

AGENDA

ELKHART COUNTY PLAN COMMISSION

October 8, 2026
9:30 A.M.

Public Service Building
Meeting Rooms A & B
4230 Elkhart Road, Goshen, IN

Call to Order

Roll Call

Approval of the minutes of the last regular meetings of the Elkhart County Plan Commission, held on the 13th day of August & 10th day of September 2026.

Acceptance of the Elkhart County Development Ordinance, and Staff Report materials as evidence for today's hearings.

- | <u>REZONINGS</u> | <u>9:30 A.M.</u> | <u>(WARNER)</u> |
|-------------------------|---|------------------------|
| A. | Petitioner: Jeremy Lee Hossler & Bobbie Jo Hossler Husband & Wife | (page 3) |
| | Petition: for a zone map change from M-1 to R-1. | |
| | Location: west side of Railroad St., 800 ft. South of 1st St. West of CR 23, common address of 68749 Railroad St., New Paris, IN 46553 in Jackson Township. | |
| | | <i>(RZ-0527-2026)</i> |
| B. | Petitioner: Matthew L. Gerver | (page 4) |
| | Petition: for a zone map change from R-2 & M-1 to M-2. | |
| | Location: south side of North Park Ave., 665 ft. east of CR 9, common address of 25858 North Park Ave., Elkhart, IN 46514 in Osolo Township. | <i>(RZ-0554-2026)</i> |

STAFF/BOARD ITEMS *(time of review at the discretion of the Plan Commission)*

- *Board of County Commissioners Approvals Following Plan Commission Recommendations.*
- *Development Ordinance updates 2026.*

ADJOURNMENT

Phil Barker – County Surveyor: no term

Steven Edwards – Appointed by Commissioners: term 1/1/23 – 12/31/26

Steve Warner - Appointed by Commissioners: term 1/1/23 – 12/31/26

Lori Snyder - Appointed by Commissioners: term 1/1/25 – 12/31/28

Steven Clark – County Council Liaison: no term

Brad Rogers – County Commissioners Liaison: no term

Brian Dickerson – Appointed by Commissioners: term 1/1/26 – 12/31/29

Roger Miller – Appointed by Commissioners: term 1/1/25 – 12/31/28

PLAN MINUTES
ELKHART COUNTY PLAN COMMISSION MEETING
HELD ON THE 13TH DAY OF AUGUST 2026 AT 9:30 A.M. IN THE
MEETING ROOM OF THE PUBLIC SERVICE BUILDING
4230 ELKHART RD., GOSHEN, INDIANA

1. The regular meeting of the Elkhart County Plan Commission was called to order by the Chairman, Steve Warner. The following staff members were present: Mae Kratzer, Plan Director; Jason Auvil, Planning Manager; Danny Dean, Planner; Danielle Richards, Planner; Laura Gilbert, Administrative Coordinator; and Jackson Beck, Attorney for the Board.

Roll Call.

Present: Ian Henderson (representing Philip Barker), Steven Edwards, Steve Warner, Lori Snyder, Steve Clark, Brad Rogers, Brian Dickerson, Roger Miller.

Absent: Philip Barker.

2. A motion was made and seconded (*Edwards/Snyder*) that the minutes of the last regular meeting, held at 9:30 A.M. of the Elkhart County Plan Commission, held on the 9th day of July 2026 at 9:30 a.m., be approved as submitted. The motion was carried with a unanimous vote.

3. A motion was made and seconded (*Miller/Clark*) that the minutes of the last regular meeting, of the Elkhart County Plan Commission, held on the 9th day of July 2026 at 2:00 p.m., be approved as submitted. The motion was carried with a unanimous vote.

*****It should be noted Brian Dickerson arrives at this time. *****

4. A motion was made and seconded (*Miller/Clark*) that the Elkhart County Development Ordinance be accepted as evidence for today's hearings. The motion was carried with a unanimous vote.

5. The application for a zone map change from A-1 & M-1 to a GPUD M-2 to be known as 13709 CR 4 GPUD M-2, for 13709 CR 4 LLC represented by Surveying and Mapping, LLC, on property located on the northwest corner of CR 4 and CR 35, common address of 13709 CR 4 Bristol, IN 46507 in York Township, zoned A-1, M-1, was presented at this time.

Danielle Richards presented the Staff Report/Staff Analysis, which is attached for review as *Case #GPUD-0431-2026*.

Debra Hughes, Surveying and Mapping, 2810 Dexter Dr., Elkhart, was present representing the petitioner. She mentioned the request is for a developmental concept with a rezoning to M-2. She stated there is a significant amount of floodplain on this site along the ditch, that would limit the development greatly to the south part of the site along CR 4. Mrs. Hughes went on to say the preliminary site plan does show a propped development.

There were no remonstrators present.

A motion was made and seconded (*Clark/Dickerson*) that the public hearing be closed, and the motion was carried with a unanimous vote.

The Board examined said request, and after due consideration and deliberation:

Motion: Action: Approve, **Moved by** Roger Miller, **Seconded by** Steve Clark that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for a zone map change from A-1 & M-1 to a GPUD M-2 to be known as 13709 CR 4 GPUD M-2 be approved in accordance with the Staff Analysis.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 8).

Yes: Ian Henderson, Steven Edwards, Steve Warner, Lori Snyder, Steve Clark, Brad Rogers, Brian Dickerson, Roger Miller.

6. The application for a zone map change from A-1 & DPUD A-1 to DPUD M-1 and for primary approval of a 1-lot subdivision to be known as MIST MINOR SUBDIVISION, for Michiana Equipment LLC, Star AG LLC, & Star Property Real Estate Company LLC Att: Joel Lambright represented by Land & Boundary LLC, on property located on the north side of CR 30, 1,250 ft. east of CR 37, common address of 12737 CR 30 Middlebury, IN 46540 in Clinton Township, zoned A-1 & DPUD A-1, was presented at this time.

Jason Auvil presented the Staff Report/Staff Analysis, which is attached for review as *Case #DPUD-0436-2026*.

Travis Shetler, Land and Boundary, 401 S. 3rd St., Goshen, was present representing the petitioner. He explained this project is to expand on what the owners are currently doing on this site. He stated it is an agriculture supply business. Lori Snyder asked what they supplied more specifically. Mr. Shetler stated they supply building supplies for new barns such as poultry barns

Joel Lambright, 12737 CR 30, Middlebury, is present for the request and stated he was a building supply store.

There were no remonstrators present.

A motion was made and seconded (*Clark/Rogers*) that the public hearing be closed, and the motion was carried with a unanimous vote.

The Board examined said request, and after due consideration and deliberation:

Motion: Action: Approve, **Moved by** Roger Miller, **Seconded by** Steve Clark that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for a zone map change from A-1 & DPUD A-1 to DPUD M-1 and for primary approval of a 1-lot subdivision to be known as MIST MINOR SUBDIVISION be approved in accordance with the Staff Analysis.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 8).

Yes: Ian Henderson, Steven Edwards, Steve Warner, Lori Snyder, Steve Clark, Brad Rogers, Brian Dickerson, Roger Miller.

7. The application an amendment to incorporate the Millersburg Bike and Pedestrian Master Plan into the Town of Millersburg Comprehensive Plan. The amendment addresses bicycle and pedestrian facilities, sidewalks, trails, public ways, connectivity, accessibility, safety, transportation alternatives, public improvements, and related implementation priorities within the Town of Millersburg, for Town of Millersburg represented by, was presented at this time.

Mae Hope presented the Town of Millersburg plan to incorporate the bike and pedestrian

masterplan into the Millersburg Comprehensive Plan.

Crystal Welsh, Abonmarche, 303 River Race Dr., Goshen, was present representing the petitioner. She stated the Town of Millersburg received a grant from the State of Indiana Department of Health to do a bike and pedestrian master plan. She went on to say the purpose of these plans is to provide recommendations to help facilitate active transportation for the community. She presented a power point with detailed information regarding new edits for comprehensive plans. She mentioned the bike and ped plan as the requirement of the grant needs to be incorporated into the comprehensive plan for the community. She explained the State has made this a requirement, so these plans get incorporated into future land use in the community. Mr. Clark stated as far as the current plan it is just the title that is being amended. Mrs. Welsh stated that was correct, along with incorporating the plan in itself into the entirety into the plan. Mrs. Walsh mentioned another important piece of information was crash data which included bicycle and horse/buggy incidents. Mr. Dickerson asked if Middlebury has done a bicycle/pedestrian traffic related study. Mrs. Welsh stated the City of Elkhart and Goshen did a combined plan years ago, but she is unsure if Middlebury has ever done a study. Mr. Rogers asked if Millersburg intend to connect to the Hawpatch Trail. Mrs. Walsh stated that is the hope. Mr. Rogers stated he did not see that mentioned in the plans, and he further asked how would the land be obtained. Mrs. Welsh stated through negotiations. Mr. Beck presented a Resolution of approval should the Board chose to approve this petition.

Pam Keyser, Middlebury, was present. She stated there were 54 surveys completed with 90 % saying they lived near the town, 2 living in Goshen, 1 in Middlebury, 1 in Lagrange County, and 46 % work in or near Millersburg, in conclusion she stated the people completing the survey was fewer than 6 from the town.

A motion was made and seconded (*Clark/Miller*) that the public hearing be closed, and the motion was carried with a unanimous vote.

The Board examined said request, and after due consideration and deliberation:

Motion: Action: Approve, **Moved by** Roger Miller, **Seconded by** Brian Dickerson that the Advisory Plan Commission recommend to the Board of County Commissioners that this request an amendment to incorporate the Millersburg Bike and Pedestrian Master Plan into the Town of Millersburg Comprehensive Plan. The amendment addresses bicycle and pedestrian facilities, sidewalks, trails, public ways, connectivity, accessibility, safety, transportation alternatives, public improvements, and related implementation priorities within the Town of Millersburg be approved.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 8).

Yes: Ian Anderson, Steve Edwards, Steve Warner, Lori Snyder, Steve Clark, Brad Rogers, Brian Dickerson, Roger Miller.

8. *Board of County Commissioners Approvals Following Plan Commission Recommendations*

Jason Auvil presented the July 20, 2026 approvals of the Board of County Commissioners.

9. Jason Auvil represented a minor change for Martin Truss DPUD (DPUD-0858-2024), to amend the narrative of the current DPUD.

Charlie Zercher, Kindig and Sloat, 102 Heritage Pkwy, Nappanee, was present representing

the petitioner. He stated the request is to get the narrative to match with the action taking place currently on the property. He stated the hours of operation that have currently been taking place would be 6 am to 6 pm, M-F. He mentioned delivery drivers drop the trailers after hours. He stated Mr. Martin owns the trailers but not the semis or trucks. He stated the number of visitors of 5 may be an average, but there could be some days that they have 0 customers per day or they could have more than 5 per day. Mr. Zercher addressed trucks on the property after hours and stated that is not something Mr. Martin can control.

Steve Clark mentioned the purpose of the DPUD is to hold the petitioner to the details they were approved. He stated preventing trucks from coming onto the property after hours is the petitioner's job. Mr. Zercher stated the after hours operation of trailers coming back and material drop off was an oversight and wasn't included in the original DPUD. Mr. Miller expressed remembering this original petition and part of why it got approved was the time restrictions. He stated he should be held to the original commitments of the DPUD. Mr. Dickerson mentioned the public often has concerns that business' won't be held to the standard approved. He stated he is all about property rights, until neighbors are negatively impacted.

Jim Zesser, 62339 CR 1, Elkhart, was present in remonstrance to this petition. He stated he has tried to reach out to Mr. Martin, but nothing has come from it. He mentioned he is also speaking for his neighbors, David and Bethany Kindt, 62295 CR 1, Elkhart. He mentioned that the Martin's attorney already mentioned they have been operating outside of the hours that were put in place by the DPUD. He stated Mr. Martin said it wasn't his responsibility. He presented photos that show trucks the coming and going of the business operations. He presented in detail how many trucks that have been coming and going on this property, in one week there were over 130 trucks. [*Remonstrator Exhibit #1*] and [*Remonstrator Exhibit #2*]. He stated the sound barrier is an issue. He mentioned the trees are the only thing put in place for a sound barrier. Mr. Zesser expressed this business belongs in an industrial park. He further stated the dust is an issue.

Cindy Hajicek, 57991 CR 115, Goshen, was present in remonstrance to this petition. She stated as a wife of a truck driver she can confirm that a business absolutely has the authority to determine what happens at their business place at all hours.

Charlie Zercher came back on. He stated he will confer with Mr. Martin to see if he wants to amend the DPUD. He noted the narrative does not restrict the number of vehicles allowed per day, just the number of semi-trucks. Mr. Miller noted the petitioner said he had no control on the amount of truck nor how long the trucks sit on his property, but no trucks are coming on Sundays showing he does have control over it.

A motion was made and seconded (*Dickerson/Clark*) that the public hearing be closed, and the motion was carried with unanimous vote.

The Board examined said request, and after due consideration and deliberation:

Motion: Action: Deny, **Moved by** Steve Clark, **Seconded by** Brian Dickerson that this request for a minor change be denied.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 8).

Yes: Ian Anderson, Steve Edwards, Steve Warner, Lori Snyder, Steve Clark, Brad Rogers, Brian Dickerson, Roger Miller.

10. Mae Hope presented the amendment to the northeast corridor TIF to remove parcels. She explained the total combined acreage is 66 acres that is currently farmland that was added the northeast corridor TIF in 1995. She stated it is capturing less than 1 % of the total annual TIF for the northeast corridor due to the unimproved land. She mentioned in 2015 the City of Elkhart did annex, the current developer has owned it since 2021. She stated the new developer would like to build a gas station. She mentioned again the RDC recommended release of these parcels, and final approval is through the County Commissioners as well. Mr. Clark asked when do these TIF expire. Mr. Beck stated it depends on when it was created and the lifespan of the TIF depends on that. He stated if no developments happen it is seen as a negative increment. He went on to say the TIF freezes the value of the land at that time and everything that goes up after that goes into the TIF fund.

A motion was made and seconded (*Dickerson/Clark*) that the public hearing be closed, and the motion was carried with unanimous vote.

The Board examined said request, and after due consideration and deliberation:

Motion: Action: Deny, **Moved by** Brian Dickerson, **Seconded by** Steve Clark that the Advisory Plan Commission recommend to the Board of county Commissioners that this request for the amendment to the Northeast Corridor TIF removal of parcels be denied.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 8).

Yes: Ian Anderson, Steve Edwards, Steve Warner, Lori Snyder, Steve Clark, Brad Rogers, Brian Dickerson, Roger Miller.

A motion was made and seconded (*Dickerson/Rogers*) that the meeting be adjourned. The motion was carried with a unanimous vote, and the meeting was adjourned at 10:56 a.m.

Respectfully submitted,

Amber Weiss, Recording Secretary

Steve Warner, Chairman

PLAN MINUTES
ELKHART COUNTY PLAN COMMISSION MEETING
HELD ON THE 10TH DAY OF SEPTEMBER 2026 AT 9:30 A.M. IN THE
MEETING ROOM OF THE PUBLIC SERVICE BUILDING
4230 ELKHART RD., GOSHEN, INDIANA

1. The regular meeting of the Elkhart County Plan Commission was called to order by the Chairman, Steve Warner. The following staff members were present: Mae Kratzer, Plan Director; Jason Auvil, Planning Manager; Danny Dean, Planner; Danielle Richards, Planner; Laura Gilbert, Administrative Coordinator; and Jackson Beck, Attorney for the Board.

Roll Call.

Present: Philip Barker, Steve Warner, Lori Snyder, Steve Clark, Brad Rogers, Roger Miller.

Absent: Steven Edwards, Brian Dickerson.

2. A motion was made and seconded (*Snyder/Miller*) that the Elkhart County Development Ordinance be accepted as evidence for today's hearings. The motion was carried with a unanimous vote.

3. The application for a zone map change from GPUD A-1 to A-1, for Julie Piece & James S. Pierce represented by Abonmarche Consultants, on property located on the north side of CR 22, 1,350 ft. southeast of CR 3, in Baugo Township, zoned GPUD A-1, was presented at this time.

Danny Dean presented the Staff Report/Staff Analysis, which is attached for review as *Case #RZ-0499-2026*.

Crystal Welsh, Abonmarche Consultants, 303 River Run Dr., Goshen was present representing the petitioner. She stated the property was rezoned to a GPUD for a larger subdivision, and with shared horse facilities the request is to revert the zoning back to A-1 to allow the Pierce family to build single family residence.

Dave McCullen, 28720 CR 24, Elkhart was present to express his concerns of future development with the drainage issues that residences have experienced north of this property. He mentioned there was a tile that ran through the lot to the east. He noted that water has been an issue in this area for a long time.

A motion was made and seconded (*Rogers/Clark*) that the public hearing be closed, and the motion was carried with a unanimous vote.

The Board examined said request, and after due consideration and deliberation:

Motion: Action: Approve, **Moved by** Roger Miller, **Seconded by** Lori Snyder that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for a zone map change from GPUD A-1 to A-1 be approved in accordance with the Staff Analysis.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Phil Barker, Steve Warner, Lori Snyder, Steve Clark, Brad Rogers, Roger Miller.

4. The application for a zone map change from M-1 to A-1, for Lawrence M. & Linda O. Martin represented by Land & Boundry LLC, on property located on the east side of SR 19,

2,880 ft. north of CR 38, common address of 64444 SR 19 Goshen, IN 46526 in Harrison Township, zoned M-1, was presented at this time.

Danny Dean presented the Staff Report/Staff Analysis, which is attached for review as *Case #RZ-0504-2026*.

Travis Shetler, Land and Boundary, 401 S. 3rd St., Goshen was present representing the petitioner. He stated Mr. Dean did a good job summarizing this petition.

There were no remonstrators present.

A motion was made and seconded (*Rogers/Clark*) that the public hearing be closed, and the motion was carried with a unanimous vote.

The Board examined said request, and after due consideration and deliberation:

Motion: Action: Approve, **Moved by** Brad Rogers, **Seconded by** Steve Clark that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for a zone map change from M-1 to A-1 be approved in accordance with the Staff Analysis.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Phil Barker, Steve Warner, Lori Snyder, Steve Clark, Brad Rogers, Roger Miller.

5. The application for a zone map change from GPUD E-3 to B-3, for Taylor George on property located on the north side of CR 6, 760 ft. west of CR 17, common address of 22137 CR6 Elkhart, IN 46514 in Osolo Township, zoned E-3, was presented at this time.

Danielle Richards presented the Staff Report/Staff Analysis, which is attached for review as *Case #RZ-0507-2026*.

Taylor George, 22137 CR 6, Elkhart was present. He stated the reason for this zone change is to expand the warehouse for his business.

There were no remonstrators present.

A motion was made and seconded (*Rogers/Clark*) that the public hearing be closed, and the motion was carried with a unanimous vote.

The Board examined said request, and after due consideration and deliberation:

Motion: Action: Approve, **Moved by** Lori Snyder, **Seconded by** Philip Barker that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for a zone map change from GPUD E-3 to B-3 be approved in accordance with the Staff Analysis.

Vote: Motion passed (**summary:** Yes = 6)

Yes: Phil Barker, Steve Warner, Lori Snyder, Steve Clark, Brad Rogers, Roger Miller.

6. The application for a zone map change from R-1 and B-2 to GPUD B-2 to be known as 21835 SR 120 GPUD B-2, for Robert Burson represented by Surveying and Mapping LLC, on property located on the east side of River Launch Ct., 300 ft. north of SR 120, east of CR 17, common address of 21835 SR 120 Elkhart, IN 46516 in Washington Township, zoned B-2 & R-1, was presented at this time.

Danielle Richards presented the Staff Report/Staff Analysis, which is attached for review as *Case #GPUD-0495-2026*. She presented an email from the petitioner requesting the withdraw.
[Attached to file as Staff Exhibit #1]

The Board examined said request, and after due consideration and deliberation:

Motion: Action: Withdraw, **Moved by** Steven Edwards, **Seconded by** Philip Barker this request for a zone map change from R-1 and B-2 to GPUD B-2 to be known as 21835 SR 120 GPUD B-2 be withdrawn of the request of the petitioner.

Vote: Motion passed (**summary:** Yes = 4, No = 0, Abstain = 2).

Yes: Brad Rogers, Philip Barker, Roger Miller, Steve Warner.

Abstain: Lori Snyder, Steve Clark.

7. The application for a zone map change from A-1 to DPUD A-1 and for primary approval of a 2-lot minor subdivision to be known as OUTPOST RV MINOR AN A-1 DPUD, for Phaylon Schrock & Carolyn Schrock, Husband & Wife represented by B. Doriot & Associates, Inc., on property located on the west side of CR 37, 400 ft. north of CR 22 (Orpha Dr.), common address of 57747 CR 37 Middlebury, IN 46540 in Middlebury Township, zoned A-1, was presented at this time.

Jason Auvil presented the Staff Report/Staff Analysis, which is attached for review as *Case #DPUD-0500-2026*.

Charles Buzzard, B. Doriot and Associates, P.O. Box 465, New Paris was present representing the petitioner. He clarified the west part of the parcel will remain agricultural use and the area to the south will be RV overflow parking. He further stated the buffering will include conifer trees. Mr. Warner asked how many units will be parked there.

Phaylon Schrock, 1520 S. 1100 W. Middlebury, was present as the petitioner. He stated the requested parking will be for overflow inventory, which will be approximately 20-50 units, but it will vary throughout the year.

There were no remonstrators present.

A motion was made and seconded (*Rogers/Clark*) that the public hearing be closed, and the motion was carried with a unanimous vote.

The Board examined said request, and after due consideration and deliberation:

Motion: Action: Approve, **Moved by** Brad Rogers, **Seconded by** Roger Miller that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for a zone map change from A-1 to DPUD A-1 and for primary approval of a 2-lot minor subdivision to be known as OUTPOST RV MINOR AN A-1 DPUD be approved in accordance with the Staff Analysis.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Phil Barker, Steve Warner, Lori Snyder, Steve Clark, Brad Rogers, Roger Miller.

8. Jason Auvil presented a minor change for Elkhart County 4-H & Agricultural Expo DPUD (PC 2019-36), to amend the site plan for new construction. He explained the new building square footage is 13% of the existing square footage of the existing buildings.

The Board examined said request, and after due consideration and deliberation:

Motion: Action: Approve, **Moved by** Roger Miller, **Seconded by** Steve Clark that this request for

a minor change to be approved as a minor change.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Brad Rogers, Lori Snyder, Philip Barker, Roger Miller, Steve Clark, Steve Warner.

9. Jason Auvil presented the approvals for August 4, 2026 of the Town of Wakarusa, the August 6, 2026 Town of Bristol excepted the withdraw of Bristol Innovation Park DPUD, the approvals of the August 17, 2026 of the Board of County Commissioners.

9. Board of County Commissioners Approvals Following Plan Commission Recommendations

Jason Auvil presented the approval for August 4, 2026 of the Town Council of Wakarusa meeting, the August 6, 2026 Town Council of Bristol withdrawal of Bristol Innovation Park DPUD, and the approvals of the August 17, 2026 of the Board of County Commissioners.

10. Mae Hope announced the redline additions to be made to the Development Ordinance 2026.

It should be noted Mr. Clark left at this time.

A motion was made and seconded (*Miller/Barker*) that the meeting be adjourned. The motion was carried with a unanimous vote, and the meeting was adjourned at 10:15 a.m.

Respectfully submitted,

Amber Weiss, Recording Secretary

Steve Warner, Chairman

Plan Commission Staff Report

Prepared by the Department of Planning and Development

Hearing Date: October 8, 2026

Transaction Number: RZ-0527-2026.

Parcel Number(s): 20-15-09-452-007.000-018.

Existing Zoning: M-1.

Petition: For a zone map change from M-1 to R-1.

Petitioner: Jeremy Lee Hossler & Bobbie Jo Hossler, Husband & Wife.

Location: West side of Railroad St., 800 ft. south of 1st St., west of CR 23, in Jackson Township.

Adjacent Zoning and Land Uses: The following table shows the zoning and current land use for the subject property and adjacent sites.

	Zoning	Current Land Use
Subject Property	M-1	Residential
North	M-1, R-1	Manufacturing, Residential
South	M-1	Commercial, Residential
East	M-1, R-1	Vacant, Residential
West	M-1, A-1	Residential, Railroad, Agricultural

Site Description: This is a 0.4-acre parcel with an existing single-family residence that will remain residential in use. The residence was built in 1940 prior to the M-1 zone being placed in this area, and there are other residences that are existing in the M-1 zone adjacent to the property.

History and General Notes:

- **September 16, 2026** – The Hearing Officer heard and approved a request to allow the total square footage of accessory storage space to exceed what is allowed by right (DV-0528-2026).

Zoning District Purpose Statement: The purpose of the R-1, single-family residential, zoning district is to accommodate single-family detached dwellings and other compatible and supporting uses. The district should be applied within a municipality, generally in close proximity to a municipality or adjacent to another residential zoning district or use.

Staff Analysis: The purpose of this rezoning petition is to rezone the property to the appropriate zoning to allow for residential use by right.

Plan Commission Staff Report (Continued)

Hearing Date: October 8, 2026

The staff, after reviewing this petition, recommends **APPROVAL** of this rezoning for the following reasons:

1. The requested Zoning Map Amendment complies with the Comprehensive Plan. The plan states that existing residential communities should be supported and, in the county, demand for housing should be met in urban growth areas, and by cities and towns.
2. The request is in character with current conditions, structures, and uses on the subject property and in its surroundings. Again, this is an existing residence, and the proposed detached garage is a normal residential growth that can be seen on any other residential property.
3. The most desirable use of the subject property is residential and/or other compatible uses.
4. The request conserves property values. The use has been the same since 1940 and fixing the zoning district will not change the subject property or adjacent properties in any way.
5. The proposed rezoning promotes responsible growth and development. Residential uses should be protected and allowed as the need for housing is growing.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Elkhart County Planning & Development
Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Rezoning - Rezoning

Date: 08/14/2026

Meeting Date:

October 08, 2026
Plan Commission Hearing (Rezoning)

Transaction #: RZ-0527-2026

Description: for a zone map change from M-1 to R-1.

Contacts: Applicant

Land Owner

Jeremy Lee Hossler & Bobbie

Jeremy Lee Hossler & Bobbie

Jo Hossler Husband & Wife

Jo Hossler Husband & Wife

68749 Railroad St.

68749 Railroad St.

New Paris, IN 46553

New Paris, IN 46553

Site Address: 68749 Railroad Street
New Paris, IN 46553

Parcel Number: 20-15-09-452-007.000-018

Township: Jackson

Location: WEST SIDE OF RAILROAD ST., 1,150 FT. SW OF CR 23

Subdivision:

Lot #

Lot Area: 0.40 Frontage: 89.00 Depth: 183.00

Zoning: M-1

NPO List:

Present Use of Property: RESIDENTIAL

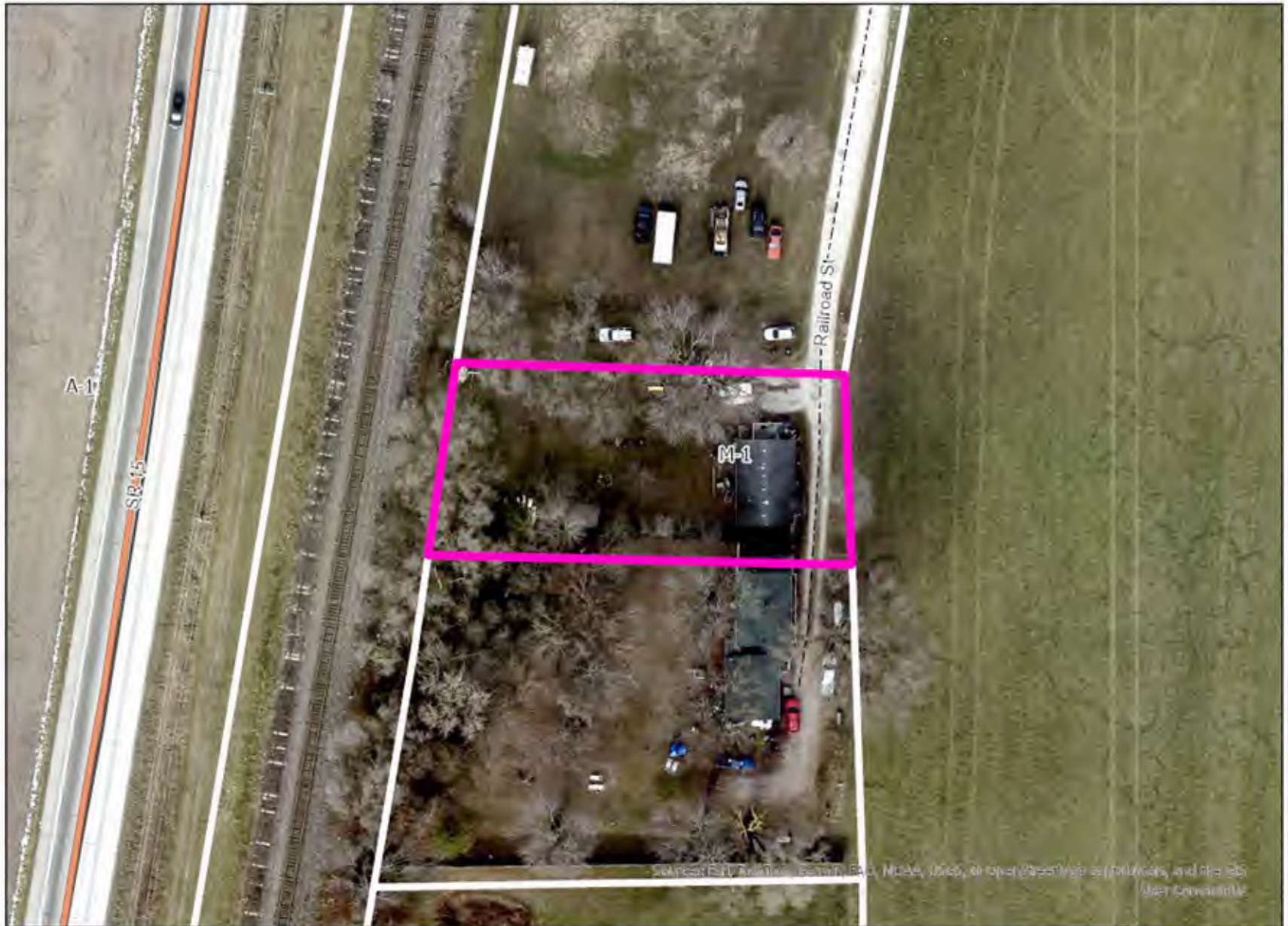
Legal Description:

Comments: PARCEL CREATION DATE 10/28/1985.

Applicant Signature:

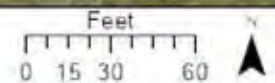
Department Signature:

RZ-0527-2026

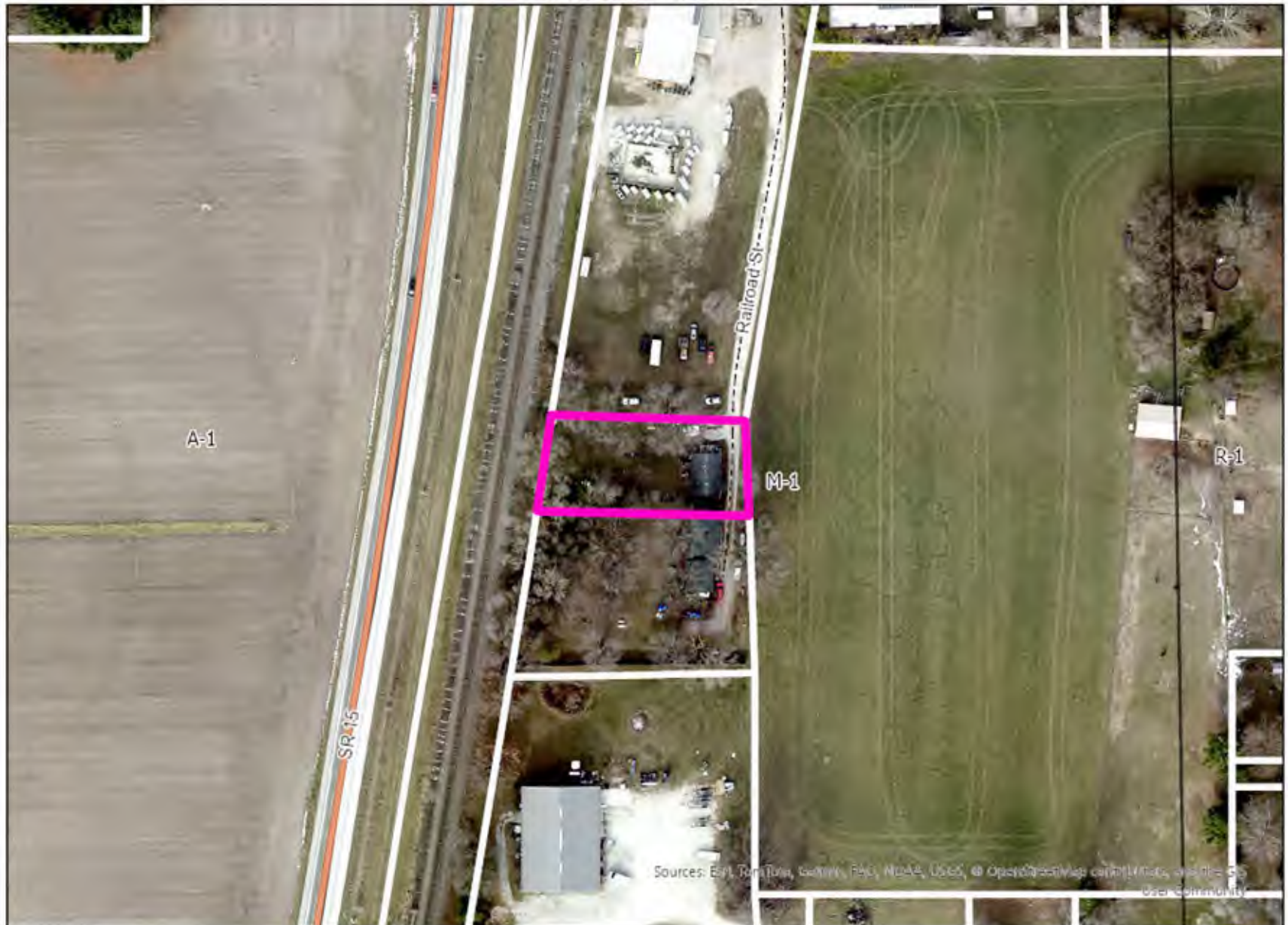


2025 Aerials

1 inch equals 60 ft



RZ-0527-2026

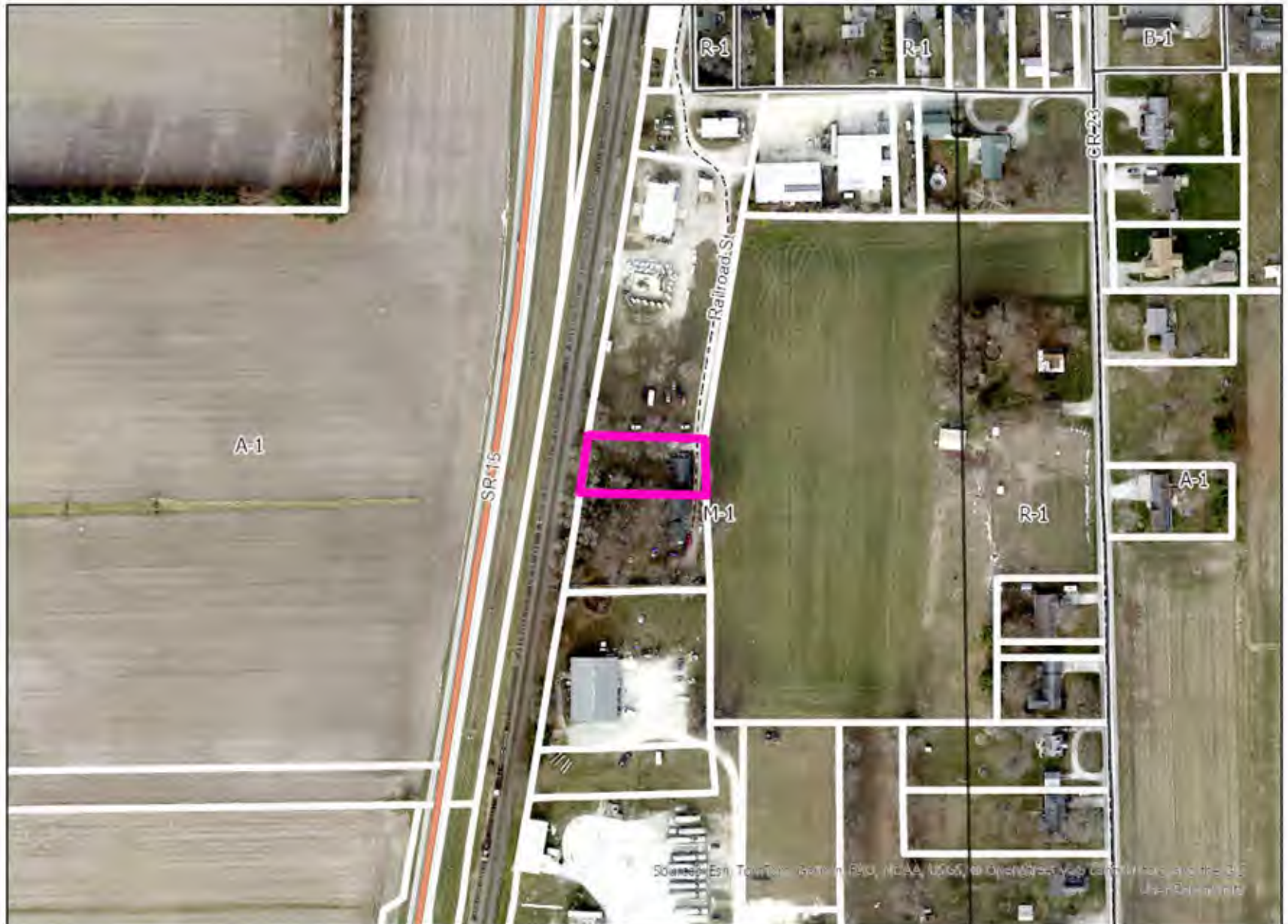


2025 Aerials

1 inch equals 120 ft

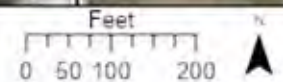
0 30 60 120 Feet
N

RZ-0527-2026



2025 Aerials

1 inch equals 200 ft



St Rd 15

↑
No Neighbors this way

Railroad Tracks

Tree

Tree

Tree

Shed

Tree

Tree

Tree

Proposed
Garage

15ft

40

30

Gravel Drive

Tree

Tree

Tree

bedroom

House

bedroom

Current
Driveway

← Dirt

Road

ends at
neighbors

Tree

90ft

→
Neighbors
are
there
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Plan Commission Staff Report

Prepared by the Department of Planning and Development

Hearing Date: October 8, 2026

Transaction Number: RZ-0554-2026.

Parcel Number(s): 20-02-28-353-012.000-026.

Existing Zoning: M-1 & R-2.

Petition: For a zone map change from R-2 & M-1 to M-2.

Petitioner: Matthew L. Gerver.

Location: South side of North Park Ave., 665 ft. east of CR 9, in Osolo Township.

Adjacent Zoning and Land Uses: The following table shows the zoning and current land use for the subject property and adjacent sites.

	Zoning	Current Land Use
Subject Property	R-2, M-1	Salvage Yard
North	M-2	Manufacturing
South	M-2, R-2	Salvage Yard, Residential
East	R-2	Residential
West	M-2	Manufacturing

Site Description: This is a 1.7-acre parcel made up of multiple lots in North Park subdivision. This has an existing commercial office building and detached accessory structures.

History and General Notes:

- **July 8, 1976** – The BOCC approved a Conditional Use for a junk yard operation on lots 208, 209, 210, 280, 281, 282 & 283 of North Park Addition.
- **September 30, 1980** – The BOCC approved a straight rezoning from R-2 to M-1 (PC 1980-22), on lots 213 & 214.
- **May 19, 2017** – A complaint was made for a fallen fence due to junk yard in residence's yard (CODE-0258-2017), this complaint was found in compliance on June 7, 2017.
- **March 23, 2018** – A complaint was made for semis parking on property, car crusher on site for parcel zoned M-1, M-2 & R-2 (CODE-0100-2018), this complaint was found in compliance on May 15, 2018.
- **November 14, 2025** – A complaint was made for expanding to lots 211–214 without approval for a conditional use of the junk yard (CODE-0820-2025), this complaint was dismissed January 22, 2026.
- **October 15, 2026** – A Special Use for a salvage yard will be heard in front of the Board of Zoning Appeals (SUP-0555-2026).

Plan Commission Staff Report (Continued)

Hearing Date: October 8, 2026

Zoning District Purpose Statement: The purpose of the M-2, Heavy Manufacturing, zoning district is to accommodate moderately, and highly intense manufacturing uses and to prevent encroachment by residential and lighter commercial uses that would eventually lead to conflicts with land use. Permitted uses may produce heavy truck traffic, noise, odor or smoke.

Staff Analysis: The purpose of this rezoning petition is to bring the property into compliance with the correct zoning.

The staff, after reviewing this petition, recommends **APPROVAL** of this rezoning for the following reasons:

1. The requested Zoning Map Amendment complies with the Comprehensive Plan. Developing available properties zoned for commercial and industrial uses should have priority over converting undeveloped land to more intense zoning.
2. The request is in character with current conditions, structures, and uses on the subject property and in its surroundings. Most of the surrounding area is already zoned manufacturing and approval of this rezoning will bring the property into the proper zone district.
3. The most desirable use of the subject property is manufacturing.
4. The request conserves property values. The M-2 zone will be compatible with the current and surrounding uses.
5. The proposed rezoning promotes responsible growth and development. A salvage yard is not a use that would be found in residential areas, and this is already a developed manufacturing and mixed-use district.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Elkhart County Planning & Development
Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Rezoning - Rezoning

Date: 08/25/2026 Meeting Date: October 08, 2026
Plan Commission Hearing (Rezoning) Transaction #: RZ-0554-2026

Description: for a zone map change from R-2 and M-1 to M-2

Contacts: <u>Applicant</u>	<u>Land Owner</u>
Matthew L. Gerver	Matthew L. Gerver
30131 Vantilburg Ct	30131 Vantilburg Ct
Elkhart, IN 46514	Elkhart, IN 46514

Site Address: 25858 North North Park Avenue
Elkhart, IN 46514

Parcel Number: 20-02-28-353-012.000-026

Township: Osolo
Location: South Side Of North Park Avenue, 665 Ft. East of CR 9

Subdivision:	Lot #
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Lot Area:	Frontage:	Depth:
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Zoning: M-1, R-1	NPO List:
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Present Use of Property:

Legal Description:

Comments: SEE SUP-0555-2026

Applicant Signature:

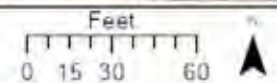
Department Signature:

RZ-0554-2026

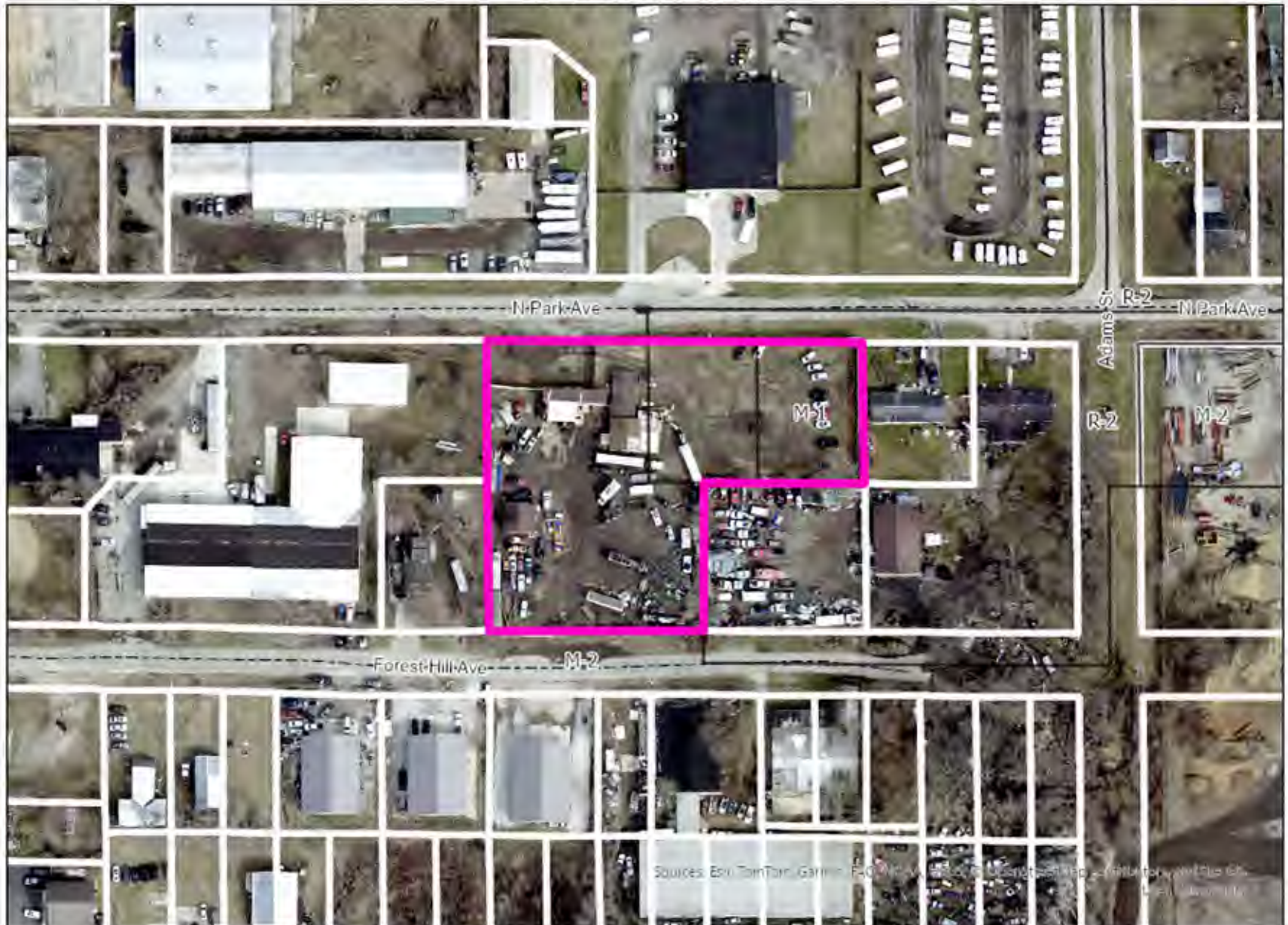


2025 Aerials

1 inch equals 60 ft

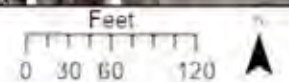


RZ-0554-2026



2025 Aerials

1 inch equals 120 ft



RZ-0554-2026



2025 Aerials

1 inch equals 200 ft

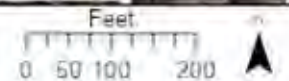


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158.01(D) Zoning Districts

(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 network 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.

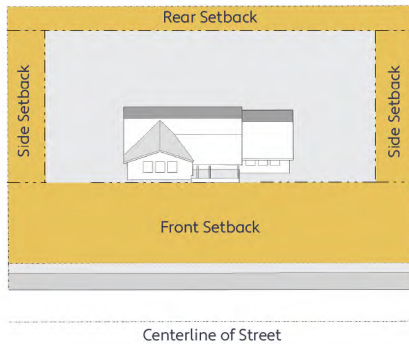
Dry Hydrant. A non-pressurized permanent pipe assembly system installed into a water source that permits the withdrawal of water by suction to provide all weather access to an available water source for fire suppression.

(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.

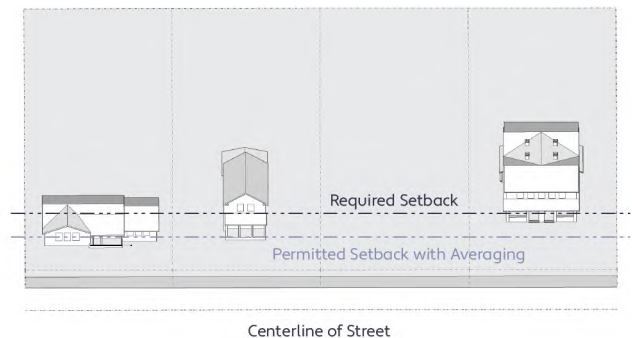
(g) Encroachment Allowed in the Required Setback

- 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:

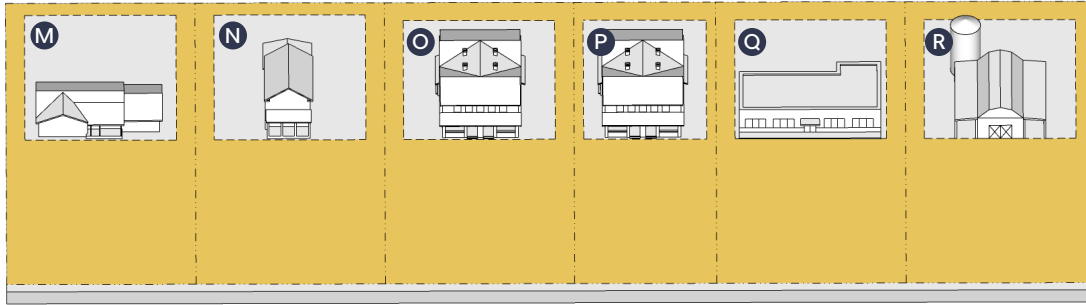
- i. The existing building line established by the primary residential structure is more than 40 feet from the centerline of the adjacent road and is not presently within any public rights-of-way.
- ii. The proposed addition will be at or behind the existing building line.

(2) Uses (cont.)

Use	Use-Specific Standards & Definitions	Use	Use-Specific Standards & Definitions
Agricultural Uses		Residential Uses	
Agri-Business	■ 158.05(B)(1)(a)	Stadium/Arena	■ 158.05(B)(5)(g)
Agriculture, Field and Row Crops	■ 158.05(B)(1)(b)	Vehicle Race Track, Large	■ * 158.05(B)(5)(h)
Agriculture, Livestock	■ * 158.05(B)(1)(c)	Vehicle Race Track, Small	■ * 158.05(B)(5)(i)
Concentrated Animal Feeding Operation	* See Sec. 158.04(D)	Industrial Uses	
Greenhouse, Retail	■ 158.05(B)(1)(e)	Contractor Offices & Yards	■ 158.05(B)(2)(c)
Livestock Sale or Auction	■ 158.05(B)(1)(f)	Fertilizer Manufacturing & Storage	■ * 158.05(B)(2)(d)
Roadside Stand, Tree Farm, U-Pick Produce, Community-Supported Agriculture Pickup	■ 158.05(B)(1)(g)	Resource Extraction	■ ■ * 158.05(B)(2)(h)
Stable, Private and Noncommercial	■ 158.05(B)(1)(h)	Warehousing & Freight Movement	■ 158.05(B)(2)(i)
Stable, Public or Commercial	■ 158.05(B)(1)(i)	Welding, Tool Repair, or Machine Shop	■ 158.05(B)(2)(k)
Winery	■ 158.05(B)(1)(j)	Wholesale Trade	■ 158.05(B)(2)(l)
Office Uses		Retail & Service Uses	
TV Studio or Radio Station	■ 158.05(B)(3)(b)	Barber or Beauty Shop	■ 158.05(B)(7)(c)
Public & Civic Uses		Bed & Breakfast Inn	■ * 158.05(B)(7)(d)
Assembly Hall	■ 158.05(B)(4)(a)	Buildings or Home Improvement Supplies	■ 158.05(B)(7)(e)
Cemetery	■ 158.05(B)(4)(b)	Farmers Market, Indoor	■ 158.05(B)(7)(g)
Community Center	■ 158.05(B)(4)(c)	Farmers Market, Outdoor	■ 158.05(B)(7)(h)
County or Municipal Government Offices or Facilities	■ 158.05(B)(4)(e)	Garden & Landscaping Supplies	■ 158.05(B)(7)(k)
Emergency Services, Fire or Police	■ 158.05(B)(4)(g)	Kennel	■ ■ * 158.05(B)(7)(m)
Library/Museum/Cultural Facility	■ 158.05(B)(4)(i)	Resort	■ 158.05(B)(7)(p)
Medical/Dental Clinic or Laboratory	■ 158.05(B)(4)(j)	Restaurant or Catering Establishment, with Drive-In or Drive-Through	■ * 158.05(B)(7)(q)
Place of Worship	■ 158.05(B)(4)(k)	Restaurant or Catering Establishment, without Drive-In or Drive-Through	■ 158.05(B)(7)(r)
School, Pre-K/Nursery	■ 158.05(B)(4)(l)	Retail & Service	■ * 158.05(B)(7)(t)
School, Public or Private Elementary, Middle, or High	■ 158.05(B)(4)(m)	Self-Service Storage	■ 158.05(B)(7)(t)
Social Service Establishment	■ 158.05(B)(4)(n)	Veterinary Clinic	■ * 158.05(B)(7)(x)
University, College, or Seminary	■ 158.05(B)(4)(o)	Transportation Uses	
Recreation & Entertainment Uses		Airport/Heliport	■ 158.05(B)(8)(a)
Campground (Not Part of Park & Open Space)	■ 158.05(B)(5)(a)	Parking Lot or Structure, Commercial	■ 158.05(B)(8)(b)
Casino	■ 158.05(B)(5)(b)	Large vehicle, recreational vehicle, vessel, or heavy equipment storage	■ * 158.05(B)(8)(d)
Marina	■ 158.05(B)(5)(c)	Truck, tractor, trailer, or bus storage or parking	■ * 158.05(B)(8)(d)
Parks & Open Space	■ 158.05(B)(5)(d)	Yard, lot, or garage	■ * 158.05(B)(8)(d)
Recreation/Entertainment, Indoor	■ 158.05(B)(5)(e)	Utility Uses	
Recreation/Entertainment, Outdoor	■ 158.05(B)(5)(f)	Solar Energy System	* See Sec. 158.04(F)
		Utilities, Major	■ 158.05(B)(9)(a)
		Utilities, Minor	■ 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
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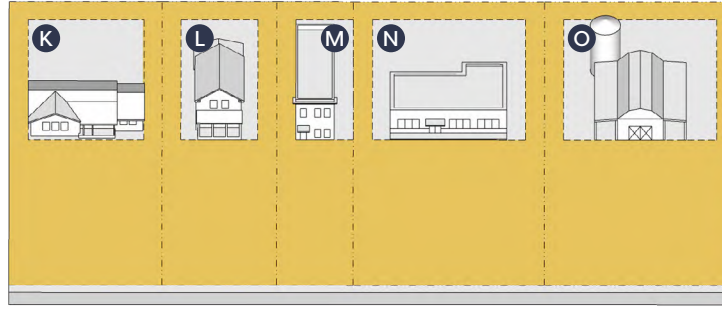
For all sign standards see [Article 158.08](#).

(2) Uses (cont.)

Use	Use-Specific Standards & Definitions	Use	Use-Specific Standards & Definitions
Agricultural Uses		Retail & Service Uses	
Agriculture, Field and Row Crops	■ 158.05(B)(1)(b)	Barber or Beauty Shop	■ 158.05(B)(7)(c)
Greenhouse, Retail	■ 158.05(B)(1)(e)	Kennel	■ * 158.05(B)(7)(m)
Roadside Stand, Tree Farm, U-Pick Produce, Community-Supported Agriculture Pickup	■ 158.05(B)(1)(f)	Resort	■ 158.05(B)(7)(p)
Stable, Private and Noncommercial	■ 158.05(B)(1)(g)	Utility Uses	
Public & Civic Uses		Solar Energy System	* See Sec. 158.04(F)
Assembly Hall	■ 158.05(B)(4)(a)	Utilities, Major	■ 158.05(B)(9)(a)
Cemetery	■ 158.05(B)(4)(b)	Utilities, Minor	■ 158.05(B)(9)(b)
Community Center	■ 158.05(B)(4)(c)	Wireless Communication Facility	* 158.05(B)(9)(c)
County or Municipal Government Offices or Facilities	■ 158.05(B)(4)(e)	Data Center	* See Sec. 158.06(H)
Emergency Services, Fire or Police	■ 158.05(B)(4)(g)	Transportation Uses	
Library/Museum/Cultural Facility	■ 158.05(B)(4)(i)	Large vehicle, recreational vehicle, vessel, or heavy equipment storage	C * 158.05(B)(8)(d)
Place of Worship	■ 158.05(B)(4)(k)		
School, Pre-K/Nursery	■ 158.05(B)(4)(l)		
School, Public or Private Elementary, Middle, or High	■ 158.05(B)(4)(m)		
Social Service Establishment	■ 158.05(B)(4)(n)		
University, College, or Seminary	■ 158.05(B)(4)(o)		
Recreation & Entertainment Uses			
Marina	■ 158.05(B)(5)(c)		
Parks & Open Space	■ 158.05(B)(5)(d)		
Stadium/Arena	■ 158.05(B)(5)(g)		
Residential Uses			
Dwelling, Single-Family (attached)	■ 158.05(B)(6)(c)		
Dwelling, Single-Family (detached)	■ 158.05(B)(6)(d)		
Group Home, 8 Residents or Fewer	■ 158.05(B)(6)(g)		
Group Home, More than 8 Residents	■ 158.05(B)(6)(h)		
Group Home, State Regulated	* See 158.05(B)(6)(i)		
Manufactured Home (Permanent Foundation)	■ 158.05(B)(6)(j)		
Manufactured Home (Temporary Foundation), Park or Subdivision	■ * 158.05(B)(6)(k)		

(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
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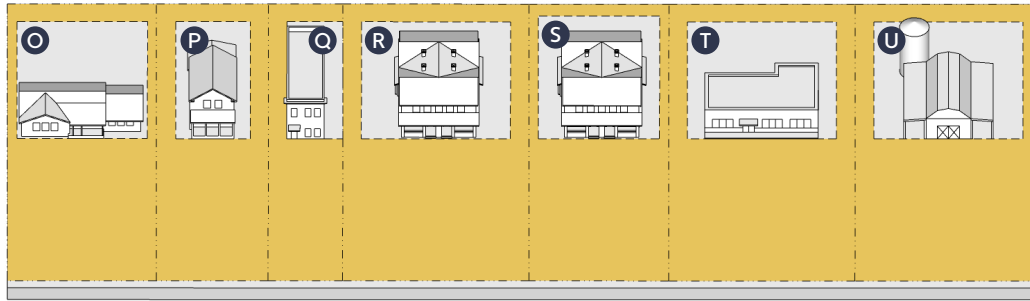
For all sign standards see [Article 158.08](#).

(2) Uses (cont.)

Use	Use-Specific Standards & Definitions	Use	Use-Specific Standards & Definitions
Agricultural Uses		Retail & Service Uses	
Agriculture, Field and Row Crops	■ 158.05(B)(1)(b)	Barber or Beauty Shop	■ 158.05(B)(7)(c)
Greenhouse, Retail	■ 158.05(B)(1)(e)	Bed & Breakfast Inn	■* 158.05(B)(7)(d)
Roadside Stand, Tree Farm, U-Pick Produce, Community-Supported Agriculture Pickup	■ 158.05(B)(1)(f)	Resort	■ 158.05(B)(7)(p)
Stable, Private and Noncommercial	■ 158.05(B)(1)(h)	Utility Uses	
Public & Civic Uses		Solar Energy System	* See Sec. 158.04(F)
Assembly Hall	■ 158.05(B)(4)(a)	Utilities, Major	■ 158.05(B)(9)(a)
Cemetery	■ 158.05(B)(4)(b)	Utilities, Minor	■ 158.05(B)(9)(b)
Community Center	■ 158.05(B)(4)(c)	Wireless Communication Facility	* 158.05(B)(9)(c)
County or Municipal Government Offices or Facilities	■ 158.05(B)(4)(e)	Data Center	* See Sec. 158.06(H)
Emergency Services, Fire or Police	■ 158.05(B)(4)(g)	Transportation Uses	
Library/Museum/Cultural Facility	■ 158.05(B)(4)(i)	Large vehicle, recreational vehicle, vessel, or heavy equipment storage	C * 158.05(B)(8)(d)
Place of Worship	■ 158.05(B)(4)(k)		
School, Pre-K/Nursery	■ 158.05(B)(4)(l)		
School, Public or Private Elementary, Middle, or High	■ 158.05(B)(4)(m)		
Social Service Establishment	■ 158.05(B)(4)(n)		
University, College, or Seminary	■ 158.05(B)(4)(o)		
Recreation & Entertainment Uses			
Marina	■ 158.05(B)(5)(c)		
Parks & Open Space	■ 158.05(B)(5)(d)		
Stadium/Arena	■ 158.05(B)(5)(g)		
Residential Uses			
Assisted Living Facility	■ 158.05(B)(6)(a)		
Dwelling, Single-Family (attached)	■ 158.05(B)(6)(c)		
Dwelling, Single-Family (detached)	■ 158.05(B)(6)(d)		
Dwelling, Two-Family	■ 158.05(B)(6)(e)		
Group Home, 8 Residents or Fewer	■ 158.05(B)(6)(g)		
Group Home, More than 8 Residents	■ 158.05(B)(6)(h)		
Group Home, State Regulated	* See 158.05(B)(6)(i)		
Manufactured Home (Permanent Foundation)	■ 158.05(B)(6)(j)		
Manufactured Home (Temporary Foundation), Park or Subdivision	■* 158.05(B)(6)(k)		

(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
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For all sign standards see [Article 158.08](#).

(2) Uses (cont.)

Use		Use-Specific Standards & Definitions	Use		Use-Specific Standards & Definitions
Agricultural Uses			Retail & Service Uses		
Agriculture, Field and Row Crops	■	158.05(B)(1)(b)	Barber or Beauty Shop	■	158.05(B)(7)(c)
Greenhouse, Retail	■	158.05(B)(1)(e)	Bed & Breakfast Inn	■ *	158.05(B)(7)(d)
Roadside Stand, Tree Farm, U-Pick Produce, Community-Supported Agriculture Pickup	■	158.05(B)(1)(g)	Resort	■	158.05(B)(7)(p)
Stable, Private and Noncommercial	■	158.05(B)(1)(h)	Utility Uses		
Public & Civic Uses			Solar Energy System	*	See Sec. 158.04(F)
Assembly Hall	■	158.05(B)(4)(a)	Utilities, Major	■	158.05(B)(9)(a)
Cemetery	■	158.05(B)(4)(b)	Utilities, Minor	■	158.05(B)(9)(b)
Community Center	■	158.05(B)(4)(c)	Wireless Communication Facility	*	158.05(B)(9)(c)
County or Municipal Government Offices or Facilities	■	158.05(B)(4)(e)	Data Center	*	See Sec. 158.06(H)
Day Care, Adult or Child	■ *	158.05(B)(4)(f)	Transportation Uses		
Emergency Services, Fire or Police	■	158.05(B)(4)(g)	Large vehicle, recreational vehicle, vessel, or heavy equipment storage	C *	158.05(B)(8)(d)
Library/Museum/Cultural Facility	■	158.05(B)(4)(i)			
Place of Worship	■	158.05(B)(4)(k)			
School, Pre-K/Nursery	■	158.05(B)(4)(l)			
School, Public or Private Elementary, Middle, or High	■	158.05(B)(4)(m)			
Social Service Establishment	■	158.05(B)(4)(n)			
University, College, or Seminary	■	158.05(B)(4)(o)			
Recreation & Entertainment Uses					
Marina	■	158.05(B)(5)(c)			
Parks & Open Space	■	158.05(B)(5)(d)			
Recreation & Entertainment, Indoor	■	158.05(B)(5)(e)			
Stadium/Arena	■	158.05(B)(5)(g)			
Residential Uses					
Assisted Living Facility	■	158.05(B)(6)(a)			
Dwelling or Complex, Multiple-Family	■	158.05(B)(6)(b)			
Dwelling, Single-Family (attached)	■	158.05(B)(6)(c)			
Dwelling, Single-Family (detached)	■	158.05(B)(6)(d)			
Dwelling, Two-Family	■	158.05(B)(6)(e)			
Group Home, 8 Residents or Fewer	■	158.05(B)(6)(g)			
Group Home, More than 8 Residents	■	158.05(B)(6)(h)			
Group Home, State Regulated	*	See 158.05(B)(6)(i)			
Manufactured Home (Permanent Foundation)	■	158.05(B)(6)(j)			
Manufactured Home (Temporary Foundation), Park or Subdivision	■ *	158.05(B)(6)(k)			

(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) 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
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For all sign standards see [Article 158.08](#).

(2) Uses (cont.)

Use	Use-Specific Standards & Definitions	Use	Use-Specific Standards & Definitions
Agricultural Uses		Retail & Service Uses	
Agriculture, Field and Row Crops	■ 158.05(B)(1)(b)	Barber or Beauty Shop	■ 158.05(B)(7)(c)
Greenhouse, Retail	■ 158.05(B)(1)(e)	Bed & Breakfast Inn	■* 158.05(B)(7)(d)
Roadside Stand, Tree Farm, U-Pick Produce, Community-Supported Agriculture Pickup	■ 158.05(B)(1)(g)	Funeral Home	■ 158.05(B)(7)(j)
Stable, Private and Noncommercial	■ 158.05(B)(1)(h)	Resort	■ 158.05(B)(7)(p)
Office Uses		Restaurant or Catering Establishment, without Drive-In or Drive-Through	■ 158.05(B)(7)(q)
Professional Offices	■* 158.05(B)(3)(a)	Retail & Service	■ 158.05(B)(7)(s)
Public & Civic Uses		Utility Uses	
Assembly Hall	■ 158.05(B)(4)(a)	Solar Energy System	* See Sec. 158.04(F)
Cemetery	■ 158.05(B)(4)(b)	Utilities, Major	■ 158.05(B)(9)(a)
Community Center	■ 158.05(B)(4)(c)	Utilities, Minor	■ 158.05(B)(9)(b)
County or Municipal Government Offices or Facilities	■ 158.05(B)(4)(e)	Wireless Communication Facility	* 158.05(B)(9)(c)
Day Care, Adult or Child	■* 158.05(B)(4)(f)	Data Center	* See Sec. 158.06(H)
Emergency Services, Fire or Police	■ 158.05(B)(4)(g)	Transportation Uses	
Library/Museum/Cultural Facility	■ 158.05(B)(4)(i)	Large vehicle, recreational vehicle, vessel, or heavy equipment storage	C* 158.05(B)(8)(d)
Medical/Dental Clinic or Laboratory	■ 158.05(B)(4)(j)		
Place of Worship	■ 158.05(B)(4)(k)		
School, Pre-K/Nursery	■ 158.05(B)(4)(l)		
School, Public or Private Elementary, Middle, or High	■ 158.05(B)(4)(m)		
Social Service Establishment	■ 158.05(B)(4)(n)		
University, College, or Seminary	■ 158.05(B)(4)(o)		
Recreation & Entertainment Uses			
Marina	■ 158.05(B)(5)(c)		
Parks & Open Space	■ 158.05(B)(5)(e)		
Recreation & Entertainment, Indoor	■ 158.05(B)(5)(e)		
Stadium/Arena	■ 158.05(B)(5)(g)		
Residential Uses			
Assisted Living Facility	■ 158.05(B)(6)(a)		
Dwelling or Complex, Multiple-Family	■ 158.05(B)(6)(b)		
Dwelling, Single-Family (attached)	■ 158.05(B)(6)(c)		
Dwelling, Single-Family (detached)	■ 158.05(B)(6)(d)		
Dwelling, Two-Family	■ 158.05(B)(6)(e)		
Dwelling, Upper-Story	■ 158.05(B)(6)(f)		
Group Home, 8 Residents or Fewer	■ 158.05(B)(6)(g)		
Group Home, More than 8 Residents	■ 158.05(B)(6)(h)		
Group Home, State Regulated	* See 158.05(B)(6)(i)		
Manufactured Home (Permanent Foundation)	■ 158.05(B)(6)(j)		
Manufactured Home (Temporary Foundation), Park or Subdivision	■* 158.05(B)(6)(k)		

(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) 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
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For all sign standards see [Article 158.08](#).

(2) Uses (cont.)

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

(2) Uses

Use	Use-Specific Standards & Definitions	Use	Use-Specific Standards & Definitions
Agricultural Uses		Retail & Service Uses	
Agriculture, Field and Row Crops	■ 158.05(B)(1)(b)	Bar, Microbrewery, or Tavern	■ 158.05(B)(7)(b)
Greenhouse, Retail	■ 158.05(B)(1)(e)	Barber or Beauty Shop	■ 158.05(B)(7)(c)
Stable, Private and Noncommercial	■ 158.05(B)(1)(h)	Bed & Breakfast Inn	■* 158.05(B)(7)(d)
Winery	■ 158.05(B)(1)(j)	Building or Home Improvement Supplies	■ 158.05(B)(7)(e)
Industrial Uses		Car Wash	■ 158.05(B)(7)(f)
Contractor Offices and Yards	■ 158.05(B)(2)(c)	Farmers Market, Indoor	■ 158.05(B)(7)(g)
Office Uses		Farmers Market, Outdoor	■ 158.05(B)(7)(h)
Professional Offices	■ 158.05(B)(3)(a)	Funeral Home	■ 158.05(B)(7)(j)
TV Studio or Radio Station	■ 158.05(B)(3)(b)	Garden and Landscaping Supplies	■ 158.05(B)(7)(k)
Public & Civic Uses		Hotel/Motel	■ 158.05(B)(7)(l)
Assembly Hall	■ 158.05(B)(4)(a)	Kennel	■ 158.05(B)(7)(m)
Cemetery	■ 158.05(B)(4)(b)	Manufactured Home Sales or Rental	■ 158.05(B)(7)(n)
Community Center	■ 158.05(B)(4)(c)	Pet Store	■ 158.05(B)(7)(o)
Correctional Facility	■ 158.05(B)(4)(d)	Resort	■ 158.05(B)(7)(p)
County or Municipal Government Offices or Facilities	■ 158.05(B)(4)(e)	Restaurant or Catering Establishment, with Drive-In or Drive-Through	■ 158.05(B)(7)(q)
Day Care, Adult or Child	■* 158.05(B)(4)(f)	Restaurant or Catering Establishment, without Drive-In or Drive-Through	■ 158.05(B)(7)(r)
Emergency Services, Fire or Police	■ 158.05(B)(4)(g)	Retail & Service	■ 158.05(B)(7)(s)
Hospital	■ 158.05(B)(4)(h)	Self-Service Storage	■ 158.05(B)(7)(t)
Library/Museum/Cultural Facility	■ 158.05(B)(4)(i)	Vehicle Repair, Minor	■ 158.05(B)(7)(v)
Medical/Dental Clinic or Laboratory	■ 158.05(B)(4)(j)	Vehicle Sales or Rental	■ 158.05(B)(7)(w)
Place of Worship	■ 158.05(B)(4)(k)	Veterinary Clinic	■ 158.05(B)(7)(x)
School, Pre-K/Nursery	■ 158.05(B)(4)(l)	Transportation Uses	
School, Public or Private Elementary, Middle, or High	■ 158.05(B)(4)(m)	Parking Lot or Structure, Commercial	■ 158.05(B)(8)(b)
Social Service Establishment	■ 158.05(B)(4)(n)	Passenger Terminal, Bus or Train	■ 158.05(B)(8)(c)
University, College, or Seminary	■ 158.05(B)(4)(o)	Large vehicle, recreational vehicle, vessel, or heavy equipment storage	■ 158.05(B)(8)(d)
Recreation & Entertainment Uses		Truck, tractor, trailer, bus or recreational vehicle storage or parking yard, lot or garage	■ 158.05(B)(8)(d)
Casino	■ 158.05(B)(5)(b)	Utility Uses	
Marina	■ 158.05(B)(5)(c)	Solar Energy System	* See Sec. 158.04(F)
Parks & Open Space	■ 158.05(B)(5)(d)	Utilities, Major	■ 158.05(B)(9)(a)
Recreation & Entertainment, Indoor	■ 158.05(B)(5)(e)	Utilities, Minor	■ 158.05(B)(9)(b)
Recreation & Entertainment, Outdoor	■ 158.05(B)(5)(f)	Wireless Communication Facility	* 158.05(B)(9)(c)
Stadium/Arena	■ 158.05(B)(5)(g)	Data Center	* See Sec. 158.06(H)
Vehicle Race Track, Small	■* 158.05(B)(5)(i)		
Residential Uses			
Assisted Living Facility	■ 158.05(B)(6)(a)		
Dwelling or Complex, Multiple-Family	■ 158.05(B)(6)(b)		
Dwelling, Single-Family (attached)	■ 158.05(B)(6)(c)		
Dwelling, Single-Family (detached)	■ 158.05(B)(6)(d)		
Dwelling, Two-Family	■ 158.05(B)(6)(e)		

(2) Uses

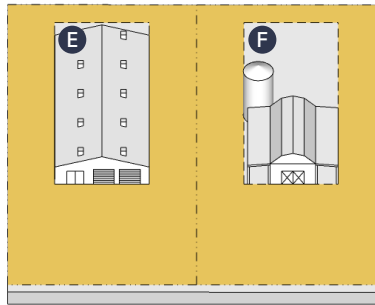
Use		Use-Specific Standards & Definitions	Use		Use-Specific Standards & Definitions
Agricultural Uses			Residential Uses		
Agriculture, Field and Row Crops	■	158.05(B)(1)(b)	Assisted Living Facility	■	158.05(B)(6)(a)
Greenhouse, Retail	■	158.05(B)(1)(e)	Dwelling or Complex, Multiple-Family	■	158.05(B)(6)(b)
Stable, Private and Noncommercial	■	158.05(B)(1)(h)	Dwelling, Upper-Story	■	158.05(B)(6)(f)
Winery	■	158.05(B)(1)(j)	Retail & Service Uses		
Industrial Uses			Bar, Microbrewery, or Tavern	■	158.05(B)(7)(b)
Contractor Offices and Yards	■	158.05(B)(2)(c)	Barber or Beauty Shop	■	158.05(B)(7)(c)
Warehousing and Freight Movement	■	158.05(B)(2)(i)	Bed & Breakfast Inn	■	158.05(B)(7)(d)
Welding, Tool Repair, or Machine Shop	■	158.05(B)(2)(k)	Building or Home Improvement Supplies	■	158.05(B)(7)(e)
Wholesale Trade	■	158.05(B)(2)(l)	Car Wash	■	158.05(B)(7)(f)
Office Uses			Farmers Market, Indoor	■	158.05(B)(7)(g)
Professional Offices	■	158.05(B)(3)(a)	Farmers Market, Outdoor	■	158.05(B)(7)(h)
TV Studio or Radio Station	■	158.05(B)(3)(b)	Fuel Sales	■	158.05(B)(7)(i)
Public & Civic Uses			Funeral Home	■	158.05(B)(7)(j)
Assembly Hall	■	158.05(B)(4)(a)	Garden and Landscaping Supplies	■	158.05(B)(7)(k)
Cemetery	■	158.05(B)(4)(b)	Hotel/Motel	■	158.05(B)(7)(l)
Community Center	■	158.05(B)(4)(c)	Kennel	■	158.05(B)(7)(m)
Correctional Facility	■	158.05(B)(4)(d)	Manufactured Home Sales or Rental	■	158.05(B)(7)(n)
County or Municipal Government Offices or Facilities	■	158.05(B)(4)(e)	Pet Store	■	158.05(B)(7)(o)
Day Care, Adult or Child	■ *	158.05(B)(4)(f)	Resort	■	158.05(B)(7)(p)
Emergency Services, Fire or Police	■	158.05(B)(4)(g)	Restaurant or Catering Establishment, with Drive-In or Drive-Through	■	158.05(B)(7)(q)
Hospital	■	158.05(B)(4)(h)	Restaurant or Catering Establishment, without Drive-In or Drive-Through	■	158.05(B)(7)(r)
Library/Museum/Cultural Facility	■	158.05(B)(4)(i)	Retail & Service	■	158.05(B)(7)(s)
Medical/Dental Clinic or Laboratory	■	158.05(B)(4)(j)	Self-Service Storage	■	158.05(B)(7)(t)
Place of Worship	■	158.05(B)(4)(k)	Vehicle Repair, Major	■	158.05(B)(7)(u)
School, Pre-K/Nursery	■	158.05(B)(4)(l)	Vehicle Repair, Minor	■	158.05(B)(7)(v)
School, Public or Private Elementary, Middle, or High	■	158.05(B)(4)(m)	Vehicle Sales or Rental	■	158.05(B)(7)(w)
Social Service Establishment	■	158.05(B)(4)(n)	Veterinary Clinic	■	158.05(B)(7)(x)
University, College, or Seminary	■	158.05(B)(4)(o)	Transportation Uses		
Recreation & Entertainment Uses			Airport or Heliport	■	158.05(B)(8)(a)
Casino	■	158.05(B)(5)(b)	Parking Lot or Structure, Commercial	■	158.05(B)(8)(b)
Marina	■	158.05(B)(5)(c)	Passenger Terminal, Bus or Train	■	158.05(B)(8)(c)
Parks & Open Space	■	158.05(B)(5)(d)	Large vehicle, recreational vehicle, vessel, or truck, tractor, trailer, bus or recreational vehicle storage or parking yard, lot or garage	■	158.05(B)(8)(d)
Recreation & Entertainment, Indoor	■	158.05(B)(5)(e)	Utility Uses		
Recreation & Entertainment, Outdoor	■	158.05(B)(5)(f)	Solar Energy System	*	See Sec. 158.04(F)
Stadium/Arena	■	158.05(B)(5)(g)	Utilities, Major	■	158.05(B)(9)(a)
Vehicle Race Track, Small	■ *	158.05(B)(5)(i)	Utilities, Minor	■	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	Use		Use-Specific Standards & Definitions
Agricultural Uses			Retail & Service Uses		
Agri-business	■	158.05(B)(1)(a)	Bar, Microbrewery, or Tavern	■	158.05(B)(7)(b)
Agriculture, Field and Row Crops	■	158.05(B)(1)(b)	Building or Home Improvement Supplies	■	158.05(B)(7)(e)
Greenhouse, Retail	■	158.05(B)(1)(e)	Car Wash	■	158.05(B)(7)(f)
Stable, Private and Noncommercial	■	158.05(B)(1)(h)	Farmers Market, Indoor	■	158.05(B)(7)(g)
Winery	■	158.05(B)(1)(j)	Farmers Market, Outdoor	■	158.05(B)(7)(h)
Industrial Uses			Fuel Sales	■	158.05(B)(7)(i)
Contractor Offices and Yards	■	158.05(B)(2)(c)	Funeral Home	■	158.05(B)(7)(j)
Light Industrial	■	158.05(B)(2)(g)	Garden and Landscaping Supplies	■	158.05(B)(7)(k)
Resource Extraction	■ *	158.05(B)(2)(h)	Hotel/Motel	■	158.05(B)(7)(l)
Warehousing and Freight Movement	■	158.05(B)(2)(i)	Kennel	■	158.05(B)(7)(m)
Waste-Related Service	■	158.05(B)(2)(j)	Manufactured Home Sales or Rental	■	158.05(B)(7)(n)
Welding, Tool Repair, or Machine Shop	■	158.05(B)(2)(k)	Pet Store	■	158.05(B)(7)(o)
Wholesale Trade	■	158.05(B)(2)(l)	Resort	■	158.05(B)(7)(p)
Office Uses			Restaurant or Catering Establishment, with Drive-In or Drive-Through	■	158.05(B)(7)(q)
Professional Offices	■	158.05(B)(3)(a)	Restaurant or Catering Establishment, without Drive-In or Drive-Through	■	158.05(B)(7)(r)
TV Studio or Radio Station	■	158.05(B)(3)(b)	Retail & Service	■	158.05(B)(7)(s)
Public & Civic Uses			Self-Service Storage	■	158.05(B)(7)(t)
Assembly Hall	■	158.05(B)(4)(a)	Vehicle Repair, Major	■	158.05(B)(7)(u)
Community Center	■	158.05(B)(4)(c)	Vehicle Repair, Minor	■	158.05(B)(7)(v)
Correctional Facility	■	158.05(B)(4)(d)	Vehicle Sales or Rental	■	158.05(B)(7)(w)
County or Municipal Government Offices or Facilities	■	158.05(B)(4)(e)	Veterinary Clinic	■	158.05(B)(7)(x)
Day Care, Adult or Child	■ *	158.05(B)(4)(f)	Transportation Uses		
Emergency Services, Fire or Police	■	158.05(B)(4)(g)	Airport or Heliport	■	158.05(B)(8)(a)
Hospital	■	158.05(B)(4)(h)	Parking Lot or Structure, Commercial	■	158.05(B)(8)(b)
Library/Museum/Cultural Facility	■	158.05(B)(4)(i)	Passenger Terminal, Bus or Train	■	158.05(B)(8)(c)
Medical/Dental Clinic or Laboratory	■	158.05(B)(4)(j)	Large vehicle, recreational vehicle, vessel, or heavy equipment storage	■	158.05(B)(8)(d)
Place of Worship	■	158.05(B)(4)(k)	Truck, tractor, trailer, bus or recreational vehicle storage or parking yard, lot or garage		
Social Service Establishment	■	158.05(B)(4)(n)	Utility Uses		
Recreation & Entertainment Uses			Solar Energy System	■ *	See Sec. 158.04(F)
Casino	■	158.05(B)(5)(b)	Utilities, Major	■	158.05(B)(9)(a)
Marina	■	158.05(B)(5)(c)	Utilities, Minor	■	158.05(B)(9)(b)
Parks & Open Space	■	158.05(B)(5)(d)	Wireless Communication Facility	■ *	158.05(B)(9)(c)
Recreation & Entertainment, Indoor	■	158.05(B)(5)(e)	Data Center	■ *	See Sec. 158.06(H)
Recreation & Entertainment, Outdoor	■	158.05(B)(5)(f)			
Stadium/Arena	■	158.05(B)(5)(g)			
Vehicle Race Track, Small	■	158.05(B)(5)(i)			

(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) 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

For all sign standards see [Article 158.08](#).**(8) Vibration**

(a) No use shall have operations that produce vibrations or concussions that are humanly perceptible on non-participating parcels without the aid of instruments, except during construction, demolition, or alteration of any building.

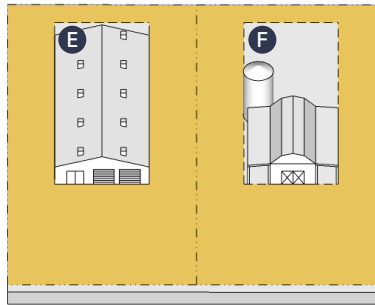
(b) Vibrations from traffic are exempt from the rule above.

(2) Uses

Use	Use-Specific Standards & Definitions	Use	Use-Specific Standards & Definitions
Agricultural Uses		Recreation & Entertainment Uses	
Agri-business	■ 158.05(B)(1)(a)	Casino	■ 158.05(B)(5)(b)
Agriculture, Field and Row Crops	■ 158.05(B)(1)(b)	Marina	■ 158.05(B)(5)(c)
Greenhouse, Retail	■ 158.05(B)(1)(e)	Parks & Open Space	■ 158.05(B)(5)(d)
Stable, Private and Noncommercial	■ 158.05(B)(1)(h)	Recreation & Entertainment, Indoor	■ 158.05(B)(5)(e)
Winery	■ 158.05(B)(1)(j)	Recreation & Entertainment, Outdoor	■ 158.05(B)(5)(f)
Industrial Uses		Stadium/Arena	■ 158.05(B)(5)(g)
Animal Processing	■ 158.05(B)(2)(a)	Vehicle Race Track, Large	■ 158.05(B)(5)(h)
Bulk Storage of Explosives/Hazardous Material	■ * 158.05(B)(2)(b)	Vehicle Race Track, Small	■ 158.05(B)(5)(i)
Contractor Offices and Yards	■ 158.05(B)(2)(c)	Retail & Service Uses	
Fertilizer manufacturing and storage	■ * 158.05(B)(2)(d)	Adult Business	■ 158.05(B)(7)(a)
Heavy Industrial, Intense	■ 158.05(B)(2)(e)	Bar, Microbrewery, or Tavern	■ 158.05(B)(7)(b)
Heavy Industrial, Less Intense	■ 158.05(B)(2)(f)	Building or Home Improvement Supplies	■ 158.05(B)(7)(e)
Light Industrial	■ 158.05(B)(2)(g)	Car Wash	■ 158.05(B)(7)(f)
Resource Extraction	■ * 158.05(B)(2)(h)	Farmers Market, Indoor	■ 158.05(B)(7)(g)
Warehousing and Freight Movement	■ 158.05(B)(2)(i)	Farmers Market, Outdoor	■ 158.05(B)(7)(h)
Waste-Related Service	■ 158.05(B)(2)(j)	Fuel Sales	■ 158.05(B)(7)(i)
Welding, Tool Repair, or Machine Shop	■ 158.05(B)(2)(k)	Funeral Home	■ 158.05(B)(7)(j)
Wholesale Trade	■ 158.05(B)(2)(l)	Garden and Landscaping Supplies	■ 158.05(B)(7)(k)
Wrecking, Junk, or Salvage Yard	■ * 158.05(B)(2)(m)	Hotel/Motel	■ 158.05(B)(7)(l)
Office Uses		Kennel	■ 158.05(B)(7)(m)
Professional Offices	■ 158.05(B)(3)(a)	Manufactured Home Sales or Rental	■ 158.05(B)(7)(n)
TV Studio or Radio Station	■ 158.05(B)(3)(b)	Pet Store	■ 158.05(B)(7)(o)
Public & Civic Uses		Resort	■ 158.05(B)(7)(p)
Assembly Hall	■ 158.05(B)(4)(a)	Restaurant or Catering Establishment, with Drive-In or Drive-Through	■ 158.05(B)(7)(q)
Community Center	■ 158.05(B)(4)(c)	Restaurant or Catering Establishment, without Drive-In or Drive-Through	■ 158.05(B)(7)(r)
Correctional Facility	■ 158.05(B)(4)(d)	Retail & Service	■ 158.05(B)(7)(s)
County or Municipal Government Offices or Facilities	■ 158.05(B)(4)(e)	Self-Service Storage	■ 158.05(B)(7)(t)
Day Care, Adult or Child	■ * 158.05(B)(4)(f)	Vehicle Repair, Major	■ 158.05(B)(7)(u)
Emergency Services, Fire or Police	■ 158.05(B)(4)(g)	Vehicle Repair, Minor	■ 158.05(B)(7)(v)
Hospital	■ 158.05(B)(4)(h)	Vehicle Sales or Rental	■ 158.05(B)(7)(w)
Library/Museum/Cultural Facility	■ 158.05(B)(4)(i)	Veterinary Clinic	■ 158.05(B)(7)(x)
Medical/Dental Clinic or Laboratory	■ 158.05(B)(4)(j)	Transportation Uses	
Place of Worship	■ 158.05(B)(4)(k)	Airport or Heliport	■ 158.05(B)(8)(a)
Social Service Establishment	■ 158.05(B)(4)(n)	Parking Lot or Structure, Commercial	■ 158.05(B)(8)(b)
		Passenger Terminal, Bus or Train	■ 158.05(B)(8)(c)
		Large vehicle, recreational vehicle, vessel, or truck, tractor, trailer, bus or recreational vehicle storage or parking yard, lot or garage	■ 158.05(B)(8)(d)
		Utility Uses	
		Solar Energy System	* See Sec. 158.04(F)
		Utilities, Major	■ 158.05(B)(9)(a)
		Utilities, Minor	■ 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) 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

For all sign standards see [Article 158.08](#).**(8) Vibration**

(a) No use shall have operations that produce vibrations or concussions that are humanly perceptible on non-participating parcels 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

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Unit Development Overlays..... [4-2](#)

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(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 requirements of the ~~Subdivision Control~~ **Development** Ordinance. However, it must be safe, adequate and integrated with the off-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	■	158.05(B)(1)(b)
Industrial Uses		
Light Industrial	■	158.05(B)(2)(g)
Warehousing and Freight Movement	■	158.05(B)(2)(i)
Wholesale Trade	■	158.05(B)(2)(l)
Office Uses		
Professional Offices	■ *	158.05(B)(3)(a)
TV Studio or Radio Station	■ *	158.05(B)(3)(b)
Public & Civic Uses		
Assembly Hall	■	158.05(B)(4)(a)
Cemetery	■	158.05(B)(4)(b)
Community Center	■	158.05(B)(4)(c)
Correctional Facility	■	158.05(B)(4)(d)
County or Municipal Government Offices or Facilities	■	158.05(B)(4)(e)
Day Care, Adult or Child	■ *	158.05(B)(4)(f)
Emergency Services, Fire or Police	■	158.05(B)(4)(g)
Hospital	■	158.05(B)(4)(h)
Library/Museum/Cultural Facility	■	158.05(B)(4)(i)
Medical/Dental Clinic or Laboratory	■	158.05(B)(4)(j)
Place of Worship	■	158.05(B)(4)(k)
School, Pre-K/Nursery	■	158.05(B)(4)(l)
School, Public or private elementary, middle, or high school	■	158.05(B)(4)(m)
Social Service Establishments	■	158.05(B)(4)(n)
University, college, or seminary	■	158.05(B)(4)(o)
Recreation & Entertainment Uses		
Camp Ground (Not Part of Park & Open Space)	■ *	158.05(B)(5)(a)
Casino	■ *	158.05(B)(5)(b)
Marina	■ *	158.05(B)(5)(c)
Parks & Open Space	■ *	158.05(B)(5)(d)
Recreation & Entertainment, Indoor	■ *	158.05(B)(5)(e)
Recreation & Entertainment, Outdoor	■ *	158.05(B)(5)(f)
Stadium/Arena	■ *	158.05(B)(5)(g)
Vehicle Race Track, Large	■ *	158.05(B)(5)(h)
Vehicle Race Track, Small	■ *	158.05(B)(5)(i)

Use		Use-Specific Standards & Definitions
Residential Uses		
Assisted Living Facility	■	158.05(B)(6)(a)
Dwelling or Complex, Multiple-Family	■	158.05(B)(6)(b)
Retail & Service Uses		
Hotel/Motel	■ *	158.05(B)(7)(l)
Pet Store	■	158.05(B)(7)(o)
Restaurant or Catering Establishment, without Drive-In or Drive-Through	■ *	158.05(B)(7)(r)
Retail & Service	■ *	158.05(B)(7)(s)
Veterinary Clinic	■ *	158.05(B)(7)(x)
Transportation Uses		
Airport or Heliport	■ *	158.05(B)(8)(a)
Parking Lot or Structure, Commercial	■ *	158.05(B)(8)(b)
Passenger Terminal, Bus or Train	■	158.05(B)(8)(c)
Large vehicle, recreational vehicle, vessel, or heavy equipment storage	■ *	158.05(B)(8)(d)
Truck, tractor, trailer, bus or recreational vehicle storage or parking yard, lot or garage		
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 (■)
- (b) Permitted Subject to Conditions (■)
- (c) Special Use (■)
- (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

- 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.
- 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

- The Site Plan must include a Landscape Plan that must be drawn to scale and include the following information:
 - Property owner's name, address, telephone number and email address;
 - Land Surveyor's, Professional Engineer's, registered Architect's or registered Landscape Architect's name, address, telephone number and email address;
 - Landscape designer's or contractor's name, address, telephone number, and email address if such has been hired;
 - 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 (■)
- (b) Permitted Subject to Conditions (▣)
- (c) Special Use (■)
- (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	 *	158.05(B)(1)(b)
Agriculture, Livestock	 *	158.05(B)(1)(c)
Industrial Uses		
Resource Extraction	  *	158.05(B)(2)(h)
Residential Uses		
Dwelling, Single-Family (detached)	 *	158.05(B)(6)(d)
Retail & Service Uses		
Kennel	 *	158.05(B)(7)(m)
Retail & Service	 *	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. 158.06(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 (■)
- (b) Permitted Subject to Conditions (▣)
- (c) Special Use (■)
- (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	■	158.05(B)(1)(b)
Agriculture, Livestock	■	158.05(B)(1)(c)
Concentrated Animal Feeding Operation	▣ ✱	158.04(D)
Livestock Sale or Auction	▣	158.05(B)(1)(f)
Roadside Stand, Tree Farm, U-Pick Produce	▣	158.05(B)(1)(g)
Industrial Uses		
Resource Extraction	▣ ■ ✱	158.05(B)(2)(h)
Residential Uses		
Dwelling, Single-Family (detached)	▣ ✱	158.05(B)(6)(c)
Retail & Service Uses		
Kennel	▣ ✱	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

Sections

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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

Any Data Center structure or accessory structure must be set back a minimum of 250 ft. from all exterior property lines.

Lighting

See Sec. 158.06(I)

Noise

- (a) Noise generated must not exceed 45 decibels when measured on a non-participating parcel that is legally residential in use between the hours of 7:00 AM and 7:00 PM.
- (b) Noise generated must not exceed 5 decibels when measured on a non-participating parcel that is legally residential in use between the hours of 7:00 PM and 7:00 AM.

Signage

See Sec 158.08(F).

(4) 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) The data center must use an air cooling system or a closed-loop water cooling system to conserve water by eliminating atmospheric contact and minimizing refills.
- (c) The data center must provide a will-serve letter from the utility company confirming that electrical capacity to operate has been met.
- (d) The data center must provide a letter from the utility company confirming that electrical capacity to operate will be met for all possible future expansions or enlargements to the facility without negative impact on the utility rates of other users, in accordance with State and Federal laws.
- (e) Elkhart County is entitled to contract a third party, at the expense of the developer, to ensure a through d above have been met.
- (f) A data center over 10,000 sq. ft. must be new construction, retrofitting an existing building is prohibited.

(5) Buffering & ScreeningBuffering and screening is required as outlined in [Article 158.06](#).**(6) Permitted Signs**

Wall Sign	Projecting Sign	Monument Sign	Portable Sign	Freestanding Yard Signs and All Other	Electronic Message Board
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For all sign standards see [Article 158.08](#).**(7) Data Center**

Data Center structures 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 10,000 sq. ft.		P	P
Over 10,000 sq. ft. and up to 50,000 sq. ft.			P
Over 50,000 sq. ft.	Zone Map Change to DC Overlay		

(8) 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).
- 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, including but not limited to, modifications elated to:
 - I. Access and circulation;
 - II. Landscaping;
 - III. Screening;
 - IV. Outdoor lighting;
 - V. Signs;
 - VI. Underground utilities; and
 - VII. Drainage systems (i.e., farm tiles).
- iv. The Plan Director and Plan Commission may recommend and the appropriate legislative body may require that the D-C Ordinance mandate any of the design elements listed in paragraph 3 above for the project.

(c) Other Plans & Agreements

Other plans and or agreements may be required by the appropriate legislative body, including but not limited to:

- i. Operating & Maintenance Plan
- ii. Fire Prevention, Emergency Services & Response Plan
- iii. Decommissioning & Restoration Plan
- iv. Road Impact & Maintenance Agreement
- v. Environmental Impact Plan
- vi. Renewable Energy Plan (if applicable)
- vii. Architectural Design Plan
- viii. Community Engagement Plan

(d) 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.

158.05 USES

Sections

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

See [158.05\(B\)](#) for use-specific standards and definitions.

Key

■ — Permitted Use ■ — Permitted Subject to Conditions ■ — 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	D-C	
Places of Worship	■	■	■	■	■	■	■	■	■	■	■					158.05(B)(4)(k) *
School, Pre-K/Nursery	■	■	■	■	■	■	■	■			■					158.05(B)(4)(l)
School, Public or private elementary, middle, or high school	■	■	■	■	■	■	■	■			■					158.05(B)(4)(m)
Social Service Establishments	■	■	■	■	■	■	■	■	■	■	■					158.05(B)(4)(n)
University, college, or seminary	■	■	■	■	■	■	■	■			■					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)	■										■					158.05(B)(5)(a) *
Casino	■					■	■	■	■	■	■					158.05(B)(5)(b) *
Marina	■					■	■	■	■	■	■					158.05(B)(5)(c) *
Parks & Open Space	■	■	■	■	■	■	■	■	■	■	■					158.05(B)(5)(d) *
Recreation/Entertainment, Indoor	■	■	■	■	■	■	■	■	■	■	■					158.05(B)(5)(e) *
Recreation/Entertainment, Outdoor	■			■	■	■	■	■	■	■	■					158.05(B)(5)(f) *
Stadium/Arena	■					■	■	■	■	■	■					158.05(B)(5)(g) *
Vehicle Race Track, Large	■	■	■	■	■	■	■	■	■	■	■					158.05(B)(5)(h) *
Vehicle Race Track, Small	■									■	■					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			■	■	■	■	■	■			■					158.05(B)(6)(a)
Dwelling or complex, Multiple-family				■	■	■	■	■			■					158.05(B)(6)(b)
Dwelling, Single-Family (attached)	■	■	■	■	■	■	■					■	■			158.05(B)(6)(c)
Dwelling, Single-Family (detached)	■	■	■	■	■	■	■					■	■			158.05(B)(6)(d) *
Dwelling, Two-Family	■		■	■	■	■	■					■	■			158.05(B)(6)(e)
Dwelling, Upper-story					■	■	■	■								158.05(B)(6)(f) *
Group home, Eight Residents or Fewer	■	■	■	■	■	■	■					■	■			158.05(B)(6)(g)
Group home, More than Eight Residents	■	■	■	■	■	■	■					■	■			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)	■	■	■	■	■	■	■					■	■			158.05(B)(6)(j)
Manufactured Home (Temporary Foundation), Park or Subdivision	■	■	■	■	■	■	■					■	■			158.05(B)(6)(k) *

See [158.05\(B\)](#) for use-specific standards and definitions.

Key

■ — Permitted Use	■ — Permitted Subject to Conditions	■ — Special Use	* — Use-Specific Standards (See Referenced Provision)
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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																158.05(B)(7)(a)
Bar, Microbrewery, or Tavern																158.05(B)(7)(b)
Barber or Beauty Shop																158.05(B)(7)(c)
Bed & Breakfast Inn																158.05(B)(7)(d) *
Building or Home Improvement Supplies																158.05(B)(7)(e)
Car Wash																158.05(B)(7)(f)
Farmers Market, Indoor																158.05(B)(7)(g)
Farmers Market, Outdoor																158.05(B)(7)(h)
Fuel Sales																158.05(B)(7)(i)
Funeral Home																158.05(B)(7)(j)
Garden and Landscaping Supplies																158.05(B)(7)(k)
Hotel/Motel																158.05(B)(7)(l) *
Kennel																158.05(B)(7)(m) *
Manufactured Home Sales or Rental																158.05(B)(7)(n)
Pet Store																158.05(B)(7)(o) *
Resort																158.05(B)(7)(p)
Restaurant or Catering Establishment, with Drive-In or Drive-Through																158.05(B)(7)(q)
Restaurant or Catering Establishment, without Drive-In or Drive-Through																158.05(B)(7)(r) *
Retail & Service																158.05(B)(7)(s) *
Self-Service Storage																158.05(B)(7)(t)
Vehicle Repair, Major																158.05(B)(7)(u)
Vehicle Repair, Minor																158.05(B)(7)(v)
Vehicle Sales or Rental																158.05(B)(7)(w)
Veterinary Clinic																158.05(B)(7)(x) *
Transportation Uses																
Airport or Heliport																158.05(B)(8)(a) *
Parking lot or structure, commercial																158.05(B)(8)(b) *
Passenger Terminal, Bus or Train																158.05(B)(8)(c)
Large vehicle, recreational vehicle, vessel, or heavy equipment storage																158.05(B)(8)(d) *
Truck, Tractor, Trailer, Bus or Recreational Vehicle Storage or Parking Yard, Lot or Garage																
Utility Uses																
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																158.05(B)(9)(a)
Utilities, Minor																158.05(B)(9)(b)
Wireless Communication Facility	See Sec. 158.05(B)(10)															158.05(B)(10) *

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

Key

■ — Permitted Use	■ — Permitted Subject to Conditions	■ — Special Use	* — Use-Specific Standards (See Referenced Provision)
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- 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

Use-Specific Standards & Definitions

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. ~~The 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.

Use-Specific Standards & Definitions

- 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."

Use-Specific Standards & Definitions

- (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) ~~Large vehicle, recreational vehicle, vessel, or heavy equipment storage~~
~~Truck, Tractor, Trailer, Bus or Recreational Vehicle~~
~~Storage or Parking Yard, Lot or Garage~~
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 10,000 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.

Accessory Uses & Structures

158.05(C) Accessory Uses & Structures**(1) Applicability**

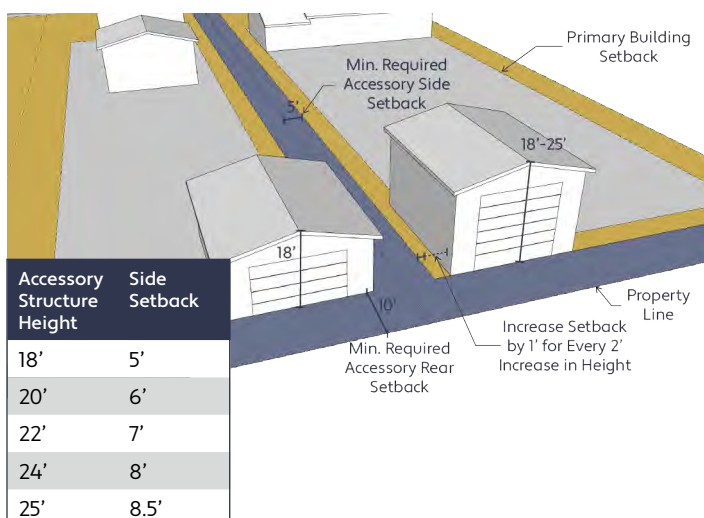
An accessory use or structure may be established provided that it is associated with a primary use and that it complies with the standards of this Section.

(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.

**(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.

Accessory Uses & Structures

(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 3 acres 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

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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

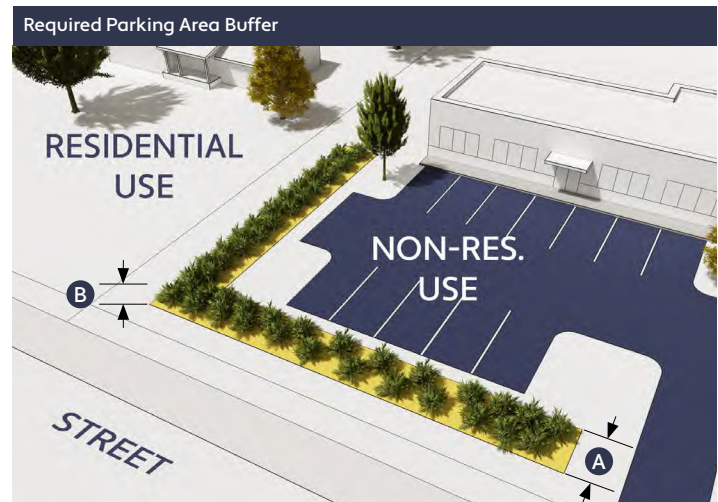
(1) Applicability

- (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.



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.

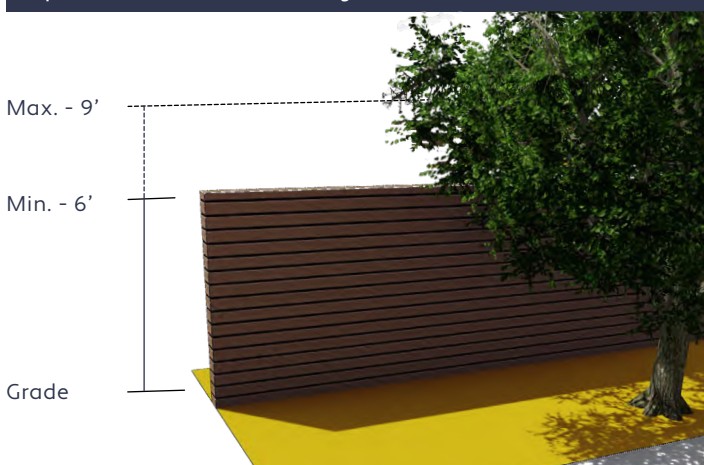
(3) Shrubs

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) Lighting a 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) Any generator to be used for a home occupation, home workshop/business, or commercial use must meet the following:
 - i. Enclosed within a building that meets required setbacks.
 - ii. Utilize industry standard sound mitigation.
- (2) 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.
 - i. Testing of generators is limited to one time a month for a duration of 15 minutes.

- (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\(J\)](#).

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

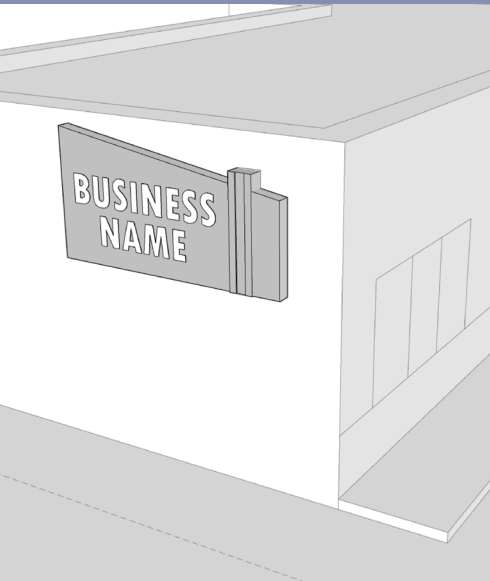
Special use signage is limited to what is shown on the approved site plan and must meet the setbacks as outlined in this Section according to sign type.

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.

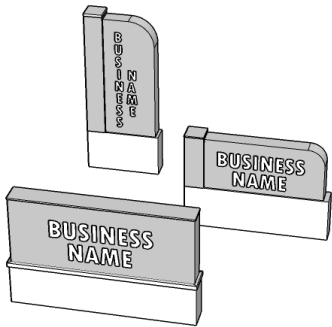
(1) Maximum Combined Sign Area by Zoning District		(2) Permitted Signs by Zoning District					
The table below is the overall combined maximum for all signs on the lot. Restrictions created by sign type found in this Section may restrict this further, not allowing the maximum to be met.		Sign types are 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	■		■		■	
R-1, R-2, R-3	8 sq. ft. or 32 sq. ft. Depending on Sign Type			■		■	
R-4	6x the Frontage of the Lot*	■	■	■		■	
B-1, B-2, B-3, M-1, M-2	6x the Frontage of the Lot*	■	■	■	■	■	■
E-3	2x the Frontage of the Lot, up to 200 sq. ft.	■		■		■	
A-3, A-4, A-E, D-C	2x the Frontage of the Lot					■	

*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	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.	

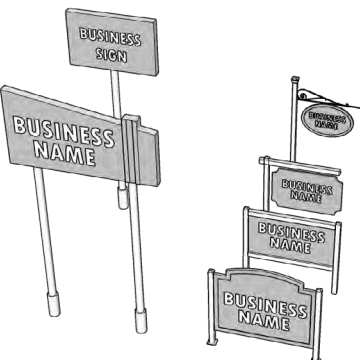
Standards According to Sign Type

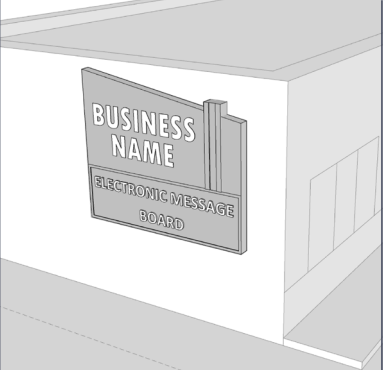
(4) Projecting Signs						
	District	Max. Area (Per Sign)	Max. Number (Per Lot)	Maximum Height	Additional Standards	
	R-4, B-1, B-2, B-3, M-1, M-2	Horizontal Sign: 50 sq. ft. Vertical Sign: 100 sq. ft.	Unlimited, Up to a Total of 200 sq. ft.	Cannot Exceed Roof Line of the Building to which the Sign is 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	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.

Standards According to Sign Type

(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.

General Planned Unit Development (GPUD)

158.11(D) General Planned Unit Development (GPUD)**(1) Applicability**

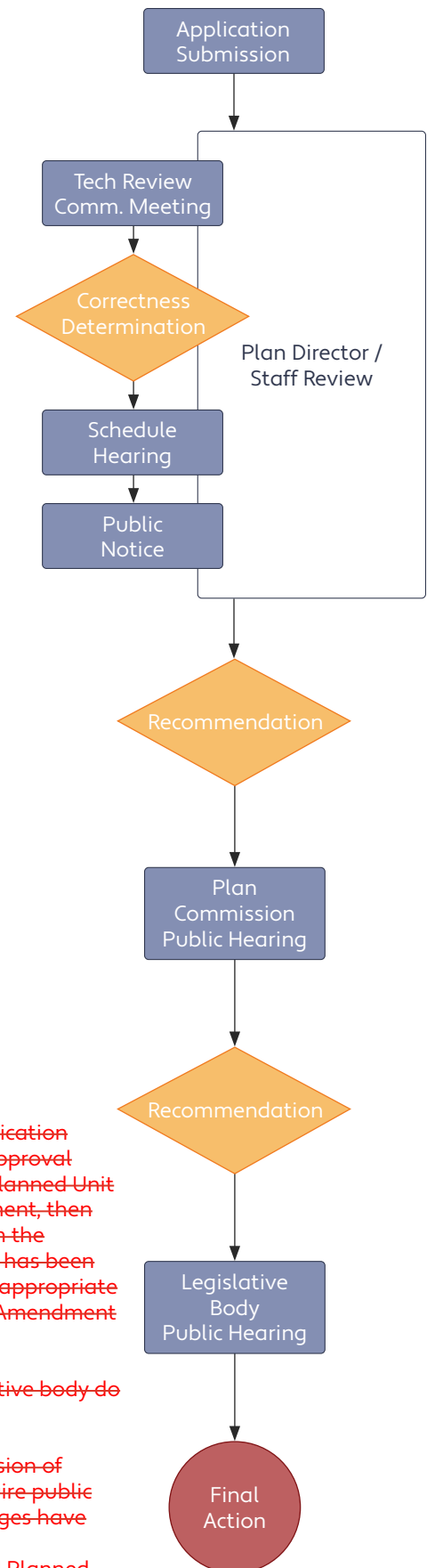
- (a) A Planned Unit Development may be used to permit new or innovative concepts in land utilization, master-planned communities or mixed use developments that other zoning districts do not easily accommodate. A Planned Unit Development also provides site-specific compatibility and design standards. 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) 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) 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.

TO: Plan Commission

FROM: H. Jason Auvil, Planning Manager & Zoning Administrator

SUB: Approvals of Plan Commission Recommendations

The following petitions were **APPROVED** at the September 21st, 2026, Elkhart County Commissioners' meeting:

1. Petitioner: 13709 CR 4 LLC
 Petition: for a zone map change from A-1 & M-1 to GPUD M-2 to be known as **13709 CR 4 GPUD M-2**.
 Location: northwest corner of CR 4 & CR 35, common address of 13709 CR 4, Bristol, IN 46507 in York Township. (GPUD-0431-2026)
 Plan Commission Vote: Yes: 8; No: 0 Absent: 1
 Remonstrators Present: No
 Development Issues: None.

2. Petitioner: Michiana Equipment LLC, Star AG LLC, & Star Property Real Estate Company LLC Attn: Joel Lambright
 Petition: for a zone map change from A-1 & DPUD A-1 to DPUD M-1 to be known as **Mist Minor Subdivision**.
 Location: north side of CR 30, 1,250 ft. east of CR 37, common address of 12737 CR 30, Middlebury, IN 46540 in Clinton Township. (DPUD-0436-2026)
 Plan Commission Vote: Yes: 8; No: 0 Absent: 1
 Remonstrators Present: No
 Development Issues: None.