)(4)(c)
County or Municipal Government Offices or Facilities	S	158.05(B)(4)(e)
Emergency Services, Fire or Police	S	158.05(B)(4)(g)
Library/Museum/Cultural Facility	S	158.05(B)(4)(i)
Place of Worship	S	158.05(B)(4)(k)
School, Pre-K/Nursery	S	158.05(B)(4)(l)
School, Public or Private Elementary, Middle, or High	S	158.05(B)(4)(m)
Social Service Establishment	S	158.05(B)(4)(n)
University, College, or Seminary	S	158.05(B)(4)(o)
Recreation & Entertainment Uses		
Marina	S	158.05(B)(5)(c)
Parks & Open Space	S	158.05(B)(5)(d)
Stadium/Arena	S	158.05(B)(5)(g)
Residential Uses		
Assisted Living Facility	S	158.05(B)(6)(a)
Dwelling, Single-Family (attached)	C	158.05(B)(6)(c)
Dwelling, Single-Family (detached)	P	158.05(B)(6)(d)
Dwelling, Two-Family	P	158.05(B)(6)(e)
Group Home, 8 Residents or Fewer	P	158.05(B)(6)(g)
Group Home, More than 8 Residents	S	158.05(B)(6)(h)
Group Home, State Regulated	*	See 158.05(B)(6)(i)
Manufactured Home (Permanent Foundation)	P	158.05(B)(6)(j)
Manufactured Home (Temporary Foundation), Park or Subdivision	S *	158.05(B)(6)(k)

Use		Use-Specific Standards & Definitions
Retail & Service Uses		
Barber or Beauty Shop	S	158.05(B)(7)(c)
Bed & Breakfast Inn	C *	158.05(B)(7)(d)
Resort	S	158.05(B)(7)(p)
Utility Uses		
Solar Energy System	*	See Sec. 158.04(F)
Utilities, Major	S	158.05(B)(9)(a)
Utilities, Minor	P	158.05(B)(9)(b)
Wireless Communication Facility	*	158.05(B)(9)(c)
Data Center		See Sec. 158.06(H)
Transportation Uses		
Large vehicle, recreational vehicle, vessel, or heavy equipment storage	C *	158.05(B)(8)(d)

(3) Building Placement & Form (cont.)

Federal/State Highway or Major Road



Use		Front Setback (Min. from Centerline)	Side Setback (min.)	Rear Setback (min.)	Lot Size (min.)	Lot Width (min.)	Building Height (max.)	Lot Coverage (max.)	
								Interior Lot	Corner Lot
Single Family w/o Sewer	O	120’	5’	15’	15,000 sq. ft.	80’	30’	25%	30%
Single Family w/ Sewer	P	120’	5’	15’	7,200 sq. ft.	50’	30’	30%	35%
Single Family Attached	Q	120’	10’/0’*	15’	5,000 sq. ft.	40’	30’	25%	30%
Two Family w/o Sewer	R	120’	10’	15’	30,000 sq. ft.	100’	30’	25%	30%
Two Family w/ Sewer	S	120’	5’	15’	13,200 sq. ft.	75’	30’	25%	30%
Nonresidential Use	T	120’	10’	15’	15,000 sq. ft.	100’	30’	25%	30%
Agricultural Use	U	120’	10’	15’	15,000 sq. ft.	100’	30’	25%	30%

See Sec. 158.02(C) for Measurements & Special Cases.

* Interior side setback.

(4) General Standards

~~(a) Large Vehicles~~

~~No tractor, trailer, tractor-trailer combination, or vehicle (including but not limited to a tow truck, dump truck, flatbed truck, semi-trailer, and the like) equal to or in excess of 1.5 tons carrying capacity, or which has a bed more than 8 feet long, may be parked in any platted subdivision in the R-2 zoning district where lots are less than three acres, or on any unnumbered County Road in an R-3 Subdivision.~~

Reserved.

(5) Accessory Uses & Structures

An accessory use or structure may be established provided that it is associated with a primary use and that it complies with the standards of Sec. 158.05(C).

Accessory Use Standards	Standards
Front Setback	Same as Primary Use
Side Setback	5’ *
Rear Setback	10’ *
Setback from Other Structures	6’ *
Building Height	18’-25’ *

*For all accessory use standards and special cases, see Sec. 158.05(C).

(5) Access, Parking, & Loading

Use	Standards
Off-Street Parking	158.07(C)
Vehicle Stacking	158.07(D)
Off-Street Loading & Unloading Docks	158.07(E)

For all access, parking, & loading standards see Article 158.07.

(6) Buffering & Screening

Buffering and screening is required as outlined in Article 158.06.

(7) Permitted Signs

Wall Sign	Projecting Sign	Monument Sign	Portable Sign	Freestanding, Yard Signs and All Other	Electronic Message Board
		P		P	

For all sign standards see Article 158.08.

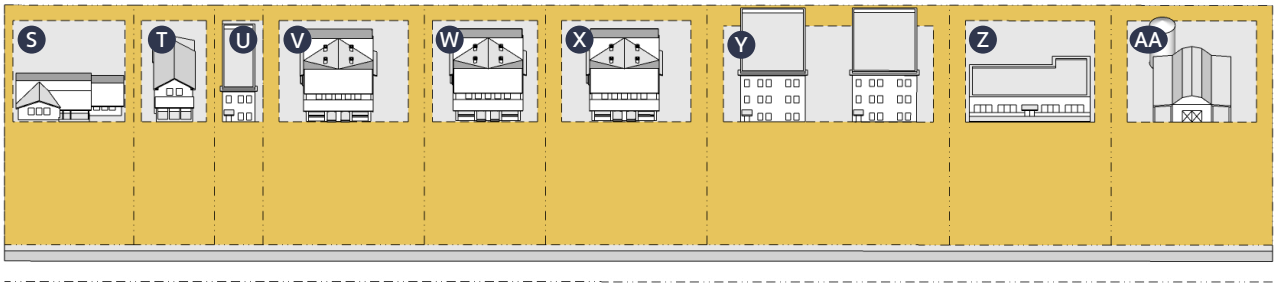
(2) Uses (cont.)

Use			Use-Specific Standards & Definitions
Agricultural Uses			
Agriculture, Field and Row Crops	P		158.05(B)(1)(b)
Greenhouse, Retail	S		158.05(B)(1)(e)
Roadside Stand, Tree Farm, U-Pick Produce, Community-Supported Agriculture Pickup	S		158.05(B)(1)(g)
Stable, Private and Noncommercial	S		158.05(B)(1)(h)
Public & Civic Uses			
Assembly Hall	S		158.05(B)(4)(a)
Cemetery	S		158.05(B)(4)(b)
Community Center	S		158.05(B)(4)(c)
County or Municipal Government Offices or Facilities	S		158.05(B)(4)(e)
Day Care, Adult or Child	S	✱	158.05(B)(4)(f)
Emergency Services, Fire or Police	S		158.05(B)(4)(g)
Library/Museum/Cultural Facility	S		158.05(B)(4)(i)
Place of Worship	S		158.05(B)(4)(k)
School, Pre-K/Nursery	S		158.05(B)(4)(l)
School, Public or Private Elementary, Middle, or High	S		158.05(B)(4)(m)
Social Service Establishment	S		158.05(B)(4)(n)
University, College, or Seminary	S		158.05(B)(4)(o)
Recreation & Entertainment Uses			
Marina	S		158.05(B)(5)(c)
Parks & Open Space	S		158.05(B)(5)(d)
Recreation & Entertainment, Indoor	S		158.05(B)(5)(e)
Stadium/Arena	S		158.05(B)(5)(g)
Residential Uses			
Assisted Living Facility	S		158.05(B)(6)(a)
Dwelling or Complex, Multiple-Family	P		158.05(B)(6)(b)
Dwelling, Single-Family (attached)	C		158.05(B)(6)(c)
Dwelling, Single-Family (detached)	P		158.05(B)(6)(d)
Dwelling, Two-Family	P		158.05(B)(6)(e)
Group Home, 8 Residents or Fewer	P		158.05(B)(6)(g)
Group Home, More than 8 Residents	S		158.05(B)(6)(h)
Group Home, State Regulated	✱		See 158.05(B)(6)(i)
Manufactured Home (Permanent Foundation)	P		158.05(B)(6)(j)
Manufactured Home (Temporary Foundation), Park or Subdivision	S	✱	158.05(B)(6)(k)

Use			Use-Specific Standards & Definitions
Retail & Service Uses			
Barber or Beauty Shop	S		158.05(B)(7)(c)
Bed & Breakfast Inn	C	✱	158.05(B)(7)(d)
Resort	S		158.05(B)(7)(p)
Utility Uses			
Solar Energy System	✱		See Sec. 158.04(F)
Utilities, Major	S		158.05(B)(9)(a)
Utilities, Minor	P		158.05(B)(9)(b)
Wireless Communication Facility	✱		158.05(B)(9)(c)
Data Center			See Sec. 158.06(H)
Transportation Uses			
Large vehicle, recreational vehicle, vessel, or heavy equipment storage	C	✱	158.05(B)(8)(d)

(3) Building Placement & Form (cont.)

Federal/State Highway or Major Road



Use		Front Setback (Min. from Centerline)	Side Setback (min.)	Rear Setback (min.)	Lot Size (min.)	Lot Width (min.)	Building Height (max.)	Lot Coverage (max.)	
								Interior Lot	Corner Lot
Single Family w/o Sewer	S	120’	5’	15’	15,000 sq. ft.	80’	30’	25%	30%
Single Family w/ Sewer	T	120’	5’	15’	7,200 sq. ft.	50’	30’	30%	35%
Single Family Attached	U	120’	5’/0’*	15’	4,000 sq. ft.	30’	30’	25%	30%
Two Family w/o Sewer	V	120’	10’	15’	30,000 sq. ft.	100’	30’	25%	30%
Two Family w/ Sewer	W	120’	5’	15’	13,200 sq. ft.	75’	30’	25%	30%
Three Family w/o Sewer	X	120’	10’	15’	10,000 sq. ft.	100’	30’	30%	40%
Multiple Family w/ Sewer	Y	120’	10’	20’	6,000 sq. ft.	150’	40’	30%	40%
Nonresidential Use	Z	120’	10’	15’	15,000 sq. ft.	100’	30’	25%	30%
Agricultural Use	AA	120’	10’	15’	15,000 sq. ft.	100’	30’	25%	30%

See Sec. 158.02(C) for Measurements & Special Cases.

* Interior side setback.

(4) General Standards

~~(a) Large Vehicles~~

~~No tractor, trailer, tractor-trailer combination, or vehicle (including but not limited to a tow truck, dump truck, flatbed truck, semi-trailer, and the like) equal to or in excess of 1.5 tons carrying capacity, or which has a bed more than 8 feet long, may be parked in any platted subdivision in the R-3 zoning district where lots are less than three acres, or on any unnumbered County Road in an R-3 Subdivision.~~

Reserved.

(5) Accessory Uses & Structures

An accessory use or structure may be established provided that it is associated with a primary use and that it complies with the standards of Sec. 158.05(C).

Accessory Use Standards	Standards
Front Setback	Same as Primary Use
Side Setback	5’ *
Rear Setback	10’ *
Setback from Other Structures	6’ *
Building Height	18’-25’ *

*For all accessory use standards and special cases, see Sec. 158.05(C).

(~~5~~ 6) Access, Parking, & Loadi

	Standards
	158.07(C)
Off-Street Parking	158.07(D)
Vehicle Stacking	158.07(E)
Off-Street Loading & Unloading Docks	

For all access, parking, & loading standards see Article 158.07.

(~~6~~) 7 Buffering & Screening

Buffering and screening is required as outlined in Article 158.06.

(~~7~~ 8) Permitted Signs

Wall Sign	Projecting Sign	Monument Sign	Portable Sign	Freestanding, Yard Signs and All Other	Electronic Message Board
		P		P	

For all sign standards see Article 158.08.

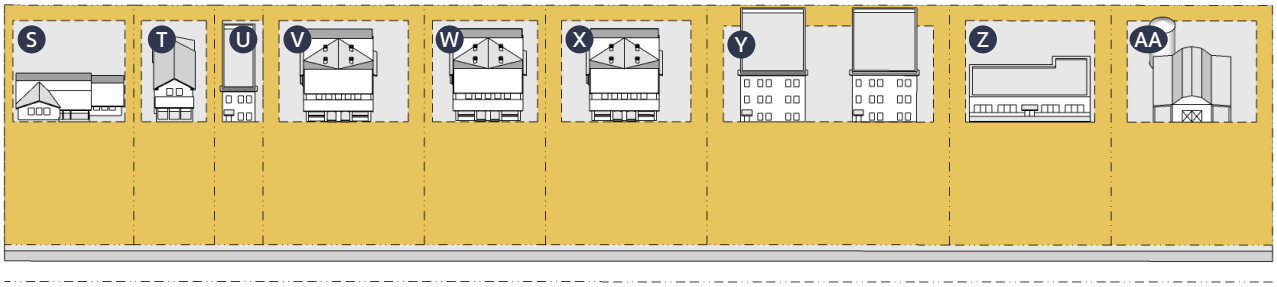
(2) Uses (cont.)

Use			Use-Specific Standards & Definitions
Agricultural Uses			
Agriculture, Field and Row Crops	P		158.05(B)(1)(b)
Greenhouse, Retail	S		158.05(B)(1)(e)
Roadside Stand, Tree Farm, U-Pick Produce, Community-Supported Agriculture Pickup	S		158.05(B)(1)(g)
Stable, Private and Noncommercial	S		158.05(B)(1)(h)
Office Uses			
Professional Offices	C	✱	158.05(B)(3)(a)
Public & Civic Uses			
Assembly Hall	S		158.05(B)(4)(a)
Cemetery	S		158.05(B)(4)(b)
Community Center	S		158.05(B)(4)(c)
County or Municipal Government Offices or Facilities	S		158.05(B)(4)(e)
Day Care, Adult or Child	S	✱	158.05(B)(4)(f)
Emergency Services, Fire or Police	S		158.05(B)(4)(g)
Library/Museum/Cultural Facility	S		158.05(B)(4)(i)
Medical/Dental Clinic or Laboratory	S		158.05(B)(4)(j)
Place of Worship	S		158.05(B)(4)(k)
School, Pre-K/Nursery	S		158.05(B)(4)(l)
School, Public or Private Elementary, Middle, or High	S		158.05(B)(4)(m)
Social Service Establishment	S		158.05(B)(4)(n)
University, College, or Seminary	S		158.05(B)(4)(o)
Recreation & Entertainment Uses			
Marina	S		158.05(B)(5)(c)
Parks & Open Space	S		158.05(B)(5)(e)
Recreation & Entertainment, Indoor	S		158.05(B)(5)(e)
Stadium/Arena	S		158.05(B)(5)(g)
Residential Uses			
Assisted Living Facility	P		158.05(B)(6)(a)
Dwelling or Complex, Multiple-Family	P		158.05(B)(6)(b)
Dwelling, Single-Family (attached)	C		158.05(B)(6)(c)
Dwelling, Single-Family (detached)	P		158.05(B)(6)(d)
Dwelling, Two-Family	P		158.05(B)(6)(e)
Dwelling, Upper-Story	P		158.05(B)(6)(f)
Group Home, 8 Residents or Fewer	P		158.05(B)(6)(g)
Group Home, More than 8 Residents	S		158.05(B)(6)(h)
Group Home, State Regulated	✱		See 158.05(B)(6)(i)
Manufactured Home (Permanent Foundation)	P		158.05(B)(6)(j)
Manufactured Home (Temporary Foundation), Park or Subdivision	S	✱	158.05(B)(6)(k)

Use			Use-Specific Standards & Definitions
Retail & Service Uses			
Barber or Beauty Shop	S		158.05(B)(7)(c)
Bed & Breakfast Inn	C	✱	158.05(B)(7)(d)
Funeral Home	S		158.05(B)(7)(j)
Resort	S		158.05(B)(7)(p)
Restaurant or Catering Establishment, without Drive-In or Drive-Through	P		158.05(B)(7)(q)
Retail & Service	P		158.05(B)(7)(s)
Utility Uses			
Solar Energy System	✱		See Sec. 158.04(F)
Utilities, Major	S		158.05(B)(9)(a)
Utilities, Minor	P		158.05(B)(9)(b)
Wireless Communication Facility	✱		158.05(B)(9)(c)
Data Center			See Sec. 158.06(H)
Transportation Uses			
Large vehicle, recreational vehicle, vessel, or heavy equipment storage	C	✱	158.05(B)(8)(d)

(3) Building Placement & Form (cont.)

Federal/State Highway or Major Road



Use		Front Setback (Min. from Centerline)	Side Setback (min.)	Rear Setback (min.)	Lot Size (min.)	Lot Width (min.)	Building Height (max.)	Lot Coverage (max.)	
								Interior Lot	Corner Lot
Single Family w/o Sewer	S	120’	5’	15’	15,000 sq. ft.	80’	30’	25%	30%
Single Family w/ Sewer	T	120’	5’	10’	6,000 sq. ft.	50’	30’	40%	45%
Single Family Attached	U	120’	5’/0’*	10’	3,000 sq. ft.	30’	30’	30%	35%
Two Family w/o Sewer	V	120’	10’	15’	30,000 sq. ft.	100’	30’	25%	30%
Two Family w/ Sewer	W	120’	5’	10’	10,000 sq. ft.	75’	30’	30%	35%
Three Family w/o Sewer	X	120’	10’	15’	10,000 sq. ft.	100’	30’	30%	40%
Multiple Family w/ Sewer	Y	120’	10’	20’	3,000 sq. ft.	100’	40’	30%	40%
Nonresidential Use	Z	120’	5’	10’	10,000 sq. ft.	75’	30’	30%	35%
Agricultural Use	AA	120’	5’	10’	10,000 sq. ft.	75’	30’	30%	35%

See Sec. 158.02(C) for Measurements & Special Cases.

* Interior side setback.

(4) General Standards

~~(a) Large Vehicles~~

~~No tractor, trailer, tractor-trailer combination, or vehicle (including but not limited to a tow truck, dump truck, flatbed truck, semi-trailer, and the like) equal to or in excess of 1.5 tons carrying capacity, or which has a bed more than 8 feet long, may be parked in any platted subdivision in the R-4 zoning district where lots are less than three acres, or on any unnumbered County Road in an R-4 Subdivision.~~

Reserved.

(5) Accessory Uses & Structures

An accessory use or structure may be established provided that it is associated with a primary use and that it complies with the standards of Sec. 158.05(C).

Accessory Use Standards	Standards
Front Setback	Same as Primary Use
Side Setback	5’ *
Rear Setback	10’ *
Setback from Other Structures	6’ *
Building Height	18’-25’ *

*For all accessory use standards and special cases, see Sec. 158.05(C).

(~~5~~ 6) Access, Parking, & Loadi

	Standards
ng	158.07(C)
Off-Street Parking	158.07(D)
Vehicle Stacking	158.07(E)
Off-Street Loading & Unloading Docks	

For all access, parking, & loading standards see Article 158.07.

(~~6~~ 7) Buffering & Screening

Buffering and screening is required as outlined in Article 158.06.

(~~7~~ 8) Permitted Signs

Wall Sign	Projecting Sign	Monument Sign	Portable Sign	Freestanding, Yard Signs and All Other	Electronic Message Board
P	P	P		P	

For all sign standards see Article 158.08.

(2) Uses (cont.)

Use			Use-Specific Standards & Definitions
Agricultural Uses			
Agriculture, Field and Row Crops	P		158.05(B)(1)(b)
Greenhouse, Retail	P		158.05(B)(1)(e)
Stable, Private and Noncommercial	S		158.05(B)(1)(h)
Office Uses			
Professional Offices	P		158.05(B)(3)(a)
Public & Civic Uses			
Assembly Hall	P		158.05(B)(4)(a)
Cemetery	S		158.05(B)(4)(b)
Community Center	P		158.05(B)(4)(c)
Correctional Facility	S		158.05(B)(4)(d)
County or Municipal Government Offices or Facilities	S		158.05(B)(4)(e)
Day Care, Adult or Child	P	✱	158.05(B)(4)(f)
Emergency Services, Fire or Police	S		158.05(B)(4)(g)
Hospital	S		158.05(B)(4)(h)
Library/Museum/Cultural Facility	P		158.05(B)(4)(i)
Medical/Dental Clinic or Laboratory	P		158.05(B)(4)(j)
Place of Worship	P		158.05(B)(4)(k)
School, Pre-K/Nursery	P		158.05(B)(4)(l)
School, Public or Private Elementary, Middle, or High	P		158.05(B)(4)(m)
Social Service Establishment	S		158.05(B)(4)(n)
University, College, or Seminary	P		158.05(B)(4)(o)
Recreation & Entertainment Uses			
Casino	S		158.05(B)(5)(b)
Marina	S		158.05(B)(5)(c)
Parks & Open Space	S		158.05(B)(5)(d)
Recreation & Entertainment, Indoor	P		158.05(B)(5)(e)
Recreation & Entertainment, Outdoor	S		158.05(B)(5)(f)
Stadium/Arena	S		158.05(B)(5)(g)
Vehicle Race Track, Small	S	✱	158.05(B)(5)(i)
Residential Uses			
Assisted Living Facility	P		158.05(B)(6)(a)
Dwelling or Complex, Multiple-Family	P		158.05(B)(6)(b)
Dwelling, Single-Family (attached)	C		158.05(B)(6)(c)
Dwelling, Single-Family (detached)	P		158.05(B)(6)(d)
Dwelling, Two-Family	P		158.05(B)(6)(e)
Dwelling, Upper-Story	P		158.05(B)(6)(f)
Group Home, 8 Residents or Fewer	P		158.05(B)(6)(g)
Group Home, More than 8 Residents	S		158.05(B)(6)(h)
Group Home, State Regulated	✱		See 158.05(B)(6)(i)
Manufactured Home (Permanent Foundation)	P		158.05(B)(6)(j)
Manufactured Home (Temporary Foundation), Park or Subdivision	S	✱	158.05(B)(6)(k)
Retail & Service Uses			
Barber or Beauty Shop	S		158.05(B)(7)(c)
Bed & Breakfast Inn	C	✱	158.05(B)(7)(d)
Building or Home Improvement Supplies	P		158.05(B)(7)(e)
Farmers Market, Indoor	P		158.05(B)(7)(g)
Farmers Market, Outdoor	S		158.05(B)(7)(h)
Funeral Home	P		158.05(B)(7)(j)
Hotel/Motel	P		158.05(B)(7)(l)
Kennel	S	✱	158.05(B)(7)(m)
Pet Store	P		158.05(B)(7)(o)
Resort	S		158.05(B)(7)(p)
Restaurant or Catering Establishment, without Drive-In or Drive-Through	P		158.05(B)(7)(q)
Retail & Service	P		158.05(B)(7)(s)
Veterinary Clinic	S		158.05(B)(7)(x)
Transportation Uses			
Parking Lot or Structure, Commercial	S		158.05(B)(8)(b)
Passenger Terminal, Bus or Train	P		158.05(B)(8)(c)
Large vehicle, recreational vehicle, vessel, or heavy equipment storage ~~Truck, tractor, trailer, bus or recreational vehicle storage or parking yard, lot or garage~~	S		158.05(B)(8)(d)
Utility Uses			
Solar Energy System	✱		See Sec. 158.04(F)
Utilities, Major	S		158.05(B)(9)(a)
Utilities, Minor	P		158.05(B)(9)(b)
Wireless Communication Facility	✱		158.05(B)(9)(c)
Data Center			See Sec. 158.06(H)

(2) Uses

Use			Use-Specific Standards & Definitions
Agricultural Uses			
Agriculture, Field and Row Crops	P		158.05(B)(1)(b)
Greenhouse, Retail	P		158.05(B)(1)(e)
Stable, Private and Noncommercial	S		158.05(B)(1)(h)
Winery	P		158.05(B)(1)(j)
Industrial Uses			
Contractor Offices and Yards	S		158.05(B)(2)(c)
Office Uses			
Professional Offices	P		158.05(B)(3)(a)
TV Studio or Radio Station	S		158.05(B)(3)(b)
Public & Civic Uses			
Assembly Hall	P		158.05(B)(4)(a)
Cemetery	S		158.05(B)(4)(b)
Community Center	P		158.05(B)(4)(c)
Correctional Facility	S		158.05(B)(4)(d)
County or Municipal Government Offices or Facilities	S		158.05(B)(4)(e)
Day Care, Adult or Child	P	✱	158.05(B)(4)(f)
Emergency Services, Fire or Police	S		158.05(B)(4)(g)
Hospital	P		158.05(B)(4)(h)
Library/Museum/Cultural Facility	P		158.05(B)(4)(i)
Medical/Dental Clinic or Laboratory	P		158.05(B)(4)(j)
Place of Worship	P		158.05(B)(4)(k)
School, Pre-K/Nursery	P		158.05(B)(4)(l)
School, Public or Private Elementary, Middle, or High	P		158.05(B)(4)(m)
Social Service Establishment	S		158.05(B)(4)(n)
University, College, or Seminary	P		158.05(B)(4)(o)
Recreation & Entertainment Uses			
Casino	S		158.05(B)(5)(b)
Marina	S		158.05(B)(5)(c)
Parks & Open Space	S		158.05(B)(5)(d)
Recreation & Entertainment, Indoor	P		158.05(B)(5)(e)
Recreation & Entertainment, Outdoor	S		158.05(B)(5)(f)
Stadium/Arena	P		158.05(B)(5)(g)
Vehicle Race Track, Small	S	✱	158.05(B)(5)(i)
Residential Uses			
Assisted Living Facility	P		158.05(B)(6)(a)
Dwelling or Complex, Multiple-Family	P		158.05(B)(6)(b)
Dwelling, Single-Family (attached)	C		158.05(B)(6)(c)
Dwelling, Single-Family (detached)	P		158.05(B)(6)(d)
Dwelling, Two-Family	P		158.05(B)(6)(e)

Use			Use-Specific Standards & Definitions
Dwelling, Upper-Story	P		158.05(B)(6)(f)
Group Home, 8 Residents or Fewer	P		158.05(B)(6)(g)
Group Home, More than 8 Residents	S		158.05(B)(6)(h)
Group Home, State Regulated	✱		See 158.05(B)(6)(i)
Manufactured Home (Permanent Foundation)	P		158.05(B)(6)(j)
Manufactured Home (Temporary Foundation), Park or Subdivision	S	✱	158.05(B)(6)(k)
Retail & Service Uses			
Bar, Microbrewery, or Tavern	P		158.05(B)(7)(b)
Barber or Beauty Shop	P		158.05(B)(7)(c)
Bed & Breakfast Inn	C	✱	158.05(B)(7)(d)
Building or Home Improvement Supplies	P		158.05(B)(7)(e)
Car Wash	P		158.05(B)(7)(f)
Farmers Market, Indoor	P		158.05(B)(7)(g)
Farmers Market, Outdoor	S		158.05(B)(7)(h)
Funeral Home	P		158.05(B)(7)(j)
Garden and Landscaping Supplies	P		158.05(B)(7)(k)
Hotel/Motel	P		158.05(B)(7)(l)
Kennel	P		158.05(B)(7)(m)
Manufactured Home Sales or Rental	P		158.05(B)(7)(n)
Pet Store	P		158.05(B)(7)(o)
Resort	S		158.05(B)(7)(p)
Restaurant or Catering Establishment, with Drive-In or Drive-Through	P		158.05(B)(7)(q)
Restaurant or Catering Establishment, with-out Drive-In or Drive-Through	P		158.05(B)(7)(r)
Retail & Service	P		158.05(B)(7)(s)
Self-Service Storage	S		158.05(B)(7)(t)
Vehicle Repair, Minor	P		158.05(B)(7)(v)
Vehicle Sales or Rental	P		158.05(B)(7)(w)
Veterinary Clinic	P		158.05(B)(7)(x)
Transportation Uses			
Parking Lot or Structure, Commercial	S		158.05(B)(8)(b)
Passenger Terminal, Bus or Train	P		158.05(B)(8)(c)
Large vehicle, recreational vehicle, vessel, or heavy equipment storage ~~Truck, tractor, trailer, bus or recreational vehicle storage or parking yard, lot or garage~~	S		158.05(B)(8)(d)
Utility Uses			
Solar Energy System	✱		See Sec. 158.04(F)
Utilities, Major	S		158.05(B)(9)(a)
Utilities, Minor	P		158.05(B)(9)(b)
Wireless Communication Facility	✱		158.05(B)(9)(c)
Data Center	*		See Sec. 158.06(H)

(2) Uses

Use		Use-Specific Standards & Definitions
Agricultural Uses		
Agriculture, Field and Row Crops	P	158.05(B)(1)(b)
Greenhouse, Retail	P	158.05(B)(1)(e)
Stable, Private and Noncommercial	S	158.05(B)(1)(h)
Winery	P	158.05(B)(1)(j)
Industrial Uses		
Contractor Offices and Yards	P	158.05(B)(2)(c)
Warehousing and Freight Movement	P	158.05(B)(2)(i)
Welding, Tool Repair, or Machine Shop	P	158.05(B)(2)(k)
Wholesale Trade	P	158.05(B)(2)(l)
Office Uses		
Professional Offices	P	158.05(B)(3)(a)
TV Studio or Radio Station	P	158.05(B)(3)(b)
Public & Civic Uses		
Assembly Hall	P	158.05(B)(4)(a)
Cemetery	S	158.05(B)(4)(b)
Community Center	P	158.05(B)(4)(c)
Correctional Facility	S	158.05(B)(4)(d)
County or Municipal Government Offices or Facilities	S	158.05(B)(4)(e)
Day Care, Adult or Child	P ✱	158.05(B)(4)(f)
Emergency Services, Fire or Police	S	158.05(B)(4)(g)
Hospital	P	158.05(B)(4)(h)
Library/Museum/Cultural Facility	P	158.05(B)(4)(i)
Medical/Dental Clinic or Laboratory	P	158.05(B)(4)(j)
Place of Worship	P	158.05(B)(4)(k)
School, Pre-K/Nursery	P	158.05(B)(4)(l)
School, Public or Private Elementary, Middle, or High	P	158.05(B)(4)(m)
Social Service Establishment	P	158.05(B)(4)(n)
University, College, or Seminary	P	158.05(B)(4)(o)
Recreation & Entertainment Uses		
Casino	S	158.05(B)(5)(b)
Marina	S	158.05(B)(5)(c)
Parks & Open Space	S	158.05(B)(5)(d)
Recreation & Entertainment, Indoor	P	158.05(B)(5)(e)
Recreation & Entertainment, Outdoor	S	158.05(B)(5)(f)
Stadium/Arena	P	158.05(B)(5)(g)
Vehicle Race Track, Small	S ✱	158.05(B)(5)(i)

Use		Use-Specific Standards & Definitions
Residential Uses		
Assisted Living Facility	P	158.05(B)(6)(a)
Dwelling or Complex, Multiple-Family	P	158.05(B)(6)(b)
Dwelling, Upper-Story	P	158.05(B)(6)(f)
Retail & Service Uses		
Bar, Microbrewery, or Tavern	P	158.05(B)(7)(b)
Barber or Beauty Shop	P	158.05(B)(7)(c)
Bed & Breakfast Inn	P	158.05(B)(7)(d)
Building or Home Improvement Supplies	P	158.05(B)(7)(e)
Car Wash	P	158.05(B)(7)(f)
Farmers Market, Indoor	P	158.05(B)(7)(g)
Farmers Market, Outdoor	S	158.05(B)(7)(h)
Fuel Sales	P	158.05(B)(7)(i)
Funeral Home	P	158.05(B)(7)(j)
Garden and Landscaping Supplies	P	158.05(B)(7)(k)
Hotel/Motel	P	158.05(B)(7)(l)
Kennel	P	158.05(B)(7)(m)
Manufactured Home Sales or Rental	P	158.05(B)(7)(n)
Pet Store	P	158.05(B)(7)(o)
Resort	P	158.05(B)(7)(p)
Restaurant or Catering Establishment, with Drive-In or Drive-Through	P	158.05(B)(7)(q)
Restaurant or Catering Establishment, with-out Drive-In or Drive-Through	P	158.05(B)(7)(r)
Retail & Service	P	158.05(B)(7)(s)
Self-Service Storage	P	158.05(B)(7)(t)
Vehicle Repair, Major	P	158.05(B)(7)(u)
Vehicle Repair, Minor	P	158.05(B)(7)(v)
Vehicle Sales or Rental	P	158.05(B)(7)(w)
Veterinary Clinic	P	158.05(B)(7)(x)
Transportation Uses		
Airport or Heliport	S	158.05(B)(8)(a)
Parking Lot or Structure, Commercial	P	158.05(B)(8)(b)
Passenger Terminal, Bus or Train	P	158.05(B)(8)(c)
Large vehicle, recreational vehicle, vessel, or heavy equipment storage ~~Truck, tractor, trailer, bus or recreational vehicle storage or parking yard, lot or garage~~	P	158.05(B)(8)(d)
Utility Uses		
Solar Energy System	✱	See Sec. 158.04(F)
Utilities, Major	S	158.05(B)(9)(a)
Utilities, Minor	P	158.05(B)(9)(b)
Wireless Communication Facility	✱	158.05(B)(9)(c)
Data Center	✱	See Sec. 158.06(H)

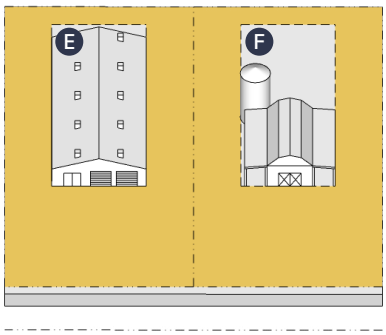
(2) Uses

Use		Use-Specific Standards & Definitions
Agricultural Uses		
Agri-business	P	158.05(B)(1)(a)
Agriculture, Field and Row Crops	P	158.05(B)(1)(b)
Greenhouse, Retail	P	158.05(B)(1)(e)
Stable, Private and Noncommercial	P	158.05(B)(1)(h)
Winery	P	158.05(B)(1)(j)
Industrial Uses		
Contractor Offices and Yards	P	158.05(B)(2)(c)
Light Industrial	P	158.05(B)(2)(g)
Resource Extraction	P ✱	158.05(B)(2)(h)
Warehousing and Freight Movement	P	158.05(B)(2)(i)
Waste-Related Service	S	158.05(B)(2)(j)
Welding, Tool Repair, or Machine Shop	P	158.05(B)(2)(k)
Wholesale Trade	P	158.05(B)(2)(l)
Office Uses		
Professional Offices	P	158.05(B)(3)(a)
TV Studio or Radio Station	P	158.05(B)(3)(b)
Public & Civic Uses		
Assembly Hall	P	158.05(B)(4)(a)
Community Center	P	158.05(B)(4)(c)
Correctional Facility	S	158.05(B)(4)(d)
County or Municipal Government Offices or Facilities	S	158.05(B)(4)(e)
Day Care, Adult or Child	S ✱	158.05(B)(4)(f)
Emergency Services, Fire or Police	S	158.05(B)(4)(g)
Hospital	P	158.05(B)(4)(h)
Library/Museum/Cultural Facility	P	158.05(B)(4)(i)
Medical/Dental Clinic or Laboratory	P	158.05(B)(4)(j)
Place of Worship	P	158.05(B)(4)(k)
Social Service Establishment	P	158.05(B)(4)(n)
Recreation & Entertainment Uses		
Casino	S	158.05(B)(5)(b)
Marina	S	158.05(B)(5)(c)
Parks & Open Space	S	158.05(B)(5)(d)
Recreation & Entertainment, Indoor	P	158.05(B)(5)(e)
Recreation & Entertainment, Outdoor	S	158.05(B)(5)(f)
Stadium/Arena	P	158.05(B)(5)(g)
Vehicle Race Track, Small	P	158.05(B)(5)(i)

Use		Use-Specific Standards & Definitions
Retail & Service Uses		
Bar, Microbrewery, or Tavern	P	158.05(B)(7)(b)
Building or Home Improvement Supplies	P	158.05(B)(7)(e)
Car Wash	P	158.05(B)(7)(f)
Farmers Market, Indoor	P	158.05(B)(7)(g)
Farmers Market, Outdoor	S	158.05(B)(7)(h)
Fuel Sales	P	158.05(B)(7)(i)
Funeral Home	P	158.05(B)(7)(j)
Garden and Landscaping Supplies	P	158.05(B)(7)(k)
Hotel/Motel	P	158.05(B)(7)(l)
Kennel	P	158.05(B)(7)(m)
Manufactured Home Sales or Rental	P	158.05(B)(7)(n)
Pet Store	P	158.05(B)(7)(o)
Resort	P	158.05(B)(7)(p)
Restaurant or Catering Establishment, with Drive-In or Drive-Through	P	158.05(B)(7)(q)
Restaurant or Catering Establishment, without Drive-In or Drive-Through	P	158.05(B)(7)(r)
Retail & Service	P	158.05(B)(7)(s)
Self-Service Storage	P	158.05(B)(7)(t)
Vehicle Repair, Major	P	158.05(B)(7)(u)
Vehicle Repair, Minor	P	158.05(B)(7)(v)
Vehicle Sales or Rental	P	158.05(B)(7)(w)
Veterinary Clinic	P	158.05(B)(7)(x)
Transportation Uses		
Airport or Heliport	S	158.05(B)(8)(a)
Parking Lot or Structure, Commercial	P	158.05(B)(8)(b)
Passenger Terminal, Bus or Train	P	158.05(B)(8)(c)
Large vehicle, recreational vehicle, vessel, or heavy equipment storage ~~Truck, tractor, trailer, bus or recreational vehicle storage or parking yard, lot or garage~~	P	158.05(B)(8)(d)
Utility Uses		
Solar Energy System	✱	See Sec. 158.04(F)
Utilities, Major	P	158.05(B)(9)(a)
Utilities, Minor	P	158.05(B)(9)(b)
Wireless Communication Facility	✱	158.05(B)(9)(c)
Data Center	✱	See Sec. 158.06(H)

(3) Building Placement & Form (cont.)

Federal/State Highway or Major Road



Use		Front Setback (Min. from Centerline)	Side Setback (min.)	Rear Setback (min.)	Lot Size (min.)	Lot Width (min.)	Building Height (max.)	Lot Coverage (max.)	
								Interior Lot	Corner Lot
Nonresidential Use	A	120'	25'/50'*	15'	None	None	60'	75%	75%
Agricultural Use	B	120'	25'/50'*	15'	None	None	60'	75%	75%

See Sec. 158.02(C) for Measurements & Special Cases.

* Abutting or adjacent to a residential use or district.

(~~5~~ 4) Accessory Uses & Structures

An accessory use or structure may be established provided that it is associated with a primary use and that it complies with the standards of Sec. 158.05(C).

Accessory Use Standards	Standards
Front Setback	Same as Primary Use
Side Setback	5' *
Rear Setback	10' *
Setback from Other Structures	6' *
Building Height	18'-25' *

*For all accessory use standards and special cases, see Sec. 158.05(C).

(5) Access, Parking, & Loading

Use	Standards
Off-Street Parking	158.07(C)
Vehicle Stacking	158.07(D)
Off-Street Loading & Unloading Docks	158.07(E)

For all access, parking, & loading standards see Article 158.07.

(6) Buffering & Screening

Buffering and screening is required as outlined in Article 158.06.

(7) Permitted Signs

Wall Sign	Projecting Sign	Monument Sign	Portable Sign	Freestanding, Yard Signs and All Other	Electronic Message Board
P	P	P	P	P	P

For all sign standards see Article 158.08.

(8) Vibration

(a) The primary use shall not have operations that produce vibrations or concussions that are humanly perceptible on non-participating parcels that contain residential uses without the aid of instruments, except during construction, demolition, or alteration of any building.

(b) Vibrations from traffic are exempt from the rule above.

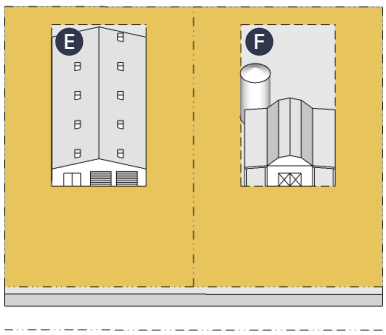
(2) Uses

Use			Use-Specific Standards & Definitions
Agricultural Uses			
Agri-business	P		158.05(B)(1)(a)
Agriculture, Field and Row Crops	P		158.05(B)(1)(b)
Greenhouse, Retail	P		158.05(B)(1)(e)
Stable, Private and Noncommercial	P		158.05(B)(1)(h)
Winery	P		158.05(B)(1)(j)
Industrial Uses			
Animal Processing	P		158.05(B)(2)(a)
Bulk Storage of Explosives/Hazardous Material	C	✱	158.05(B)(2)(b)
Contractor Offices and Yards	P		158.05(B)(2)(c)
Fertilizer manufacturing and storage	C	✱	158.05(B)(2)(d)
Heavy Industrial, Intense	S		158.05(B)(2)(e)
Heavy Industrial, Less Intense	P		158.05(B)(2)(f)
Light Industrial	P		158.05(B)(2)(g)
Resource Extraction	P	✱	158.05(B)(2)(h)
Warehousing and Freight Movement	P		158.05(B)(2)(i)
Waste-Related Service	S		158.05(B)(2)(j)
Welding, Tool Repair, or Machine Shop	P		158.05(B)(2)(k)
Wholesale Trade	P		158.05(B)(2)(l)
Wrecking, Junk, or Salvage Yard	S	✱	158.05(B)(2)(m)
Office Uses			
Professional Offices	P		158.05(B)(3)(a)
TV Studio or Radio Station	P		158.05(B)(3)(b)
Public & Civic Uses			
Assembly Hall	P		158.05(B)(4)(a)
Community Center	P		158.05(B)(4)(c)
Correctional Facility	S		158.05(B)(4)(d)
County or Municipal Government Offices or Facilities	S		158.05(B)(4)(e)
Day Care, Adult or Child	S	✱	158.05(B)(4)(f)
Emergency Services, Fire or Police	S		158.05(B)(4)(g)
Hospital	P		158.05(B)(4)(h)
Library/Museum/Cultural Facility	P		158.05(B)(4)(i)
Medical/Dental Clinic or Laboratory	P		158.05(B)(4)(j)
Place of Worship	P		158.05(B)(4)(k)
Social Service Establishment	P		158.05(B)(4)(n)

Use			Use-Specific Standards & Definitions
Recreation & Entertainment Uses			
Casino	S		158.05(B)(5)(b)
Marina	S		158.05(B)(5)(c)
Parks & Open Space	S		158.05(B)(5)(d)
Recreation & Entertainment, Indoor	P		158.05(B)(5)(e)
Recreation & Entertainment, Outdoor	S		158.05(B)(5)(f)
Stadium/Arena	P		158.05(B)(5)(g)
Vehicle Race Track, Large	S		158.05(B)(5)(h)
Vehicle Race Track, Small	P		158.05(B)(5)(i)
Retail & Service Uses			
Adult Business	S		158.05(B)(7)(a)
Bar, Microbrewery, or Tavern	P		158.05(B)(7)(b)
Building or Home Improvement Supplies	P		158.05(B)(7)(e)
Car Wash	P		158.05(B)(7)(f)
Farmers Market, Indoor	P		158.05(B)(7)(g)
Farmers Market, Outdoor	S		158.05(B)(7)(h)
Fuel Sales	P		158.05(B)(7)(i)
Funeral Home	P		158.05(B)(7)(j)
Garden and Landscaping Supplies	P		158.05(B)(7)(k)
Hotel/Motel	P		158.05(B)(7)(l)
Kennel	P		158.05(B)(7)(m)
Manufactured Home Sales or Rental	P		158.05(B)(7)(n)
Pet Store	P		158.05(B)(7)(o)
Resort	P		158.05(B)(7)(p)
Restaurant or Catering Establishment, with Drive-In or Drive-Through	P		158.05(B)(7)(q)
Restaurant or Catering Establishment, without Drive-In or Drive-Through	P		158.05(B)(7)(r)
Retail & Service	P		158.05(B)(7)(s)
Self-Service Storage	P		158.05(B)(7)(t)
Vehicle Repair, Major	P		158.05(B)(7)(u)
Vehicle Repair, Minor	P		158.05(B)(7)(v)
Vehicle Sales or Rental	P		158.05(B)(7)(w)
Veterinary Clinic	P		158.05(B)(7)(x)
Transportation Uses			
Airport or Heliport	S		158.05(B)(8)(a)
Parking Lot or Structure, Commercial	P		158.05(B)(8)(b)
Passenger Terminal, Bus or Train	P		158.05(B)(8)(c)
Large vehicle, recreational vehicle, vessel, or heavy equipment storage ~~Truck, tractor, trailer, bus or recreational vehicle storage or parking yard, lot or garage~~	P		158.05(B)(8)(d)
Utility Uses			
Solar Energy System	✱		See Sec. 158.04(F)
Utilities, Major	P		158.05(B)(9)(a)
Utilities, Minor	P		158.05(B)(9)(b)
Wireless Communication Facility	✱		158.05(B)(9)(c)
Data Center			See Sec. 158.06(H)

(3) Building Placement & Form (cont.)

Federal/State Highway or Major Road



Use		Front Setback (Min. from Centerline)	Side Setback (min.)	Rear Setback (min.)	Lot Size (min.)	Lot Width (min.)	Building Height (max.)	Lot Coverage (max.)	
								Interior Lot	Corner Lot
Nonresidential Use	A	120'	25'/50'	15'	None	None	60'	75%	75%
Agricultural Use	B	120'	25'/50'	15'	None	None	60'	75%	75%

See Sec. 158.02(C) for Measurements & Special Cases.

* Abutting or adjacent to a residential use or district.

(~~5~~ 4) Accessory Uses & Structures

An accessory use or structure may be established provided that it is associated with a primary use and that it complies with the standards of Sec. 158.05(C).

Accessory Use Standards	Standards
Front Setback	Same as Primary Use
Side Setback	5' *
Rear Setback	10' *
Setback from Other Structures	6' *
Building Height	18'-25' *

*For all accessory use standards and special cases, see Sec. 158.05(C).

(5) Access, Parking, & Loading

Use	Standards
Off-Street Parking	158.07(C)
Vehicle Stacking	158.07(D)
Off-Street Loading & Unloading Docks	158.07(E)

For all access, parking, & loading standards see Article 158.07.

(6) Buffering & Screening

Buffering and screening is required as outlined in Article 158.06.

(7) Permitted Signs

Wall Sign	Projecting Sign	Monument Sign	Portable Sign	Freestanding, Yard Signs and All Other	Electronic Message Board
P	P	P	P	P	P

For all sign standards see Article 158.08.

(8) Vibration

(a) The primary use shall not have operations that produce vibrations or concussions that are humanly perceptible on non-participating parcels that contain residential uses without the aid of instruments, except during construction, demolition, or alteration of any building.

(b) Vibrations from traffic are exempt from the rule above.

158.04 SPECIAL PURPOSE & OVERLAY DISTRICTS

Sections

158.04(A) GPUD General & DPUD Detailed Planned Unit Development Overlays 4-2
158.04(B) E-3 Office & Business Park District 4-4
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158.04(H) D-C Data Center Overlay 4-23

(2) General

All development in a GPUD- or DPUD- overlay must comply with all provisions of this Ordinance applicable to the underlying zoning district unless such provisions are expressly varied by the terms of the approved GPUD or DPUD ordinance, general development plan, detailed site plan or detailed development plan.

(3) Dimensional & Use Standards

(a) The dimensional standards may vary from the requirements in this Ordinance.
(b) The proposed uses for the planned unit development may vary from the permitted uses and special uses for the underlying base zoning district identified in the use tables in this Ordinance.

(4) Access & Circulation

The design and phasing of the on-site access and circulation systems of the planned unit development may vary from the requirements of the Highway Department Street Standards. However, it must be certified by a registered Indiana Land Surveyor, Professional Engineer, registered Architect or registered Landscape Architect, as appropriate based on their licensing, as being safe, adequate and integrated with the off-site transportation system of the County and abutting municipalities, where applicable.

(5) Off-Street Parking & Loading, Buffering & Screening, and Signs

The design of the off-street parking and loading, buffering and screening, and signs of the planned unit development may vary from the requirements in Article 158.06, 158.07, and 158.08.

(6) Water & Wastewater

The design and phasing of the water and wastewater systems of the planned unit development may vary from the re quirements of the S~~ubdivision Control~~ Development Ordinance . However, it must be safe, adequate and integrated with the of f-site water and wastewater system, where applicable.

(7) Drainage

(a) The design and phasing of the drainage system of the planned unit development must comply with the Highway Department Street Standards.
(b) Alternatively, the applicant may submit drainage plans that utilize different calculations than required by the Highway Department Street Standards, but that produce the same or better drainage results as certified by a registered Indiana Land Surveyor or Professional Engineer.

(2) Uses

Use			Use-Specific Standards & Definitions
Agricultural Uses			
Agriculture, Field and Row Crops	S		158.05(B)(1)(b)
Industrial Uses			
Light Industrial	P		158.05(B)(2)(g)
Warehousing and Freight Movement	P		158.05(B)(2)(i)
Wholesale Trade	P		158.05(B)(2)(l)
Office Uses			
Professional Offices	C	✱	158.05(B)(3)(a)
TV Studio or Radio Station	C	✱	158.05(B)(3)(b)
Public & Civic Uses			
Assembly Hall	S		158.05(B)(4)(a)
Cemetery	S		158.05(B)(4)(b)
Community Center	S		158.05(B)(4)(c)
Correctional Facility	S		158.05(B)(4)(d)
County or Municipal Government Offices or Facilities	S		158.05(B)(4)(e)
Day Care, Adult or Child	C	✱	158.05(B)(4)(f)
Emergency Services, Fire or Police	S		158.05(B)(4)(g)
Hospital	S		158.05(B)(4)(h)
Library/Museum/Cultural Facility	S		158.05(B)(4)(i)
Medical/Dental Clinic or Laboratory	S		158.05(B)(4)(j)
Place of Worship	S		158.05(B)(4)(k)
School, Pre-K/Nursery	S		158.05(B)(4)(l)
School, Public or private elementary, middle, or high school	S		158.05(B)(4)(m)
Social Service Establishments	S		158.05(B)(4)(n)
University, college, or seminary	S		158.05(B)(4)(o)
Recreation & Entertainment Uses			
Camp Ground (Not Part of Park & Open Space)	C	✱	158.05(B)(5)(a)
Casino	C	✱	158.05(B)(5)(b)
Marina	C	✱	158.05(B)(5)(c)
Parks & Open Space	C	✱	158.05(B)(5)(d)
Recreation & Entertainment, Indoor	C	✱	158.05(B)(5)(e)
Recreation & Entertainment, Outdoor	C	✱	158.05(B)(5)(f)
Stadium/Arena	C	✱	158.05(B)(5)(g)
Vehicle Race Track, Large	C	✱	158.05(B)(5)(h)
Vehicle Race Track, Small	C	✱	158.05(B)(5)(i)

Use			Use-Specific Standards & Definitions
Residential Uses			
Assisted Living Facility	S		158.05(B)(6)(a)
Dwelling or Complex, Multiple-Family	P		158.05(B)(6)(b)
Retail & Service Uses			
Hotel/Motel	C	✱	158.05(B)(7)(l)
Pet Store	S		158.05(B)(7)(o)
Restaurant or Catering Establishment, without Drive-In or Drive-Through	C	✱	158.05(B)(7)(r)
Retail & Service	C	✱	158.05(B)(7)(s)
Veterinary Clinic	S	✱	158.05(B)(7)(x)
Transportation Uses			
Airport or Heliport	C	✱	158.05(B)(8)(a)
Parking Lot or Structure, Commercial	C	✱	158.05(B)(8)(b)
Passenger Terminal, Bus or Train	S		158.05(B)(8)(c)
Large vehicle, recreational vehicle, vessel, or heavy equipment storage ~~Truck, tractor, trailer, bus or recreational vehicle storage or parking yard, lot or garage~~	C	✱	158.05(B)(8)(d)
Utility Uses			
Solar Energy System	✱		See Sec. 158.04(F)
Wireless Communication Facility	✱		158.05(B)(9)(c)
Data Center			See Sec. 158.06(H)

(2) Uses

The table on the following page lists the uses permitted in this district in as follows:

(a) Permitted Use (P)
(b) Permitted Subject to Conditions (C)
(c) Special Use (S)
(d) Prohibited Use (Blank)
(e) Use-Specific Standards (✱)
(f) Use Definitions & Use-Specific Standards
Any use specific standards can be found in the identified location in Sec. 158.05(B) on the right side of each column.
(g) Accessory Uses
Accessory use standards can be found in Sec. 158.05(C).
(h) Temporary Uses
Temporary use standards can be found in Sec. 158.05(D).
(i) Unlisted Use
If a use isn't listed and can not be accommodated by a Planning Director interpretation as allowed by Sec. 158.10(K), then a use variance may be requested as found in Sec. 158.11(I).

(3) Building Placement & Form

Dimensional Standards	
Min. Project Area (acres)	10 acres
Min. Lot Area (sq. ft.)	45,000 sq. ft.
Min. Lot Width (ft.)	150'
Front Setback (min. from Property Line)	
Federal or State Highway or Major Road	80'
Numbered County Road or Street	60'
Named Street	50'
Side Setback (min. from Property Line)	
Adjacent to R- or A- Zoning Districts	50'
Adjacent to B-, M- or E- Zoning Districts	25'
Rear Setback (min. from Property Line)	
Adjacent to R- or A- Zoning Districts	50'
Adjacent to B-, M- or E- Zoning Districts	25'
Additional Standards	
Max. Building Height (ft.)	60'
Sewage Disposal	Municipal Facilities

See Sec. 158.02(C) for Measurements & Special Cases

(4) Accessory Uses & Structures

(a) An accessory use or structure may be established provided that it is associated with a primary use and that it complies with the standards of Sec. 158.05(C).

~~(b) Outdoor Storage~~
~~Permitted uses must have no outdoor display or unscreened outdoor storage. Screening of outdoor storage must comply with the provisions in Sec. 158.06(I).~~

Accessory Use Standards	Standards
Front Setback	Same as Primary Use
Side Setback	5' *
Rear Setback	10' *
Setback from Other Structures	6' *
Building Height	18'-25' *

*For all accessory use standards and special cases, see Sec. 158.05(C).

(5) Access, Parking, & Loading

Off-street parking, access, and circulation must comply with the following standards.

(a) Off-Street Parking Standards

Front Parking Setback (min. from Property Line)	
Along Major Arterials	80'
Along Secondary Arterials	60'
Along Named County Roads	50'
Side Parking Setback (min. from Property Line)	
Adjacent to R- or A- Zoning Districts	50'
Adjacent to B-, M- or E- Zoning Districts	5'
Rear Parking Setback (min. from Property Line)	
Adjacent to R- or A- Zoning Districts	25'
Adjacent to B-, M- or E- Zoning Districts	5'
Additional Standards	
Minimum off-street parking and loading ratios must comply with the requirements table in Article 158.07.	
A parking area buffer in accordance with the standards in Sec. 158.06(D) must be provided.	

For all access, parking, & loading standards see Article 158.07.

(b) Access & Circulation

i. Access between neighboring properties may be required. If required, the cross access must be laid out in such a manner to enable future connection to adjacent properties.

ii. Permanent structures, obstructions, or parking that would interfere with travel are prohibited in the cross access. Improvements such as medians and islands are allowed within the cross access provided that access and circulation between properties is not impaired.

(6) Buffering & Screening

(a) Intent

Landscaping requirements provide for an improved aesthetic quality of development, a visual barrier to partially or completely screen the view of structures or activities or as an acoustic screen to aid in absorbing or deflecting noise.

(b) Landscape Plan

i. The Site Plan must include a Landscape Plan that must be drawn to scale and include the following information:

I. Property owner's name, address, telephone number and email address;

II. Land Surveyor's, Professional Engineer's, registered Architect's or registered Landscape Architect's name, address, telephone number and email address;

III. Landscape designer's or contractor's name, address, telephone number, and email address if such has been hired;

IV. Existing and proposed structures;

(3) Uses

The table on the following page lists the uses permitted in this district in as follows:

(a) Permitted Use (P)
(b) Permitted Subject to Conditions (C)
(c) Special Use (S)
(d) Prohibited Use (Blank)
(e) Use-Specific Standards (✱)
(f) Use Definitions & Use-Specific Standards
Any use specific standards can be found in the identified location in Sec. 158.05(B) on the right side of each column.
(g) Accessory Uses
Accessory use standards can be found in Sec. 158.05(C).
(h) Temporary Uses
Temporary use standards can be found in Sec. 158.05(D).
(i) Unlisted Use
If a use isn't listed and can not be accommodated by a Planning Director interpretation as allowed by Sec. 158.10(K), then a use variance may be requested as found in Sec. 158.11(I).

Use			Use-Specific Standards & Definitions
Agricultural Uses			
Agriculture, Field and Row Crops	C	✱	158.05(B)(1)(b)
Agriculture, Livestock	C	✱	158.05(B)(1)(c)
Industrial Uses			
Resource Extraction	S P	✱	158.05(B)(2)(h)
Residential Uses			
Dwelling, Single-Family (detached)	S	✱	158.05(B)(6)(d)
Retail & Service Uses			
Kennel	S	✱	158.05(B)(7)(m)
Retail & Service	S	✱	158.05(B)(7)(s)
Utility Uses			
Solar Energy System	✱		See Sec. 158.04(F)
Wireless Communication Facility	✱		158.05(B)(9)(c)
Data Center			See Sec. 158.04(H)

(4) Agricultural Protection Standards

(a) Any future residential subdivision of property within 300 feet of the boundaries of an A-3 zoned property must address as part of the requested Primary Approval the following:
  i. Off-site surface drainage impacts;
  ii. Subsurface tiling systems impacts;
  iii. Irrigation accommodations; and
  iv. Security of A-3 zoned property from residential uses.
(b) The plat notes on the Secondary Plat and restrictive covenants on the property deeds in the subdivision must hold harmless agricultural production in the A-3 zone when operating under generally accepted farming practices.
(c) To help reduce conflicts between farmers and non-farm neighbors in the A-3 zoning district, the property owner may post signs on their property, outside of the Public Right-of-Way, that identify the area as a Farmland Preservation Zone and that give notice that dust, noise, odors, and other inconveniences may occur due to normal farming activities.

(3) Uses

The table on the following page lists the uses permitted in this district in as follows:

(a) Permitted Use (P)
(b) Permitted Subject to Conditions (C)
(c) Special Use (S)
(d) Prohibited Use (Blank)
(e) Use-Specific Standards (✱)
(f) Use Definitions & Use-Specific Standards
Any use specific standards can be found in the identified location in Sec. 158.05(B) on the right side of each column.
(g) Accessory Uses
Accessory use standards can be found in Sec. 158.05(C).
(h) Temporary Uses
Temporary use standards can be found in Sec. 158.05(D).
(i) Unlisted Use
If a use isn't listed and can not be accommodated by a Planning Director interpretation as allowed by Sec. 158.10(K), then a use variance may be requested as found in Sec. 158.11(I).

Use			Use-Specific Standards & Definitions
Agricultural Uses			
Agriculture, Field and Row Crops	P		158.05(B)(1)(b)
Agriculture, Livestock	P		158.05(B)(1)(c)
Concentrated Animal Feeding Operation	S	✱	158.04(D)
Livestock Sale or Auction	S		158.05(B)(1)(f)
Roadside Stand, Tree Farm, U-Pick Produce	S		158.05(B)(1)(g)
Industrial Uses			
Resource Extraction	S P	✱	158.05(B)(2)(h)
Residential Uses			
Dwelling, Single-Family (detached)	S	✱	158.05(B)(6)(c)
Retail & Service Uses			
Kennel	S	✱	158.05(B)(7)(m)
Utility Uses			
Solar Energy System	✱		See Sec. 158.04(F)
Wireless Communication Facility	✱		158.05(B)(9)(c)
Data Center			See Sec. 158.06(H)

(4) Concentrated Animal Feeding Operation

A concentrated animal feeding operation is allowed in the A-4 zoning district subject to the following standards:

(a) Along with the submittal of a rezoning application for the A-4 zoning district, the applicant must submit a statement signed by all property owners adjacent to the subject property acknowledging the use of the subject property for concentrated animal feeding operations. In addition, the statement must acknowledge that as long as the operations are conducted in compliance with the provisions of the A-4 zoning district, any applicable IDEM regulations and generally accepted agricultural practices, the adjacent property owners will hold harmless the owner of the subject property from claims due to dust, noise, odors, etc. emanating from the operation.
(b) Any future splits of property adjacent to the A-4 District, whether by subdivision or metes and bounds, must include the wording of the above mentioned release of the deed as a perpetual deed restriction in order for such splits to be deemed buildable tracts.
(c) The A-4 zoning district is required if a concentrated animal feeding operation maintains or is proposed to maintain more than 1,500 animal units as determined from the table to the right.

Animal Type	Animal Units
Calves (150-500 lb)	.5
Feeder Cattle (500-1200 lb)	.75
Beef Cows	1
Young Dairy Stock (500-1000 lb)	.75
Dairy Cows	1
Nursery Pigs (up to 50 lb)	.2
Grower/Feeder Pigs (50-100 lb)	.3
Finishing Hogs (100 lb - market wt.)	.4
Sows	.5
Boars	.5
Sheep	.5
Turkeys	.1
Layer Chickens	.01
Broiler Chickens	.01
Ducks	.01
Horses	1

(5) Agricultural Use Notice

To help reduce conflicts between farmers and non-farm neighbors in the A-4 zoning district, the property owner may post signs on their property, outside of the Public Right-Of-Way, that identify the area as a Concentrated Animal Feeding Protection District and that give notice that dust, noise, odors, and other inconveniences may occur due to normal farming activities.

158.04(H) D-C Data Center Overlay

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158.04(H) D-C Data Center Overlay

(1) Purpose

The purpose of D-C, Data Center Overlay, is to accommodate a centralized location for storing and managing large volumes of digital data, but is not limited to, a physical facility that houses critical computing and networking equipment, including servers, storage systems, and network infrastructure, and ancillary uses such as, but not limited to, office spaces, warehousing for data center accessory equipment and materials and storage in build for data center accessory equipment and materials.

(2) Applicability

The section applies to data center and associated accessory uses associated with the collection, distribution, and/or utilization of digital data.

(3) Building Placement & Form

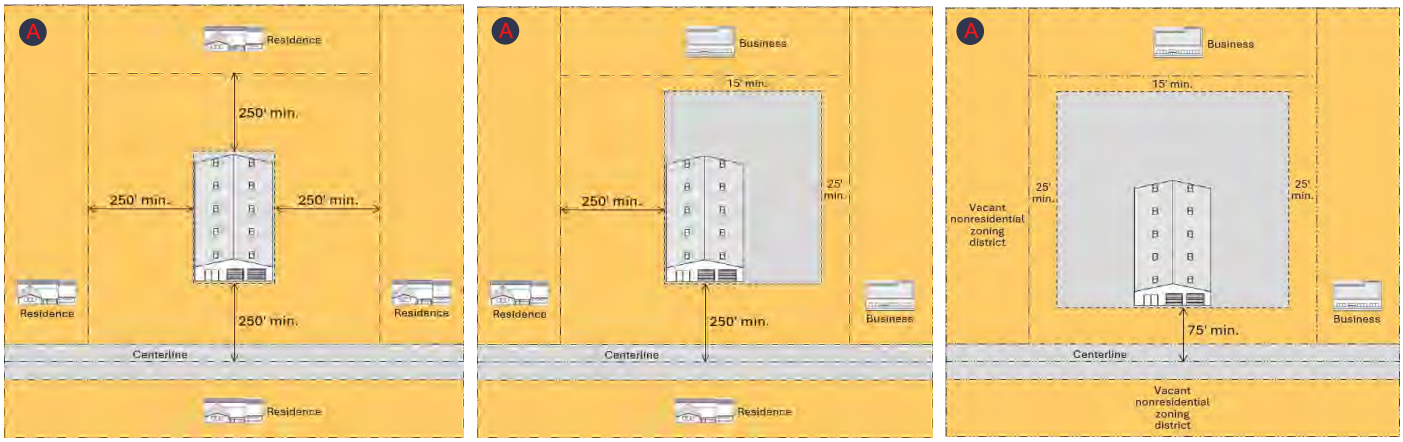
Setbacks

(a) Any Data Center structure or accessory structure must be set back a minimum of 250 ft. from all exterior property lines when adjacent to a parcel that is residential or educational in use.

(b) When the above does not apply then the setback standards imposed are the standards found in 158.03(J).

(3) Building Placement & Form (cont.)

Named Road or Street

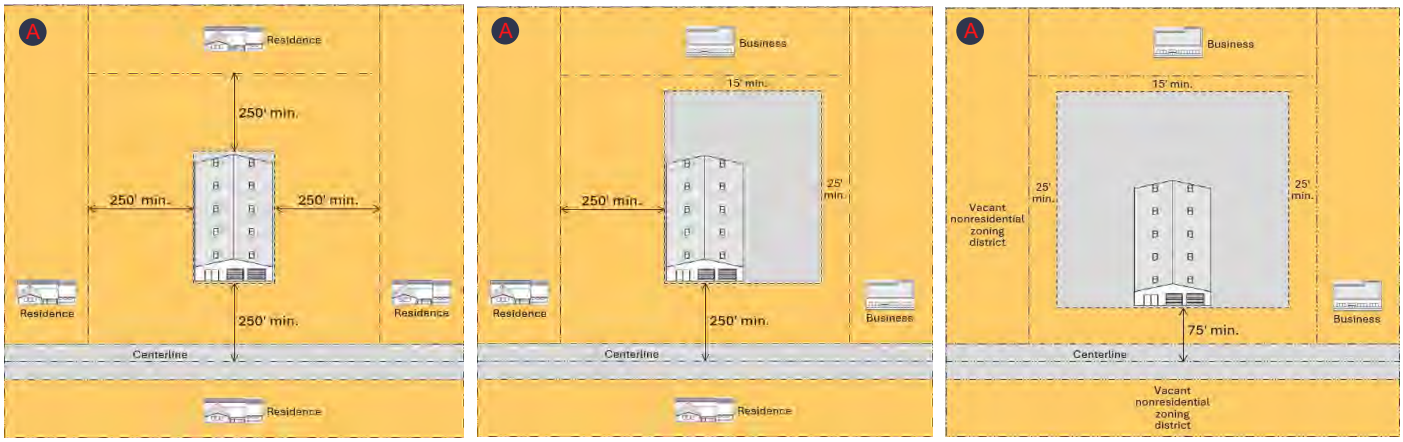


Use		Front Setback (Min. from Centerline)	Side Setback (min.)	Rear Setback (min.)	Lot Size (min.)	Lot Width (min.)	Building Height (max.)	Lot Coverage (max.)	
								Interior Lot	Corner Lot
Data Center	A	75'/250'*	25'/250'*	15'/250'*	None	None	60'	75%	75%

See Sec. 158.02(C) for Measurements & Special Cases.

* Abutting or adjacent to a residential use or district.

Numbered County Road or Street



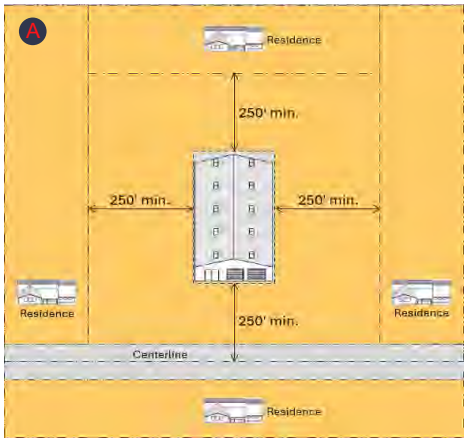
Use		Front Setback (Min. from Centerline)	Side Setback (min.)	Rear Setback (min.)	Lot Size (min.)	Lot Width (min.)	Building Height (max.)	Lot Coverage (max.)	
								Interior Lot	Corner Lot
Data Center	A	75'/250'*	25'/250'*	15'/250'*	None	None	60'	75%	75%

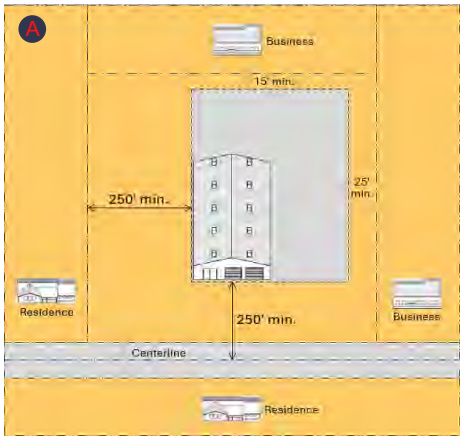
See Sec. 158.02(C) for Measurements & Special Cases.

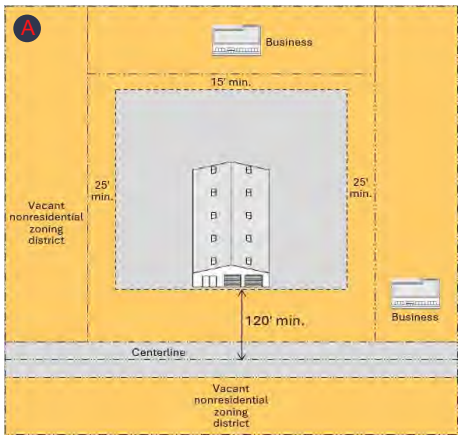
* Abutting or adjacent to a residential use or district.

(3) Building Placement & Form (cont.)

Federal/State Highway or Major Road







Use		Front Setback (Min. from Centerline)	Side Setback (min.)	Rear Setback (min.)	Lot Size (min.)	Lot Width (min.)	Building Height (max.)	Lot Coverage (max.)	
								Interior Lot	Corner Lot
Data Center	A	120'/250'*	25'/250'*	15'/250'*	None	None	60'	75%	75%

See Sec. 158.02(C) for Measurements & Special Cases.

* Abutting or adjacent to a residential use or district.

(4) Accessory Uses & Structures

An accessory use or structure may be established provided that it is associated with a primary use and that it complies with the standards of Sec. 158.05(C).

Accessory Use Standards	Standards
Front Setback	Same as Primary Use
Side Setback	50'^/250'*
Rear Setback	50'^/250'*
Setback from Other Structures	6'#
Building Height	18'-25'^

^For all accessory use standards and special cases, see Sec. 158.05(C).

* Abutting or adjacent to a residential or educational use or district.

(5) Access, Parking, & Loading

Use	Standards
Off-Street Parking	158.07(C)
Vehicle Stacking	158.07(D)
Off-Street Loading & Unloading Docks	158.07(E)

For all access, parking, & loading standards see Article 158.07.

(6) Buffering & Screening

Buffering and screening is required as outlined in Article 158.06.

(7) Permitted Signs

Wall Sign	Projecting Sign	Monument Sign	Portable Sign	Freestanding, Yard Signs and All Other	Electronic Message Board
P		P		P	

For all sign standards see Article 158.08.

(8) Lighting

See Sec. 158.06(I).

(9) Development Standards

(a) No use shall produce vibrations or concussions that are humanly perceptible on a nonparticipating parcel without the aid of instruments, except during construction, demolition, or alteration of any buildings.

(b) If the data center is using a water cooling system they must not consume more than 250 gallons of water per day per gross megawatt.

(c) The data center must provide a will-serve letter from the utility company confirming that electrical capacity to operate has been met before permits will be issued. The data center will absorb the full cost of connection to utilities providing power.

(d) All noise generated from data center operations must not be audible above 60 decibels (dBA) sunrise to sunset and 45 decibels (dBA) sunset to sunrise from a residential or educational in use nonparticipating parcel,
excluding maintenance activities, construction activities, and on-site traffic.

(e) Power capacity provided by public utility must not exceed 350 gross megawatts.

(10) Data Center

Structures that have a primary use as a data center are permitted according to the following table:

Size of structure	All A zones, All R zones B-1, B-2, AE, E-3	B-3	M-1, M-2
Up to 25,000 sq. ft.		P	P
Over 25,000 sq. ft. and up to 50,000 sq. ft.			P
Over 50,000 sq. ft.	Zone Map Change to DC Overlay		

(11) Rezoning Process

(a) Rezoning

A rezoning to the D-C Overlay must follow the same process as that established for a Rezoning in Sec. 158.11(C).

(b) Site Plan

i. Except as modified below, the Plan Commission and appropriate legislative body must review and take final action on the D-C Site Plan and Ordinance portion of an D-C application, following the review process and review criteria established for a Rezoning set forth in Sec. 158.11(C).

ii. In addition to the Rezoning review process set forth in Sec. 158.11(C), prior to review and recommendation by the Plan Commission, the Technical Review Committee must deem the D-C Site Plan and supporting submittals a correct application. The process for determination of correctness is described in subsection 158.11(B)(4)(e).

(c) Review Criteria

The Plan Commission and the appropriate legislative body must review and give reasonable regard to the proposed D-C based on the degree to which the proposal meets all of the following criteria:

i. The proposal is consistent with the Purpose of the Development Ordinance as established in Sec. 158.01(B).

ii. The proposal is consistent with the applicability of an D-C as established in this Article.

iii. The proposal is consistent with the Comprehensive Plan.

iv. The proposal addresses potential conflicts with and attempts to conserve the value of adjacent properties.

v. The proposal demonstrates responsible development and growth.

(d) Other Plans and Agreements

iii. The Plan Director and Plan Commission may recommend and the appropriate legislative body may require additional modifications to the submitted D-C Site Plan deemed necessary to create a reasonable transition to, and protection of, adjacent property and public areas.

iv. Other plans and or agreements may be required by the appropriate legislative body.

158.05 USES

Sections

158.05(A) Uses 5-1
158.05(B) Use-Specific Standards and Definitions 5-5
158.05(C) Accessory Uses & Structures 5-16
158.05(D) Temporary Uses 5-18

This Articles classifies the uses allowed by zoning district in order to identify the activities that support the health, safety, and general welfare of the people that live and work in Elkhart County. This Article also includes use definitions and any standards that may apply to a specific use.

158.05(A) Uses

(1) Applicability

No building or land may be used, or building erected, reconstructed altered, moved, converted, extended or enlarged, which is arranged, intended or designed to be used for any purpose other than a use which is permitted and specified in a district in which that building or land is located.

(2) Approach to Categorizing Uses

The Use Categories found in the use tables in this Ordinance are described in this Section. Specific uses may be further defined in 158.05(B). Any proposed use not specifically set forth in this Section is prohibited, unless the Zoning Administrator determines, based on the criteria in this Section and in accordance with the Written Interpretation procedure in 158.10(K), that the proposed use is similar to a use that is permitted, permitted subject to conditions, or a special use. Use Categories classify land uses based on common functional or physical characteristics.

(3) Use Table

(a) Permitted Use ~~( )~~ (P)
These uses are allowed by-right in the district they are listed subject to the development standards of that district and any use-specific standards.

(b) Permitted Subject to Conditions ~~( )~~ (C)
These uses are allowed by-right in the district they are listed subject to the development standards of that district and any use-specific standards.

(c) Special Use ~~( )~~ (S)
These uses are allowed only if reviewed and approved for a Special Use in accordance with the procedures of ~~Sec. 158.11(H)~~. In addition, they shall comply with the development standards of the district in which they are located and any applicable additional standards associated with the use.

(d) Prohibited Use (Blank)
Uses without a symbol are prohibited in the district because they are considered incompatible with the purpose of the district.

(e) Use-Specific Standards (✱)
These uses shall comply with the specific standards that apply to that use located in the referenced Provision in the "Use-Specific Standards & Definitions" column. Unless otherwise noted, these standards apply in all districts.

(f) Definitions
Definitions for all uses are found in this Article. For the definition of a specific use, go to the referenced Provision in the "Use-Specific Standards & Definitions" column.

(g) Unlisted Use
If a use isn't listed and can not be accommodated by a Planning Director interpretation as allowed by Sec. 158.10(K), then a Use Variance may be requested as found in Sec. 158.11(I).

Use	A-1	R-1	R-2	R-3	R-4	B-1	B-2	B-3	M-1	M-2	E-3	A-3	A-4	A-E	D-C	Use-Specific Standards & Definitions
Agricultural Uses																
Agri-business	C								P	P						158.05(B)(1)(a)
Agriculture, Field and Row Crops	P	P	P	P	P	P	P	P	P	P	S	C	P			158.05(B)(1)(b) ✱
Agriculture, Livestock	C	S	S	S	S	S	S	S	S	S		C	P			158.05(B)(1)(c) ✱
Concentrated animal feeding operation																158.04(D) ✱
Greenhouse, retail	S	S	S	S	S	P	P	P	P	P						158.05(B)(1)(e)
Livestock sale or auction	S								P	P			P			158.05(B)(1)(f)
Roadside Stand, tree farm, u-pick produce	S	S	S	S	S							S	S			158.05(B)(1)(g)
Stable, private and noncommercial	P	S	S	S	S	S	S	S	S	S						158.05(B)(1)(h)
Stable, public or commercial	S															158.05(B)(1)(i)
Winery	S						P	P	P	P						158.05(B)(1)(j)
Industrial Uses	**A-1**	**R-1**	**R-2**	**R-3**	**R-4**	**B-1**	**B-2**	**B-3**	**M-1**	**M-2**	**E-3**	**A-3**	**A-4**	**A-E**	**D-C**	
Animal Processing										P						158.05(B)(2)(a)
Bulk storage of explosives/hazardous material										C						158.05(B)(2)(b) ✱
Contractor Offices and Yards	S						S	P	P	P						158.05(B)(2)(c)
Fertilizer manufacturing and storage	S									C						158.05(B)(2)(d) ✱
Heavy Industrial, Intense										S						158.05(B)(2)(e)
Heavy Industrial, Less Intense										P						158.05(B)(2)(f)
Light Industrial								P	P	P						158.05(B)(2)(g)
Resource Extraction	C								P	P		C	C			158.05(B)(2)(h) ✱
Warehousing and Freight Movement	S							P	P	P	P					158.05(B)(2)(i)
Waste-Related Service									S	S						158.05(B)(2)(j)
Welding, tool repair or machine shop	S							P	P	P						158.05(B)(2)(k)
Wholesale Trade	S							P	P	P	P					158.05(B)(2)(l)
Wrecking, junk or salvage yard										S						158.05(B)(2)(m) ✱
Office Uses	**A-1**	**R-1**	**R-2**	**R-3**	**R-4**	**B-1**	**B-2**	**B-3**	**M-1**	**M-2**	**E-3**	**A-3**	**A-4**	**A-E**		
Professional Office					C	P	P	P	P	P	C					158.05(B)(3)(a) ✱
TV Studio or Radio Station	S						S	P	P	P	C					158.05(B)(3)(b) ✱
Public & Civic Uses	**A-1**	**R-1**	**R-2**	**R-3**	**R-4**	**B-1**	**B-2**	**B-3**	**M-1**	**M-2**	**E-3**	**A-3**	**A-4**	**A-E**	**D-C**	
Assembly Hall	S	S	S	S	S	P	P	P	P	P	S					158.05(B)(4)(a)
Cemetery	S	S	S	S	S	S	S	S			S					158.05(B)(4)(b)
Community Center	S	S	S	S	S	P	P	P	P	P	S					158.05(B)(4)(c)
Correctional Facility						S	S	S	S	S	S					158.05(B)(4)(d)
County or Municipal Government Offices or Facilities	S	S	S	S	S	S	S	S	S	S	S					158.05(B)(4)(e)
Day Care, Adult or Child				S	S	P	P	P	S	S	C					158.05(B)(4)(f) ✱
Emergency Services, Fire or Police	S	S	S	S	S	S	S	S	S	S	S					158.05(B)(4)(g)
Hospital						S	P	P	P	P	S					158.05(B)(4)(h)
Library/Museum/Cultural Facility	S	S	S	S	S	P	P	P	P	P	S					158.05(B)(4)(i)
Medical/Dental Clinic or Laboratory	S	S			S	P	P	P	P	P	S					158.05(B)(4)(j)

See 158.05(B) for use-specific standards and definitions.

Key

P — Permitted Use C — Permitted Subject to Conditions S — Special Use ✱ — Use-Specific Standards (See Referenced Provision)

Use	A-1	R-1	R-2	R-3	R-4	B-1	B-2	B-3	M-1	M-2	E-3	A-3	A-4	A-E D-C	Use-Specific Standards & Definitions
Public & Civic Uses (cont.)	A-1	R-1	R-2	R-3	R-4	B-1	B-2	B-3	M-1	M-2	E-3	A-3	A-4	A-E	
Places of Worship	C	S	S	S	S	P	P	P	P	P	S				158.05(B)(4)(k) ✱
School, Pre-K/Nursery	S	S	S	S	S	P	P	P			S				158.05(B)(4)(l)
School, Public or private elementary, middle, or high school	S	S	S	S	S	P	P	P			S				158.05(B)(4)(m)
Social Service Establishments	S	S	S	S	S	S	S	P	P	P	S				158.05(B)(4)(n)
University, college, or seminary	S	S	S	S	S	P	P	P			S				158.05(B)(4)(o)
Recreation & Entertainment Uses	A-1	R-1	R-2	R-3	R-4	B-1	B-2	B-3	M-1	M-2	E-3	A-3	A-4	A-E D-C	
Camp Ground (Not Part of Park & Open Space)	S										C				158.05(B)(5)(a) ✱
Casino	S					S	S	S	S	S	C				158.05(B)(5)(b) ✱
Marina	S					S	S	S	S	S	C				158.05(B)(5)(c) ✱
Parks & Open Space	S	S	S	S	S	S	S	S	S	S	C				158.05(B)(5)(d) ✱
Recreation/Entertainment, Indoor	S	S	S	S	S	S	S	S	S	S	C				158.05(B)(5)(e) ✱
Recreation/Entertainment, Outdoor	S			S	S	P	P	P	P	P	C				158.05(B)(5)(f) ✱
Stadium/Arena	S					S	S	S	S	S	C				158.05(B)(5)(g) ✱
Vehicle Race Track, Large	S	S	S	S	S	S	P	P	P	P	C				158.05(B)(5)(h) ✱
Vehicle Race Track, Small	S									P	C				158.05(B)(5)(i) ✱
Residential Uses	A-1	R-1	R-2	R-3	R-4	B-1	B-2	B-3	M-1	M-2	E-3	A-3	A-4	A-E D-C	
Assisted Living Facility			S	S	P	P	P	P			S				158.05(B)(6)(a)
Dwelling or complex, Multiple-family				P	P	P	P	P			P				158.05(B)(6)(b)
Dwelling, Single-Family (attached)	P	P	P	P	P	P	P					P	P		158.05(B)(6)(c)
Dwelling, Single-Family (detached)	P	P	P	P	P	P	P					P	P		158.05(B)(6)(d) ✱
Dwelling, Two-Family	P		P	P	P	P	P					P	P		158.05(B)(6)(e)
Dwelling, Upper-story					P	P	P	P							158.05(B)(6)(f) ✱
Group home, Eight Residents or Fewer	P	P	P	P	P	P	P					P	P		158.05(B)(6)(g)
Group home, More than Eight Residents	S	S	S	S	S	S	S					S	S		158.05(B)(6)(h)
Group Home, State Regulated	See 158.05(B)(6)(i) and IC 12-28-4 et seq.														158.05(B)(6)(i)
Manufactured Home (Permanent Foundation)	P	P	P	P	P	P	P					P	P		158.05(B)(6)(j)
Manufactured Home (Temporary Foundation), Park or Subdivision	S	S	S	S	S	S	S					S	S		158.05(B)(6)(k) ✱

See 158.05(B) for use-specific standards and definitions.

Key

P — Permitted Use C — Permitted Subject to Conditions S — Special Use ✱ — Use-Specific Standards (See Referenced Provision)

Use	A-1	R-1	R-2	R-3	R-4	B-1	B-2	B-3	M-1	M-2	E-3	A-3	A-4	A-E D-C	Use-Specific Standards & Definitions
Retail & Service Uses															
Adult Business										S					158.05(B)(7)(a)
Bar, Microbrewery, or Tavern							P	P	P	P					158.05(B)(7)(b)
Barber or Beauty Shop	S	S	S	S	S	P	P	P							158.05(B)(7)(c)
Bed & Breakfast Inn	S		S	S	S	S	S	P							158.05(B)(7)(d) ✱
Building or Home Improvement Supplies	S					P	P	P	P	P					158.05(B)(7)(e)
Car Wash							P	P	P	P					158.05(B)(7)(f)
Farmers Market, Indoor	S					P	P	P	P	P					158.05(B)(7)(g)
Farmers Market, Outdoor	S					S	S	S	S	S					158.05(B)(7)(h)
Fuel Sales								P	P	P					158.05(B)(7)(i)
Funeral Home					S	P	P	P	P	P					158.05(B)(7)(j)
Garden and Landscaping Supplies	S						P	P	P	P					158.05(B)(7)(k)
Hotel/Motel						P	P	P	P	P	C				158.05(B)(7)(l) ✱
Kennel	C	C				S	P	P	P	P		C	C		158.05(B)(7)(m) ✱
Manufactured Home Sales or Rental							P	P	P	P					158.05(B)(7)(n)
Pet Store						P	P	P	P	P	S				158.05(B)(7)(o) ✱
Resort	S	S	S	S	S	S	S	P	P	P					158.05(B)(7)(p)
Restaurant or Catering Establishment, with Drive-In or Drive-Through	S						P	P	P	P					158.05(B)(7)(q)
Restaurant or Catering Establishment, without Drive-In or Drive-Through	S				P	P	P	P	P	P	C				158.05(B)(7)(r) ✱
Retail & Service	S				P	P	P	P	P	P	C	S			158.05(B)(7)(s) ✱
Self-Service Storage	S						S	P	P	P					158.05(B)(7)(t)
Vehicle Repair, Major								P	P	P					158.05(B)(7)(u)
Vehicle Repair, Minor							P	P	P	P					158.05(B)(7)(v)
Vehicle Sales or Rental							P	P	P	P					158.05(B)(7)(w)
Veterinary Clinic	S					S	P	P	P	P	S				158.05(B)(7)(x) ✱
Transportation Uses	A-1	R-1	R-2	R-3	R-4	B-1	B-2	B-3	M-1	M-2	E-3	A-3	A-4	A-E D-C	
Airport or Heliport	S							S	S	S	C				158.05(B)(8)(a) ✱
Parking lot or structure, commercial	S					S	S	P	P	P	C				158.05(B)(8)(b) ✱
Passenger Terminal, Bus or Train						P	P	P	P	P	S				158.05(B)(8)(c)
Large vehicle, recreational vehicle, vessel, or heavy equipment storage ~~Truck, Tractor, Trailer, Bus or Recreational Vehicle Storage or Parking Yard, Lot or Garage~~	C	C	C	C	C	S	S	P	P	P	C				158.05(B)(8)(d) ✱
Utility Uses	A-1	R-1	R-2	R-3	R-4	B-1	B-2	B-3	M-1	M-2	E-3	A-3	A-4	A-E D-C	
Alternative Energy	See Sec. 158.04(F) A-E Alternative Energy Overlay														158.04(F) ✱
Data Center	See Sec. 158.04(H) D-C Data Center Overlay														158.04(H)
Utilities, Major	S	S	S	S	S	S	S	S	P	P	S	S	S	P P	158.05(B)(9)(a)
Utilities, Minor	P	P	P	P	P	P	P	P	P	P	P	P	P		158.05(B)(9)(b)
Wireless Communication Facility	See Sec. ~~158.05(B)(8)(c).~~														158.05(B)(9)(c) ✱

See 158.05(B) for use-specific standards and definitions.

Key

P — Permitted Use
C — Permitted Subject to Conditions
S — Special Use
✱ — Use-Specific Standards (See Referenced Provision)

ii. In the E-3 zoning district, a recreation and entertainment use is permitted provided the combined area of the commercial sites (including building, parking, drainage, and landscaping) does not exceed 6% of the total acreage of the project.

(i) Vehicle Race Track, Small
A racing area that may be paved or unpaved, and that is used by vehicles or animals, with competition against the clock or competitors, without spectators.
i. A vehicle race track is permitted in accordance with the use tables in this Article provided the track is more than 1000 feet from any Residential zoning district or any residential use not on the same parcel.
ii. In the E-3 zoning district, a recreation and entertainment use is permitted provided the combined area of the commercial sites (including building, parking, drainage, and landscaping) does not exceed 6% of the total acreage of the project.

(6) Residential Uses

(a) Assisted Living Facility
Residential facilities that provide assistance with daily activities, such as dressing, grooming, bathing, etc. This may also include hospice or memory care.

(b) Dwelling, Multiple-Family
A building located on a single lot designed or altered for occupancy by three or more families living independently of each other and entirely separated from any other dwelling by setbacks on all sides. Public wastewater service is required. A single proprietor owns all dwelling units.

(c) Dwelling, Single-Family (attached)
Two attached single-family dwellings located on two separately owned lots that share a common un-pierced firewall, extending from ground to roof, along the interior lot line, providing for separate fee-simple ownership of both lots. This Housing Type is permitted with public wastewater service or a locally permitted private waste water system.

(d) Dwelling, Single-Family (detached)
A building located on a single lot, designed exclusively for occupancy by one family and entirely separated from any other dwelling by setbacks on all sides. This housing type is permitted with public wastewater service or a locally permitted private waste water system.

(e) Dwelling, Two-Family
A building located on a single lot designed or altered for occupancy by two families and entirely separated from any other dwelling by setbacks on all sides. A single proprietor owns both dwelling units. This housing type is permitted with public wastewater service or a locally permitted private waste water system.

(f) Dwelling, Upper-Story
A dwelling unit located on an upper story of a structure.
i. An upper-story dwelling is permitted in accordance with the use tables in this Article provided that a minimum of 1 off-street parking space is provided per dwelling.

(g) Group Home, Eight Residents or Fewer
A residential facility with 8 residents or fewer residents with physical and/or cognitive disability and/or illness.

(h) Group Home, More than Eight Residents
A residential facility with more than 8 residents with physical and/or cognitive disability and/or illness

(i) Group Home, State Regulated
A residential facility regulated by IC 12-28-4 et seq.

(j) Manufactured Home (Permanent Foundation)
Housing that is manufactured in a factory rather than on site designed to be placed on a slab, crawlspace or basement.

(k) Manufactured Home (Temporary Foundation), Park, or Subdivision
Housing that is manufactured in a factory rather than on site designed to be placed on piers, columns, or similar structures. Parks or Subdivisions intended for the placement of this type of housing.
i. Manufactured Home (Temporary Foundation)
A manufactured home (temporary foundation) that is not part of a manufactured home park or subdivision is allowed by Special Use Permit if it is located a minimum of 100 ~~300~~ feet from any existing habitable dwelling not owned by the applicant. T~~he Board of Zoning Appeals may waive the 300-foot separation requirement if it finds that the manufactured home is used by an aged or infirm relative of the family residing in the primary dwelling.~~
ii. Manufactured Home (Temporary Foundation) Park
Any area of land in single ownership upon which two or more manufactured homes (temporary foundation) are placed with the facilities to include, at a minimum, the utilities, the streets, final site grade, or the concrete pads on which the homes are to be affixed. All facilities must be developed in compliance with Indiana Health Department regulations.

I. Drainage Requirements
The park must be located on a well-drained site, properly graded to ensure rapid drainage and free from stagnant pools of water.

II. Minimum Site Area
The park must have a minimum area of five acres and must provide home spaces. Each such space must be clearly defined or delineated. Each space must have an area per family dwelling unit of not less than 3,000 square feet and a width of not less than 40 feet.

III. State Board of Health Requirements
If not otherwise specified or if these standards do not meet or equal standards set by the State Board of Health, the State Board of Health standards prevail.

IV. Distance from Park Boundaries
No manufactured home (temporary foundation) may be located closer than 30 feet to any perimeter property line. If the park abuts a public road, then the standard setback line for that roadway as established for the applicable zoning district for single-family homes prevails. In the setback so established, each park developer must provide a buffer a minimum of 10 feet in width, consisting of evergreen trees a minimum of six feet in height at planting and installed a minimum of 20 feet apart on center. The buffer must also consist of an opaque fence or berm a minimum of six feet in height.

V. Distance from Existing Housing
A manufactured home (temporary foundation) must be located at least 100 ~~300~~ feet from any existing habitable residential dwelling not owned by the park owner.

VI. Distance from Residential District or Subdivision
A manufactured home (temporary foundation) park must be established at least 600 feet from the boundary of a R-1 or R-2 zoning district or any platted residential subdivision.

iii. Manufactured Home (Temporary Foundation) Subdivision
Any area of land platted for the private ownership of lots with the facilities to include, at a minimum, the utilities, the streets, final site grade, suitable individual septic systems for each lot, and developed in compliance with the Ordinance in effect at the time of platting. If construction is completed before the effective date of the floodplain management regulations adopted by the County it is considered an existing manufactured home (temporary foundation) subdivision. All others are to be considered new.

I. Minimum Site Area
A manufactured home (temporary foundation) subdivision must have a minimum site area of 10 acres.

II. Subdivision Compliance
Manufactured home (temporary foundation) subdivisions must be planned and platted in compliance with this Ordinance.

III. State Board of Health Requirements
If not otherwise specified or if these standards do not meet or equal standards set by the State Board of Health, the State Board of Health standards prevail.

IV. Distance from Subdivision Boundaries
No manufactured home (temporary foundation) may be located closer than 30 feet to any perimeter property line of the subdivision. If the subdivision abuts a public street or highway, then the standard setbacks for that road as established for the applicable zoning district for single-family homes prevails. In the setback so established, each subdivision developer must provide a buffer a minimum of 10 feet in width, consisting of evergreen trees a minimum of six feet in height at planting and installed a minimum of 20 feet apart on center. The buffer must also consist of an opaque fence or berm a minimum of six feet in height.

V. Distance from Existing Housing
A manufactured home (temporary foundation) must be located at least 100 ~~300~~ feet from any existing habitable residential dwelling not part of the manufactured home (temporary foundation) subdivision.

VI. Distance from Residential District or Subdivision
Any manufactured home (temporary foundation) subdivision must be located at least 600 feet from the boundary of an R-1 or R-2 zoning district or any platted residential subdivision.

(7) Retail & Service Uses

(a) Adult Business
Any of the following defined uses:

i. Adult arcade. Any place in which the public is permitted or invited where devices are maintained to show images to ten or fewer persons per machine at any one time in which images are distinguished or characterized by their emphasis on matter depicting, describing, or relating to "Adult Sexual Activities."

ii. Adult bookstore. A commercial establishment having at least 5% of its net floor area (as established in Sec. 158.02(C)(7) in stock in trade, or at least five percent of its sales and/or rentals from one or more of the following: (a) Books, magazines, periodicals or printed matter, photographs, motion pictures, video cassettes, or video reproductions, slides, or other visual representations which are distinguished or characterized by their emphasis on matter depicting, describing, or relating to "Adult Sexual Activities"; or Instruments, devices or paraphernalia that depicts, is used in, or relates to "Adult Sexual Activities."

(t) Self-Service Storage
A building whereby individuals rent containers or units of space within a large warehouse to store possessions.

(u) Vehicle Repair, Major
Engine rebuilding, major reconditioning, or painting of worn or damaged motor vehicles or trailers. A major vehicle repair establishment may also include operations that characterize a minor vehicle repair establishment.

(v) Vehicle Repair, Minor
Incidental repairs, replacement of parts, and motor service to vehicles, but not including any operation included under "Vehicle Repair, Major."

(w) Vehicle Sales or Rental
Any premises on which three or more used or new cars, trailers or trucks are offered for sale, rental, or lease or are sold, rented, leased during any calendar year.

(x) Veterinary Clinic
A commercial building where animals are given medication or surgical treatment and are cared for during the time of such treatment.

i. A veterinary clinic in the A-1 zoning district shall be required to have:
   I. Class I boundary buffer is established, as described in Sec. 158.06(E), where the use is adjacent to a residential use in an R-1, R-2 or R-3 zoning district.
   II. The above standards do not apply to a Veterinary Clinic special use in the E-3 zoning district.

(8) Transportation Uses

(a) Airport or Heliport
Any area of land or water designed and set aside for the landing and take-off of aircraft, including all necessary facilities for the housing and maintenance of aircraft.

i. In the E-3 zoning district, an airport or heliport is permitted provided the combined area of the commercial sites (including building, parking, drainage, and landscaping) does not exceed 6% of the total acreage of the project.

(b) Parking Lot or Structure, Commercial
An open area or structure surfaced with dust free materials, designed and used for the parking of vehicles which is operated as a business enterprise with a service charge or fee being paid to the owner or operator of the parking structure or lot.

i. In the E-3 zoning district, an airport or heliport is permitted provided the combined area of the commercial sites (including building, parking, drainage, and landscaping) does not exceed 6% of the total acreage of the project.

(c) Passenger Terminal, Bus or Train
A facility where the principal use is the handling, receiving, and transfer of passenger traffic by bus or train.

(d) ~~Truck, Tractor, Trailer, Bus or Recreational Vehicle Storage or Parking Yard, Lot or Garage~~ Large vehicle, recreational vehicle, vessel, or heavy equipment storage
An area or building which is used or intended to be used for the storage of trucks, tractors, trailers, buses, recreational vehicles and commercial vehicles ~~exceeding one and one-half ton capacity.~~ having a gross vehicle weight rating of over 16,000 lbs. (vehicles) or having 2 or more axles (trailers).

i. ~~A truck, tractor, trailer, bus or recreational vehicle storage or parking yard, lot or garage:~~ Large vehicle, recreational vehicle, vessel, or heavy equipment storage:
   I. ~~Shall be~~ limited to 1 such vehicle or trailer;
   II. Shall be on a minimum of 3 acres, and
   III. Shall be required to provide a Class I boundary buffer as described in Sec. 158.06(E), where the use is adjacent to a residential use ~~in an A-1, R-1, R-2, R-3, R-4 zoning district.~~
   IV. If this use is on less than 3 acres or is more than 1 vehicle or trailer, a Special Use Permit is required.

In the E-3 zoning district, an airport or heliport is permitted provided the combined area of the commercial sites (including building, parking, drainage, and landscaping) does not exceed 6% of the total acreage of the project.

(9) Utility Uses

(a) Utilities, Major
Public or private infrastructure serving the general community, that may or may not be maintained or regulated by a public or municipal entity and possibly having on-site personnel.

(b) Utilities, Minor
Public or private infrastructure serving a limited area with no on-site personnel.

(c) Wireless Communication Facility

i. Applicability
For purposes of this paragraph, wireless communication facilities includes wireless facilities and wireless support structures as defined in Indiana Code 8-1-32.3-13 and 8-1-32.3-14, respectively. It does not apply to personal television antennas, ham radio or short wave radio antennas, or other communications equipment accessory to residential uses or to the criteria for location without a Special Use Permit as stipulated in Sec. 158.05(B)(9)(d)(ii) below.

ii. Wireless Communication Facilities Permitted By Right
   I. Stealth Wireless Communication Antennas
   New antennas being placed on existing structures (including but not limited to flag poles, buildings, water towers, light poles, electric towers, church steeples, or silos) do not require a Special Use Permit, but do require an electrical or building permit.

158.05(C) Accessory Uses & Structures

(1) Applicability

An accessory use or structure may be established provided that it is associated with a primary use and that it complies with the standards of this Section.

(2) General

(a) The accessory use or structure must be subordinate to and serve a primary use or primary structure.

(b) Accessory uses located in residential zoning districts must not be used for commercial purposes other than authorized home occupations or home workshop / businesses.

(c) No detached accessory structure may be constructed until the construction of the rafters, or general equivalent, of the primary structure has commenced. No accessory structure may be used unless the primary structure also is being used.

(d) An accessory use or structure must contribute to the comfort, convenience, or necessity of occupants of the primary use or structure served.

(e) An accessory use or structure must be located on the same lot, in the same zoning district and under the same ownership as that of the primary use or structure served.

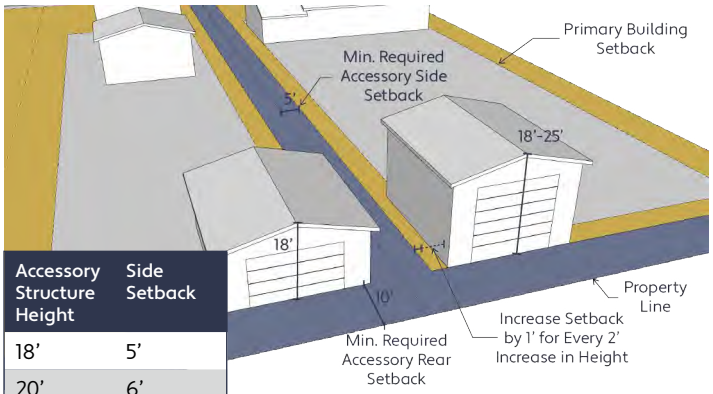
(f) An accessory use not specifically enumerated as requiring a Special Use Permit in the particular zoning district in which the primary structure exists is permitted by right or permitted subject to the limitations of this Section.

(3) Setbacks & Height

(a) Detached accessory structures have a minimum side setback of five feet. Detached accessory structures have a minimum rear setback of 10 feet.

(b) Accessory structures must comply with the front setback standards for the primary structure established for that zoning district.

(c) The maximum height for an accessory structure is 18 feet. The maximum height of an accessory structure may be increased to 25 feet if the minimum required 5 foot side setback is increased 1 foot for each 2 feet that the structure is above 18 feet.



Accessory Structure Height	Side Setback
18'	5'
20'	6'
22'	7'
24'	8'
25'	8.5'

(4) Accessory Dwelling Unit (ADU)

(a) An accessory dwelling unit is permitted by right or by Special Use Permit, as appropriate, in association with a single-family dwelling or educational facility on property one acre or more in lot area in the A-1, A-3, A-4, R-1, R-2, and B-1 zoning district.

(b) ADU Accessory to an Educational Facility
Where associated with an educational facility use in the A-1 zoning district, the accessory dwelling unit must be shown on the Special Use Permit site plan.

(c) ADU Accessory to a Single-Family Dwelling

i. Where associated with a single-family dwelling in the A-1, A-3, A-4, R-1, R-2, and B-1 zoning districts, 1 accessory dwelling unit is allowed by right subject to the limitations in this Section.

ii. When associated with a single-family dwelling, the owner of the property must reside in either the primary dwelling or the accessory dwelling unit.

(d) ADU Development Standards

i. An accessory dwelling unit must not exceed the lesser of: 75% of the interior habitable area (gross floor area) of the primary residence; or

ii. Can not exceed a maximum net floor area of 1,000 square feet. Personal storage limitations remain for the entire property.

iii. An accessory dwelling unit must include cooking, sleeping, and sanitation facilities; and comply with or is otherwise exempt from any applicable building codes, fire safety codes, and other public health and safety laws.

iv. An accessory dwelling unit must be served by the same curb cut that serves the primary dwelling or educational facility. A minimum of 1 off-street parking space must be provided in addition to the off-street parking required for the primary dwelling or educational facility.

v. The term does not include a manufactured home (as defined in IC 36-7-4-1106(b)) that is subject to the standards and requirements set forth in IC 36-7-4-1106.

(5) Adult or Child Care Home

An adult or child care home accessory to a residential use is allowed in accordance with IC 36-7-4-1108

(6) Bed & Breakfast Homestay

A bed and breakfast homestay accessory to a residential use is allowed in accordance with IC 36-1-24-8.

(7) Boat House

A boat house is allowed by right in association with a Household Living use if not more than 10 feet high as measured from normal water level.

(8) Home Occupation

A Home Occupation is allowed by right in association with any Household Living use in any zoning district subject to the following standards.

(a) A home occupation must be carried on wholly within the primary structure or within a structure accessory to it.
(b) A maximum of 1 person outside of the occupants of the residence may be employed in the home occupation on-site.
(c) The home occupation operator may not sell or offer to sell items on the premises. Except that the operator may sell or offer to sell items online and ship the items to the buyer.
(d) There must be no service sold or offered for sale on the premises that would generate vehicle or customer traffic to the premises beyond traffic normally associated with the residential use.
(e) There must be no display or exterior storage of materials or products or other exterior indication of the home occupation or variation from the residential character of the primary structure.
(f) A home occupation must not produce any noise, vibration, smoke, dust, odors, heat or glare which can be detected beyond the premises.

(9) Home Workshop/Business

A home workshop/business is allowed by Special Use Permit in association with any single-family dwelling, in any zoning district that permits single-family dwellings and the E-3 district, subject to the following standards.

(a) A home workshop/business must be carried on wholly within the primary structure or within a structure accessory to it.
(b) A Home Workshop/Business may be operated only by occupants of the residence and by a maximum of 4 employees, associates or partners who do not occupy the residence. A Developmental Standard Variance must be approved in accordance with Sec. 158.10(T) is required in order to have more than 4 outside employees.
(c) Outdoor display or storage is limited to what is shown in detail on the adopted site plan and must be in compliance with Sec. 158.06 Buffering and Screening; more specifically the Buffer Planting Specifications Class 2.
(d) A home workshop or business must not produce noise, vibration, smoke, dust, odors, heat or glare which can be detected beyond the premises.
(e) ~~Except as provided in paragraph (f) below, the total square footage of all accessory structures, excluding agricultural buildings, must not exceed 110% of the net floor area of the primary dwelling.~~
~~(f) On properties in the A-1 zoning district that are 3 acres or more in lot area, the gross floor area of accessory structures for a home workshop / business and personal residential storage must not exceed 200% of the net floor area of the primary residential structure.~~
Accessory structures for home workshop/businesses must follow the standards set forth for accessory structures in Section 158.05(c)10.
(g) Off-street parking spaces must be provided for all employees who do not occupy the residence and approved for the Home Workshop/Business in addition to the dwelling unit requirement.

(10) Personal Residential Storage

(a) Structures for storage of personal items, such as a private garage or storage shed, are allowed in association with a residential use subject to the following standards.
  i. Items stored must not be associated with a nonresidential use or activity.
  ii. Except as provided in paragraph (c) & (d) below, the total square footage of all accessory structures must not exceed 110% of the net floor area of the primary dwelling.
(b) In the Agricultural zoning district, the storage of agricultural equipment in accessory structures is exempt from the square footage limitation.
(c) On properties in the A-1 and R-1 zoning district that are three acres or more in lot area, the gross floor area of accessory structures for personal residential storage must not exceed 250% ~~200%~~ of the net floor area of the primary residential structure.
(d) On properties in the A-1 and R-1 zoning district that are at least 1 acre and less than 3acres in lot area, the gross floor area of accessory structures for personal residential storage must not exceed 150% of the net floor area of the primary residential structure.

(11) Outdoor Bus Parking

Outdoor parking of a bus with current registration, as an accessory use to a single-family dwelling, is allowed by right in the A-1, R-1, R-2, R-3, R-4, B-1, B-2, and B-3 zoning districts subject to the following standards.

(a) The property must have a minimum lot area of 1 acre.
(b) An outdoor bus parking area must be screened from view from the public right-of-way and neighboring residential properties by 1 or more of the following:
  i. An opaque fence or masonry wall a minimum of 6 feet in height;
  ii. Evergreen plantings a minimum of 8 feet in height at the time of installation; or
  iii. The dwelling itself.
(d) The bus parking area must be behind the plane of the front wall of the dwelling.
(e) In the A-1 and R- zoning districts, an indoor bus parking structure must be designed and constructed to compliment the primary dwelling.
(f) The parking area must be situated so that a backing motion into the public right-of-way is not necessary.
(g) A Special Use Permit approved in accordance with Sec. 158.11(H) is required if the subject property or property owner is unable to meet the requirements of this Section.

158.06 BUFFERING AND SCREENING

Sections

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158.06(B) Applicability 6-1
158.06(C) General 6-1
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158.06(E) Boundary Buffer 6-2
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158.06(G) Trash and Recycling Service Area Screening 6-4
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158.06(A) Purpose

The purpose of this Article is to require buffering and screening that will:

(1) Mitigate the negative effects of noise and glare from buildings, uses, vehicle lights and outdoor lighting on the public right-of-way and neighboring property;
(2) Conserve and stabilize neighboring property values; and
(3) Otherwise facilitate the maintenance and creation of an attractive and prosperous community.

158.06(B) Applicability

This Section applies in the following circumstances:

(1) New nonresidential development or change in use from residential to nonresidential

(2) For existing structures and land uses when expanding the use, the areas required to comply with Buffering and Screening are the yards adjacent to the expansion or to the areas disturbed during the expansion.

158.06(C) General

(1) A buffer is a specified land area, located parallel to and within the outer perimeter of a property and extending to the property line, together with the plantings required within the buffer. A buffer may also contain a barrier such as a wall or fence where additional screening is necessary to achieve the required level of buffering.

(2) A screening device is a set of living evergreen plantings or man-made fences or walls of required height and material. Screening devices hide certain outdoor appurtenances from the public right-of-way and neighboring private property.

(3) Water, sanitary sewer, electrical, telephone, natural gas, cable, storm drainage or other service lines are permitted within buffers. Monument signs, as established in Sec. 158.08, are allowed within parking buffers.

(4) The parking of vehicles as well as the outdoor storage, display and sales of merchandise are prohibited in a required buffer.

(5) A required buffer may not encroach into required on-site drainage. In addition, a required buffer may not be placed within the 75-foot setback required of County-regulated drains unless approved by the Elkhart County Drainage Board.

(6) Installation and Maintenance
- (a) All required buffers and landscaped areas must be maintained to the standard to which they were designed and installed. Areas must be maintained free of trash and weeds and must not deteriorate into an unsafe condition. All plantings must be installed so that they may be maintained without trespassing onto the adjacent property.
- (b) Wherever a buffer or landscaping is required adjacent to a parking space, such landscaping must be protected by bumper blocks, posts or curbing to avoid damage to the buffer or landscaping by vehicles.
- (c) If there is construction as part of the development, the required buffers or landscaping must be installed within 1 year of the completion of the final building inspections, unless otherwise required by the Zoning Administrator.

(7) Alternative Compliance with Buffer Requirements
The buffer requirements may be modified with approval by the Zoning Administrator upon a finding that:
- (a) A modification would be consistent with the purpose of this Ordinance and of this Section;
- (b) Such modification would not adversely affect the land use compatibility or public interest;
- (c) Financial hardship is not the justification for the alternative compliance request; and
- (d) The subject site or modified buffer complies with one or more of the following criteria:
  - i. The buffer is parallel and adjacent to property that is undevelopable due to access to public roadways, topography, or property shape;
  - ii. The buffer is between uses that are to be developed under a Detailed Planned Unit Development; or
  - iii. The buffer is parallel and adjacent to an existing railroad right-of-way.

158.06(D) Parking Area Buffer

(1) Applicability

(a) A parking area buffer is required for nonresidential uses and multifamily uses in the R-1, R-2, R-3, R-4, B-1, B-2, B-3, E-3, M-1 or M-2 zoning districts where such nonresidential uses abut a public right-of-way or a residentially used or zoned property.

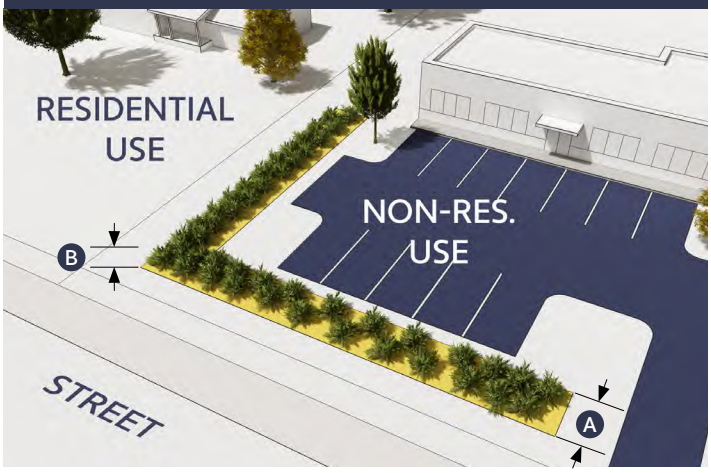
(b) A parking area buffer is not required under the following circumstances:
- i. If a parking area buffer and a boundary buffer are both required along the same property line;
- ii. A parking area is at a lower or higher finished grade than the adjacent public right-of-way, and the intended purpose of a parking area buffer is accomplished by such difference in elevation;
- iii. The nearest edge of a parking area is 50 feet or greater from the public right-of-way or a residentially used or zoned property; or
- iv. Any portion of a parking area is located between the rear of a building and a rear property line and is not adjacent to a residentially zoned or used property.

(2) Design

The parking area buffer must consist of a landscaped area along the entire applicable perimeter of the parking area, except for permitted driveways, and must be:

(a) A minimum of 10 feet in width; A
(b) Consist of a 4 foot high evergreen hedgerow, berm, masonry wall, or a combination of any of these elements; B
(c) A non-opaque fence may consist of wrought iron, vinyl, or other material acceptable to the Zoning Administrator; and
(d) Breaks in a fence may be provided for pedestrian connections to adjacent developments.

Required Parking Area Buffer



158.06(E) Boundary Buffer

(1) Applicability

Except as required in the Specific Use Standards in Sec. 158.05(B), the boundary buffer requirement does not apply to the A-1 zoning districts, nor does it apply to residential uses in any zoning district.

(2) Required Boundary Buffers

The following table is established in order to ensure compatibility between potentially incompatible zoning districts. The table determines the required Buffer Class (1, 2, or 3) between a subject property and its adjacent zoning districts.

		Adjacent Zoning									
		A-1, R-1, R-2, R-3, B-1, B-2 (Residential Use) All Zoning Districts (Legal-nonconforming Residential Use)	R-4 (Residential Use)	B-1	B-2	B-3	M-1	M-2	E-3	A-E	D-C
		Required Boundary Buffer									
Subject District	R-1, R-2, R-3, R-4, B-1, B-2 (Non-residential Use)	1	None	None	None	None	None	None	None	None	None
	B-1	1	1	None	None	None	None	None	None	None	None
	B-2	2	1	1	None	None	None	None	1	None	None
	B-3	2	2	1	1	None	None	None	1	None	None
	M-1	3	3	2	1	1	None	None	1	None	None
	M-2	3	3	3	2	1	None	None	2	None	None
	E-3	2	2	1	1		None	None	None	None	None
	A-E	3	3	3	2	1	None	None	2	None	None
	D-C	3	3	3	2	1	None	None	2	None	None

158.06(F) Boundary Buffer Specifications

(1) Width

The width of a buffer may be narrower than required by a maximum of one-half of the required width provided that the average width of the entire buffer is the minimum required.

(2) Trees

(a) Required trees in a buffer must be a minimum of 8 feet in height ground level to top of crown at installation and may be planted at regular intervals or in a meandering manner.
(b) Existing trees on site that are greater than eight feet in height may be preserved within a buffer for credit.
(c) Buffers planted below overhead utility lines must contain tree species that do not exceed 20 feet in height at maturity.

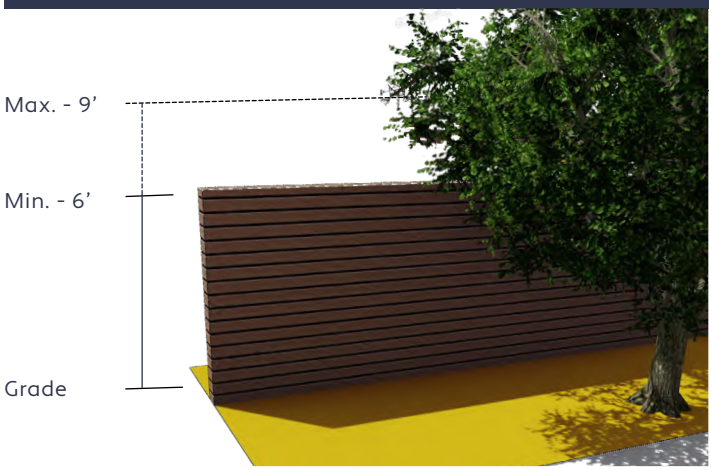
(3) Shrubs

Required shrubs in a buffer must be a minimum of 4 feet in height from ground level to top of crown at installation, evergreen, and may be planted at regular intervals or in a meandering manner.

(4) Fences and Walls

(a) Required fences and walls must be a minimum of 6 feet and a maximum of 9 feet in height.
(b) Wooden posts in opaque fences must be set in a masonry support column every 40 feet.
(c) A non-opaque fence may consist of wrought iron, vinyl, or other material acceptable to the Zoning Administrator.
(d) Breaks in a fence may be provided for pedestrian connections to adjacent developments.

Required Fence or Wall Minimum Height



(5) Berms

(a) Required shrubs and fences, but not required trees or walls, in a buffer may be replaced with a berm or series of berms.
(b) Berms must have a minimum height of 4 feet with an average height of 6 feet per 100-foot buffer segment.
(c) Side slopes may not be less than 4 feet horizontal for each 1-foot vertical with at least a 2-foot flat area on the top.
(d) In order to accommodate a berm, the buffer may need to be wider than required in the table above.

(6) Federal/State Highway or Major Road

Where a boundary buffer is required adjacent to a Federal/State Highway or Major Road, the buffer may be reduced by one class, except that a required Class 1 buffer may not be reduced.

158.06(G) Trash & Recycling Service Area Screening

(1) Trash collection, trash compaction, recycling collection and other similar service areas must be located on the side or rear of the building and be effectively screened from view from residential properties or public rights-of-way, not including an alley.

(2) Screening enclosures must consist of an opaque fence or wall compatible with the dominant material of the primary structure. Enclosures must be a minimum of 6 feet in height.

(3) All refuse and recycling service areas must be located a minimum of 25 feet away from any abutting residentially used or zoned property. This distance may be reduced to 10 feet if the service area is screened by a masonry wall.

158.06(H) Loading Dock Screening

(1) Loading docks must be completely screened from residentially zoned or used properties.

(2) Screening must consist of walls or plant material totaling 8 feet in height at installation. Wall materials must be compatible with the dominant material of the primary structure.

(3) Loading docks not in the B-3, M-1 or M-2 zoning district must be located to the side or rear of buildings, unless the loading docks is wholly within an enclosed building.

~~158.06(I) Outdoor Storage Screening~~

~~(a) Commercial, nonagricultural outdoor storage, as defined in Article 2, is prohibited in the A-1, A-3, A-4, B-1, B-2, B-3, R-1, R-2, R-3, and R-4 zoning districts.~~
~~(b) No outside storage is permitted within the following areas:~~
~~i. Required front or side setbacks; or~~
~~ii. Required off-street parking areas or fire lanes.~~
~~(c) The following types of outdoor storage are exempt from screening requirements:~~
~~i. Commercial vehicles related to a permitted business on-site; and~~
~~ii. Finished recreational vehicles, automobiles, portable buildings, boats, trailers, manufactured homes and other similar vehicles or equipment produced or sold by a permitted use on-site.~~

158.06(~~J~~ I) Lighting

(1) All exterior lighting shall be designed in a consistent and coordinated manner for the entire site.

(2) All exterior lighting shall be shielded to avoid casting light above three-tenths (0.3) foot candles or glare upon any property located in a residentially zoned district or used for residential purposes.

(3) All exterior lighting shall be shielded to avoid casting light above five-tenths (0.5) foot candles or glare upon any property located in 158.06(~~J~~ I) Lightinga non- residentially zoned district.

(4) Exterior lighting whose light source is visible from off-site shall be prohibited on properties commercial or industrial in use. Specialized or decorative parking, site, and pedestrian lighting with a visible light source is permitted with the approval of the Zoning Administrator.

(5) All exterior lighting shall be shielded so as to not cause fugitive light on street right-of-way.

158.06 (J) Generator Noise Limitations

(1) Generator noise associated with a home occupation, home workshop/business, or commercial use must not be audible on a nonparticipating parcel except during a power outage, an emergency, or testing.

(c) Surfacing
Off-street parking areas and driveways must be surfaced with dust free materials such as Asphalt (Bituminous Concrete), Concrete (Cement with various sized aggregate), paving brick, gravel, permeable pavement, or other materials agreed to in writing by the Zoning Administrator; and all materials must be maintained in good condition.

(d) Lighting
See Sec. 158.06(~~J~~ I).

2) Computation of Required Parking Spaces

The minimum number of required parking spaces is obtained by calculating the sum of the requirements for the various individual uses, computed separately in accordance with this Section. Parking spaces for one use may not provide the required parking spaces for any other use in the same building or on the same lot, except as allowed in by an Alternative Parking Plan in ~~Sec. 158.07(C)(6)~~.

(3) Minimum Required Off-Street Parking Spaces

(a) Requirements for the minimum number of required off-street parking spaces in relation to the use of the property are established in the table on the following pages. The parking requirements for any use not specified in the table below are the same as for a similar use, as determined by the Zoning Administrator based on the criteria in ~~Sec. 158.10(K)(3)~~.

(b) The Zoning Administrator may require a land owner to provide additional off-street parking, even if the number of off-street parking spaces provided meets the minimum requirement for the established use, if customers or employees are consistently required to park on the street or other properties due to a lack of available off-street parking.

Use	Min. Required Off-Street Parking Spaces
NFA - Net Floor Area	sq. ft. - Square Feet
Agricultural Uses	
Agri-business	1 per 400 sq. ft. retail floor area + 1 per 2,000 sq. ft. outdoor sales area
Agriculture, Field and Row Crops	None
Agriculture, Livestock	None
Concentrated animal feeding operation	See Sec. 158.04(D).
Greenhouse, retail	1 per 1,000 sq. ft. NFA
Livestock sale or auction	1 per 4 seats
Roadside Stand, tree farm, u-pick produce	1 per 400 sq. ft. retail floor area + 1 per 2,000 sq. ft. outdoor sales area
Stable, private and noncommercial	1 per stall
Stable, public or commercial	1 per stall
Winery	1 per 400 sq. ft. retail floor area + 1 per 2,000 sq. ft. outdoor sales area
Industrial Uses	
Animal Processing	1 per 300 sq. ft. office space + ~~1 per 1,000 sq. ft. outdoor storage area +~~ 1 per 2,500 sq. ft. indoor storage area
Bulk storage of explosives/hazardous material	1 per 300 sq. ft. office space + ~~1 per 1,000 sq. ft. outdoor storage area +~~ 1 per 2,500 sq. ft. indoor storage area
Contractor Offices and Yards	1 per 300 sq. ft. office space + ~~1 per 1,000 sq. ft. outdoor storage area +~~ 1 per 2,500 sq. ft. indoor storage area
Fertilizer manufacturing and storage	1 per 300 sq. ft. office space + ~~1 per 1,000 sq. ft. outdoor storage area +~~ 1 per 2,500 sq. ft. indoor storage area
Heavy Industrial, Intense	1 per 300 sq. ft. office space + ~~1 per 1,000 sq. ft. outdoor storage area +~~ 1 per 2,500 sq. ft. indoor storage area
Heavy Industrial, Less Intense	1 per 300 sq. ft. office space + ~~1 per 1,000 sq. ft. outdoor storage area +~~ 1 per 2,500 sq. ft. indoor storage area
Light Industrial	1 per 300 sq. ft. office space + ~~1 per 1,000 sq. ft. outdoor storage area +~~ 1 per 2,500 sq. ft. indoor storage area
Resource Extraction	1 per employee on the largest shift
Warehousing and Freight Movement	1 per 300 sq. ft. office space + ~~1 per 1,000 sq. ft. outdoor storage area +~~ 1 per 2,500 sq. ft. indoor storage area
Waste-Related Service	1 per 300 sq. ft. office space ~~+ 1 per 4 acres outdoor storage area~~
Welding, tool repair or machine shop	1 per 300 sq. ft. office space + ~~1 per 1,000 sq. ft. outdoor storage area +~~ 1 per 2,500 sq. ft. indoor storage area

Use	Min. Required Off-Street Parking Spaces
NFA - Net Floor Area	sq. ft. - Square Feet
Industrial Uses (cont.)	
Wholesale Trade	1 per 300 sq. ft. office space + ~~1 per 1,000 sq. ft. outdoor storage area +~~ 1 per 2,500 sq. ft. indoor storage area
Wrecking, junk or salvage yard	1 per 300 sq. ft. office space + ~~1 per 1,000 sq. ft. outdoor storage area +~~ 1 per 2,500 sq. ft. indoor storage area
Office Uses	
Professional Office	1 per 300 sq. ft. NFA
TV Studio or Radio Station	1 per 300 sq. ft. NFA
Public & Civic Uses	
Assembly Hall or Event Venue	1 per 50 sq. ft. NFA used for assembly , meetings, events or exhibition + 1 per 5,000 sq. ft. of outdoor space used for the same purposes
Cemetery	1 per 10,000 sq. ft. outdoor area
Community Center	1 per 200 sq. ft. NFA + 1 per employee on largest shift
Correctional Facility	1 per employee on largest shift + 1 per 5 cells
County or Municipal Government Offices or Facilities	1 per official vehicle + 1 per employee on largest shift plus 1 per 200 sq. ft. NFA
Day Care, Adult or Child	1 per employee on largest shift + 1 per 4 children
Emergency Services, Fire or Police	1 per official vehicle + 1 per employee on largest shift + 1 per 200 sq. ft. NFA
Hospital	1 per 3 beds + 1 per employee on largest shift
Library/Museum/Cultural Facility	1 per 200 sq. ft. NFA + 1 per employee on largest shift
Medical/Dental Clinic or Laboratory	1 per each 250 sq. ft. NFA + 1 per employee on largest shift
Places of Worship	1 per 4 seats in main place of assembly
School, Pre-K/Nursery	10 per classroom
School, Public or private elementary, middle, or high school	**Elementary/Middle School:** 1 per 2 employees on largest shift + 2 per classroom **High School:** 10 per classroom
Social Service Establishments	1 per 300 sq. ft. office area + 1 per employee on largest shift
University, college, or seminary	10 per classroom
Recreation & Entertainment Uses	
Camp Ground (Not Part of Park & Open Space)	1 per pad
Casino	1 per 200 sq. ft. NFA + 1 per 2 seats in main place of assembly or recreation

Use	Min. Required Off-Street Parking Spaces
NFA - Net Floor Area	sq. ft. - Square Feet
Recreation & Entertainment Uses (cont.)	
~~Event Venue~~	~~1 per 50 sq. ft. NFA used for assembly , meetings, events or exhibition + 1 per 5,000 sq. ft. of outdoor space used for the same purposes~~
Marina	1 per 250 sq. ft. NFA
Parks & Open Space	1 per 10,000 sq. ft. outdoor area
Recreation/Entertainment, Indoor	**Bowling Alley:** 5 per lane **Dance Hall or Skating Rink:** 1 per 50 SF of floor area used for assembly **Tennis or Racquetball** Facility: 2 per court **Theater, Movie or Other:** 1 per 2 seats **All Other Uses:** 1 per 200 sq. ft. NFA + 1 per 2 seats in main place of assembly or recreation
Recreation/Entertainment, Outdoor	**Circus, Carnival, Fair, or Corn Maze:** 50 per acre **Golf Course, Driving Range, or Mini Golf Course:** 3 per hole + 1 per 4 seats in accessory restaurant, bar or banquet facility **All Other Uses with Fixed Seats:** 1 per 4 seats or per 6 feet of benches **All Other Uses without Fixed Seats:** 1 per 250 sq. ft. NFA
Stadium/Arena	1 per 200 sq. ft. NFA + 1 per 2 seats in main place of assembly or recreation
Vehicle Race Track, Large	1 per 4 seats or per 6 feet of benches
Vehicle Race Track, Small	1 per 4 seats or per 6 feet of benches
Residential Uses	
Assisted Living Facility	1 per 2 dwelling units + 1 per employee on largest shift
Dwelling or complex, Multiple-family	1.5 spaces per 1 bedroom unit, 2 spaces per 2 or more bedroom units
Dwelling, Single-Family (attached)	2 per dwelling unit
Dwelling, Single-Family (detached)	2 per dwelling unit
Dwelling, Two-Family	2 per dwelling unit
Dwelling, Upper-story	1 per dwelling unit

Use	Min. Required Off-Street Parking Spaces
NFA - Net Floor Area	sq. ft. - Square Feet
Residential Uses	
Group home, eight residents or fewer	**Group home:** 1 per 2 dwelling units + 1 per employee on largest shift **Fraternities, Sororities, and Dormitories:** 1 per 2 beds
Group home, more than eight residents	**Group home:** 1 per 2 dwelling units + 1 per employee on largest shift **Fraternities, Sororities, and Dormitories:** 1 per 2 beds
Group Home, State Regulated	1 per 2 dwelling units + 1 per employee on largest shift
Manufactured (double wide) or modular home	2 per home space + 1 per 5 home spaces for guest parking
Manufactured (single-wide) or mobile home structure, park or subdivision	2 per home space + 1 per 5 home spaces for guest parking
Retail & Service Uses	
Adult Business	1 per 300 sq. ft. retail floor area
Bar, Microbrewery, or Tavern	1 per 3 seats
Barber or Beauty Shop	1 per 300 sq. ft. retail floor area
Bed and Breakfast Inn	1 per guest room
Building or Home Improvement Supplies	1 per 300 sq. ft. retail floor area
Car Wash	2 per bay
Farmers Market, Indoor	1 per 300 sq. ft. retail floor area
Farmers Market, Outdoor	1 per 300 sq. ft. retail floor area
Fuel Sales	1 per 250 sq. ft. retail sales area
Funeral Home	1 per 4 seats in main place of assembly
Garden and Landscaping Supplies	1 per 300 sq. ft. retail floor area
Hotel/Motel	1 per guest room
Kennel	None
Manufactured Home Sales or Rental	1 per 500 sq. ft. showroom floor area + 1 per 2,000 sq. ft. outdoor sales area
Pet Store	1 per 300 sq. ft. retail floor area
Resort	1 per guest room
Restaurant or Catering Establishment, with Drive-In or Drive-Through	1 per 3 seats
Restaurant or Catering Establishment, without Drive-In or Drive-Through	1 per 3 seats

Use	Min. Required Off-Street Parking Spaces
NFA - Net Floor Area	sq. ft. - Square Feet
Retail & Service Uses (cont.)	
Retail & Service	**Appliance or Furniture Store:** 1 per 400 sq. ft. retail floor area **Electronic & Mixed Media Store:** 1 per 350 sq. ft. retail floor area **All Other Uses:** 1 per 300 sq. ft. retail floor area
Self-Service Storage	1 per 300 sq. ft. office space
Vehicle Repair, Major	5 per bay or 1 per 250 sq. ft. NFA, whichever is greater
Vehicle Repair, Minor	5 per bay or 1 per 250 sq. ft. NFA, whichever is greater
Vehicle Sales or Rental	1 per 500 sq. ft. showroom floor area + 1 per 2,000 sq. ft. outdoor sales area
Veterinary Clinic	1 per 300 sq. ft. NFA + 1 per examining room
Transportation Uses	
Airport or Heliport	1 per employee on largest shift + 1 per 1,000 sq. ft. hangar space or outdoor aircraft storage space
Parking Lot or Structure, Commercial	None
Passenger Terminal, Bus or Train	1 per 4 seats of waiting area
Large vehicle, recreational vehicle, vessel, or heavy equipment storage ~~Truck, tractor, trailer, Bus or recreational vehicle storage or parking yard, lot or garage~~	None
Utility Uses	
Alternative Energy	1 per vehicle required to serve the utility
Data Center	1 per 300 sq. ft. office space + 1 per 2,500 sq. ft. indoor storage area
Utilities, Major	1 per vehicle required to serve the utility
Utilities, Minor	1 per vehicle required to serve the utility
Wireless Communication Facility	1 per vehicle required to serve the utility

158.08 SIGNS

Sections

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158.08(A) Purpose

The purpose of these sign regulations is to protect and promote the public health, safety and general welfare by controlling the structural type, timing, number, location and physical dimensions of signs, to prevent the disruptions, obstructions and hazards to vehicular and pedestrian traffic that signs may cause, and to enhance the quality of the environment in Elkhart County. More specifically, the purpose of this Article is to:

(1) Enable businesses and non-profit organizations to make their presence known to the general public;

(2) Enable free expression of individuals and groups;

(3) Encourage the effective use of signs as a means to facilitate way-finding and the spread of essential public information in Elkhart County;

(4) Balance the right to erect and use signs with the desire to maintain a pleasing visual environment and to conserve property values; and

(5) Provide clear and objective sign standards.

158.08(B) Applicability

This Section applies to all signs erected, placed, painted, installed or otherwise made visible on private property in the jurisdiction of this Ordinance, except as otherwise provided. Additional sign standards adopted by an appropriate legislative body within the jurisdiction of this Ordinance may apply.

158.08(C) Definitions

(1) Electronic Message Board

A part of a sign on which the copy changes automatically through the use of electronic technology.

(2) Sign

Any printed text, pictorial representation, figures, numerals, emblems, devices, objects, designs, descriptions, displays, instructions or other pictorial matter, and displayed by means of paint, bills, posters, panels or other devices erected on an open framework, or attached or otherwise applied to stakes, posts, poles, trees, buildings or other structure or supports, or piece of land, and which is used to identify, direct, instruct, attract, guide, inform or advertise.

(3) Sign, Flashing

Any illuminated or revolving sign on which an artificial light is not maintained stationary or constant in intensity or color at all times when in use.

(4) Sign, Freestanding

Any sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure.

(5) Sign, Monument

A specific type of freestanding sign supported by a solid base or platform to which the sign is affixed forming a sign structure that is low profile in nature.

(6) Sign, Portable

A sign constructed on frames with wheels intended for convenient movement with changeable letter boards and copy.

(7) Sign, Projecting

A sign attached to and extending beyond the exterior wall of a building or structure so that the sign face is generally perpendicular to the exterior wall.

(8) Sign, Yard

A specific type of freestanding sign, generally with a wire frame or crossbar, not permanently attached to the ground; common types of yard signs are the “H Frame” and “I Frame.”

(9) Sign, Wall

~~A specific type of freestanding sign, generally with a wire frame or crossbar, not permanently attached to the ground; common types of yard signs are the “H Frame” and “I Frame.”~~
A sign painted on or attached parallel to the exterior wall of a building or structure.

158.08(D) General

(1) Signs Near Public Parks

No sign greater than 300 square feet in area may be located within 500 feet of any public park of five or more acres if the face of that sign is visible from that park.

(2) Signs for Special Uses

Special use signage is limited to what is shown on the approved site plan and must meet the setbacks as outlined in this Section according to sign type.

158.08(F) Sign Standards

This Section outlines the maximum allowed area per lot and allowed sign types by zoning district, then provides standards that vary by sign type.

(1) Maximum Combined Sign Area by Zoning District

The table below is the overall combined maximum for all signs on the lot. Restrictions created by sign type found in this Section may restrict this further, not allowing the maximum to be met.

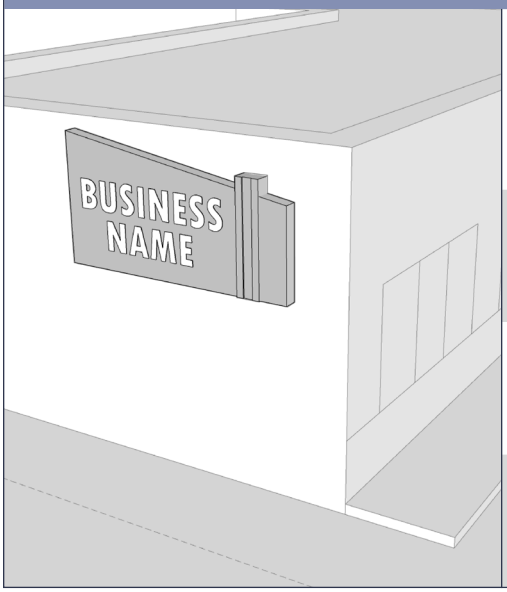
(2) Permitted Signs by Zoning District

Sign types are allowed by zoning district as outlined in the table below.

Zoning District	Maximum Allowed Sign Area	Wall Sign	Projecting Sign	Monument Sign	Portable Sign	Freestanding, Yard Signs and All Other	Electronic Message Board
A-1	8 sq. ft. or 6x the Frontage of the Development Area Depending on Sign Type	P		P		P	
R-1, R-2, R-3	8 sq. ft. or 32 sq. ft. Depending on Sign Type			P		P	
R-4	6x the Frontage of the Lot*	P	P	P		P	
B-1, B-2, B-3, M-1, M-2	6x the Frontage of the Lot*	P	P	P	P	P	
E-3	2x the Frontage of the Lot, up to 200 sq. ft.	P		P		P	
A-3, A-4, A-E	2x the Frontage of the Lot					P	
D-C	2x the Frontage of the Lot	P		P		P	

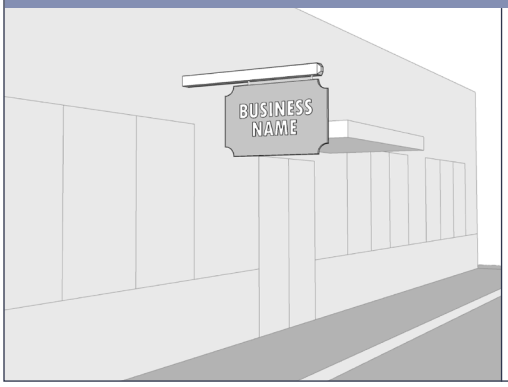
*If illuminated, lot maximum allowed sign area is 3x the frontage of the lot.

(3) Wall Signs

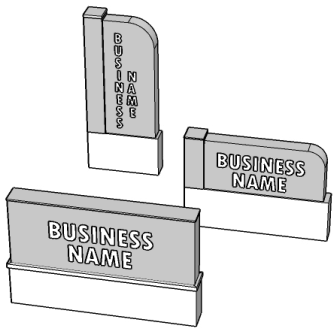


District	Max. Area (Per Sign)	Max. Number (Per Lot)	Maximum Height	Additional Standards
A-1	32 sq. ft.	1	Cannot Exceed Roof Line	1. The sign shall not be illuminated. 2. The sign must not cover wholly or partially any wall opening, nor project beyond the ends of top of the wall to which it is attached.
R-4	32 sq. ft.	Unlimited, Up to a Total of 64 sq. ft.	Cannot Exceed Roof Line	The sign must not cover wholly or partially any wall opening, nor project beyond the ends of top of the wall to which it is attached.
B-1, B-2, B-3, .M-1, M-2, D-C	300 sq. ft	Unlimited, Up to a Total of 300 sq. ft.	Cannot Exceed Roof Line	The sign must not cover wholly or partially any wall opening, nor project beyond the ends of top of the wall to which it is attached.
E-3	32 sq. ft.	Unlimited, Up to a Total of 5% of the Facade Area	Cannot Exceed Roof Line	The sign must not cover wholly or partially any wall opening, nor project beyond the ends of top of the wall to which it is attached.

(4) Projecting Signs

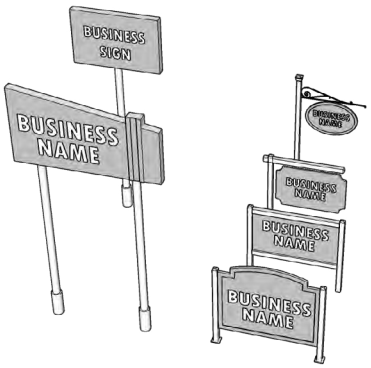
	District	Max. Area (Per Sign)	Max. Number (Per Lot)	Maximum Height	Additional Standards
	R-4, B-1, B-2, B-3, M-1, M-2	Horizontal Sign: 50 sq. ft. Vertical Sign: 100 sq. ft.	Unlimited, Up to a Total of 200 sq. ft.	Cannot Exceed Roof Line of the Building to which the Sign is Attached	1. The sign must be placed at least 9 feet above finished grade, a maximum of 2 feet from the sign face to the building façade to which it is attached. 2. Maximum projection from the building facade is 8 feet.

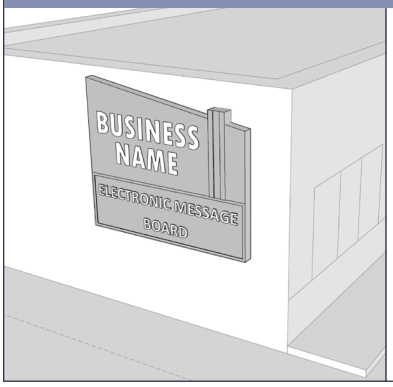
(5) Monument Signs

	District	Max. Area (Per Sign)	Max. Number (Per Lot)	Maximum Height	Minimum Setback	Additional Standards
	A-1, R-1, R-2, R-3	32 sq. ft.	1	4 feet	None	1 sign per platted common area ~~with additional standards established in this Ordinance.~~ or sign easement.
	R-4, B-1, B-2, B-3, M-1, M-2, D-C	64 sq. ft.	Unlimited, up to maximum allowed sign area	8 feet	10 feet from any property and right-of-way line	Sign must be solid from ground to top and may be illuminated or unilluminated on a base that extends horizontally a minimum of the length of the message area.
	E-3	32 sq. ft.	Unlimited, up to maximum allowed sign area	8 feet	30 feet from front and side property lines	Sign must be solid from ground to top and may be illuminated or unilluminated on a base that extends horizontally a minimum of the length of the message area.

(6) Portable Signs

	District	Max. Area (Per Sign)	Max. Number (Per Lot)	Maximum Height	Minimum Setback	Additional Standards
	B-1, B-2, B-3, M-1, M-2	32 sq. ft.	1	6 feet	1. 5 feet from right-of-way line 2. 75 feet from residentially zoned property	1. Flashing lights are prohibited 2. Time limit of up to 30 consecutive days, up to a maximum of 60 days combined per calendar year. 3. A minimum of 15 days between removal and replacement between uses is required.

(7) Freestanding Signs, All Other and Yard Signs						
	District	Max. Area (Per Sign)	Max. Number (Per Lot)	Maximum Height	Minimum Setback	Additional Standards
	A-1, R-1, R-2, R-3, R-4	8 sq. ft.	1	4 feet	3 feet from any property and right-of-way line	None
	B-1, B-2, B-3, M-1, M-2	300 sq. ft.	Unlimited, up to maximum allowed sign area	40 feet	1. **Major Road or Federal/State Highway:** 55 feet from centerline or right-of-way line, whichever is greater. 2. **All Other Roads:** None	None
	A-3, A-4, A-E D-C	200 sq. ft.	Unlimited, up to maximum allowed sign area	40 feet	1. **Major Road or Federal/State Highway:** 55 feet from centerline or right-of-way line, whichever is greater. 2. **All Other Roads:** None	None

(8) Electronic Message Board (EMB)						
	District	Max. Area (Per Sign)	Max. Number (Per Lot)	Maximum Height	Minimum Setback	Additional Standards
	B-1, B-2, B-3, M-1, M-2	64 sq. ft.	B: 1 M: Unlimited, up to maximum allowed sign area	40 feet	1. **Major Road or Federal/State Highway:** 55 feet from centerline or right-of-way line, whichever is greater. 2. **All Other Roads:** None	1. The intensity of illumination must not change until sunset when it must be reduced to a maximum of 500 NIT until sunrise. (NIT is calculated based on the light meter specification of the manufacturer.) 2. There must be a 300 feet minimum separation between electronic message boards and an existing residence.

158.11(D) General Planned Unit Development (GPUD)

(1) Applicability

(a) A Planned Unit Development may be used to permit new or innovative concepts in land utilization, master-planned communities or mixed use developments that other zoning districts do not easily accommodate. A Planned Unit Development also provides site-specific compatibility and design standards. While greater flexibility is given to allow special conditions or restrictions that would not otherwise allow the development to occur, procedures are established to protect against misuse of increased flexibility.

(b) The Plan Commission and appropriate legislative bodies may consider proposals for Planned Unit Development as a:

iii. (i) General Planned Unit Development; or

iv. (ii) Detailed Planned Unit Development.

(c) An approved General Planned Unit Development allows a petitioner to receive a change to the Zoning Maps without a Detailed Planned Unit Development Site Plan or Detailed Planned Unit Development Plat, as required for a Detailed Planned Unit Development.

(d) ~~(b)~~ ~~Except as allowed by the extension provisions in Sec. 158.11(D)(3), within seven years of approval,~~ all adopted General Planned Unit Developments must be followed by an adopted and recorded Detailed Planned Unit Development prior to the issuance of any Improvement Location Permit or Building Permit. The Detailed Planned Unit Development may be for all or a portion of the property covered by the General Planned Unit Development.

(e) ~~(b)~~ The approval of a General Planned Unit Development does not constitute an approval of a Detailed Planned Unit Development.

(2) Review Process & Criteria

(a) Except as modified below, the Plan Commission and appropriate legislative body must review and take final action on a General Planned Unit Development application, including the associated General Development Plan, following the review process and review criteria established for a Zoning Map Amendment set forth in Sec. 158.11(C).

(b) In addition to the Zoning Map Amendment review process set forth in Sec. 158.11(C), prior to review and recommendation by the Plan Commission, the Technical Review Committee must deem the General Planned Unit Development submittal a correct application. The process for determination of correctness is described in subsection 158.11(B)(4)(e).

(3) ~~Duration~~

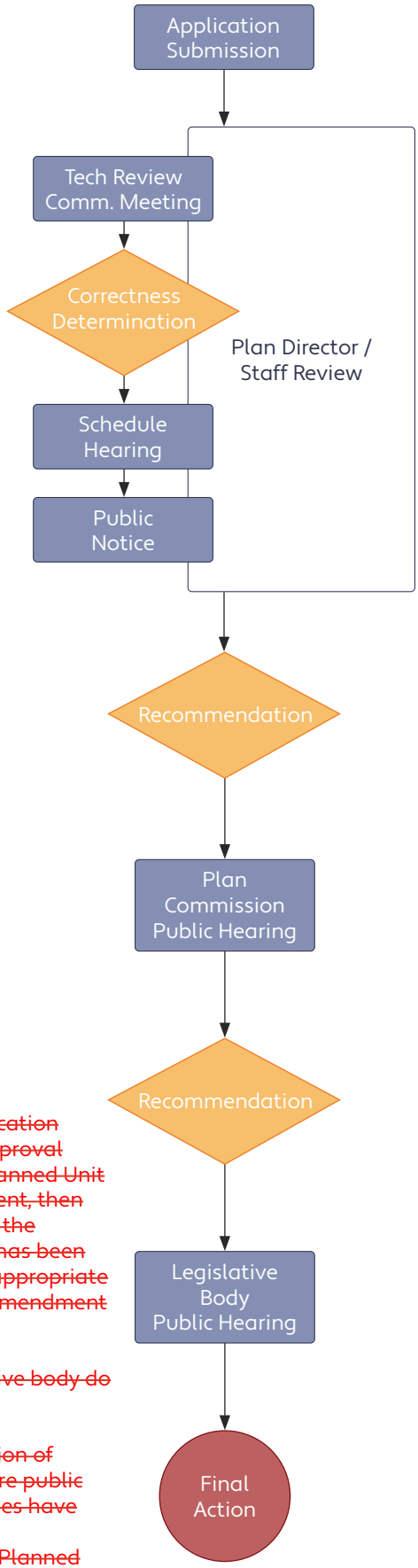
(a) ~~All properties zoned General Planned Unit Development must have an application for a Detailed Planned Unit Development approved within seven years of approval of the General Planned Unit Development. If an application for a Detailed Planned Unit Development is approved for a portion of a General Planned Unit Development, then the seven-year time limit for the remainder of the property is extended from the adoption date of the Detailed Planned Unit Development. If no application has been received or an extension granted, the Plan Commission may initiate, or the appropriate legislative body may direct the Plan Commission to initiate, a Zoning Map Amendment petition.~~

(b) ~~**Exceptions**~~
~~All General Planned Unit Developments initiated by the appropriate legislative body do not expire.~~

(c) ~~**Extensions**~~

i. ~~Any General Planned Unit Development may be considered for an extension of the time limit and may be approved as a staff item, which does not require public notice or a public hearing, by the Plan Commission if no significant changes have occurred to warrant a new public hearing.~~

ii. ~~All extension requests must be in writing stating reasons why a Detailed Planned Unit Development could not be filed and approved within the seven-year time limit.~~



(39) Time Limitation to Record Secondary Plat

(a) Record Within One Year
Every major or minor subdivision plat approved after the effective date of these regulations shall be recorded within 1 year after the date of the secondary plat approval.

(b) Expiration
Any plat that is not so recorded within the 1 year period shall, at the expiration of the 1 year period, become null and void and shall not be entitled to recording without re-approval by the Plan Commission. Re-approval shall proceed as a new application in accordance with the standards, requirements and procedures specified by these regulations at the time of the application for re-approval.

(c) Extensions
The Plan Commission may grant 1 extension of the original approval for up to 1 year.

(40) Amendments, Replats, or Plat Revisions

(a) Public Hearing Required
Amendments must be certified by any properly registered land surveyor and shall require a public hearing before the Plan Commission in compliance with Sec. 158.11(F)(22), Primary Approval. The applicant must supply revised primary and secondary plats and construction plans, if applicable, in compliance with this Ordinance.

(b) Replats not Requiring Hearing
Replats must be certified by any properly registered land surveyor. The Plat Committee or Staff shall determine whether a replat requires a public hearing before the Plan Commission in compliance with Sec. 158.11(F)(22), Primary Approval, of this Ordinance. The following circumstances shall be considered by the Plat Committee or Staff:

i. Interior Lot Line Removal
A replat which involves only the removal of interior lot lines, with the outside perimeter of the property remaining unchanged, resulting in fewer parcels than were contained in the original parcel;

ii. Easement Removal or Relocation
A replat which involves only the removal or relocation of easements within the property, as long as the affected agency or utility supports said removal or relocation;

iii. Notations or Corrections
A replat that involves only the changing of notations written on the plat or corrections of errors thereon;

iv. Court Decree
A division of land pursuant to court decree.

(c) Controversy Requiring Public Hearing
If there is controversy surrounding one of the above types of replats; the Plat Committee or Staff may schedule the replat for a public hearing before the Plan Commission.

(d) Revised Plat
In all cases, the applicant must submit a replat as a revised secondary plat and construction plans, if applicable, in compliance with Sec. 158.11(F)(28), Secondary Plat and Improvement Plans.

(e) Revisions to Unrecorded Plat
Plat revisions to an unrecorded plat shall be heard by the Plat Committee in the same manner as the Secondary Approval in accordance with Sec. 158.11(F)(27), Secondary Approval.

(f) Significant Change
Any revision to an approved but unrecorded secondary plat, which, in the opinion of the Plat Committee involves a significant change, must obtain a new primary approval. Examples of a significant change include, but are not limited to:

~~i. Additional Lots~~
i. ~~ii.~~ Creation of one or more additional lots;
~~iii. New Streets~~
ii. ~~iv.~~ Creation of one or more new streets;
~~v. Street Removal~~
iii. ~~vi.~~ Removal of one or more proposed streets;
~~vii. Street Pattern Changes~~
iv. ~~viii.~~ Changes to the street pattern;
~~ix. Retention/Detention Pond Changes~~
v. ~~x.~~ Removal or addition of a retention or detention pond;
~~xi. New Easements in Building Envelope~~
vi. ~~xii.~~ Addition of any easements that conflict with the minimum building envelope;
~~xiii. Other Changes~~
vii. ~~xiv.~~ Any other change that the Plan Commission believes constitutes a significant change.

(41) Boundary Monumentations

(a) For major and minor subdivisions, the owner shall place, under the supervision of a registered land surveyor, a boundary marker for each corner of every section or phase and for each lot corner in said subdivision, unless waived by the County Surveyor. The Registered Land Surveyor shall operate in full compliance with Title 865 IAC Chapters 1 - 13.

(b) The centerline alignment shall be monumented at all centerline intersections, points of curvature, tangent and center of cul-de-sacs. The monument will be set flush with the final pavement surface. The type and nature of the monument will be specified by the County Surveyors Office.