

MONROE COUNTY ORDINANCE REVIEW COMMITTEE



June 14, 2021

Virtual: <https://monroecounty-in.zoom.us/j/84961227024?pwd=ZUISOUQweHVT0HVLNmVUaHdxVERjUT09>. If calling in, dial 312-626-6799 and enter the Meeting ID: 849 6122 7024 and Password: 346950 when prompted.

5:30 P.M.

A G E N D A
ORDINANCE REVIEW COMMITTEE
of the Monroe County Plan Commission

Monroe County Planning Department
Held Virtually

When: June 14 at 5:30 PM

Where: <https://monroecounty-in.zoom.us/j/84961227024?pwd=ZUISOUQweHVTOHVLTmVUaHdxVERjUT09>

If calling into the Zoom meeting, dial: 312-626-6799.

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June 14, 2021

5:30 pm

ADMINISTRATIVE BUSINESS:

- 1. County Development Ordinance Update – Zoning Map Update**
- 2. Resolution – House Bill 1437 to be presented by Legal**

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OLD BUSINESS: NONE.

NEW BUSINESS:

TOPICS FOR DISCUSSION:

- 1. ZOA-21-6** **Amendment to the Monroe County Zoning Ordinance: PAGE 7**
Amendment to Chapter 802 & 813
Amendment to add conditions to ‘General Contractor’
Add conditional use provisions under ‘General Contractor’ and remove condition #16 from the Home Occupation and Home Based Business.
Planner: jnester@co.monroe.in.us
2. Discussion regarding Artisan Crafts permitted in Commercial Zones
3. Mixed Residential/Commercial Use allowances
4. Requiring Certified Site plans for development

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of Monroe County, should contact Monroe County Title VI Coordinator Angie Purdie, (812)-349-2553, apurdie@co.monroe.in.us, as soon as possible but no later than forty-eight (48) hours before the scheduled event.

Individuals requiring special language services should, if possible, contact the Monroe County Government Title VI Coordinator at least seventy-two (72) hours prior to the date on which the services will be needed.

The meeting will be open to the public.

Electronic Attendance Policy for Public Meetings

WHEREAS, in response to the COVID-19 pandemic and in recognition that public meeting rules could be amended to take advantage of technological advances, Indiana Code 5-14-1.5-3.5 was amended by the Indiana General Assembly in 2021; and

WHEREAS, Indiana law now allows for electronic participation in some public meetings by up to fifty percent (50%) of members of a governing body provided the governing body adopt a policy that complies with the amended law; and

WHEREAS, the Monroe County Ordinance Review Committee wishes to allow members of the public, staff, and up to fifty percent (50%) of its members to attend meetings electronically and to follow other procedures set forth in the law.

NOW THEREFORE BE IT RESOLVED, that:

1. The Ordinance Review Committee ("ORC") wishes to adopt and follow the procedures set forth in HEA 1437 and newly-amended Indiana Code 5-14-1.5-3.5, 3.6, and 3.7, to the extent those apply to the ORC. Those procedures are listed in "Exhibit A", which is attached hereto and incorporated herein. Exhibit A shows language that has been removed from the Indiana Code in a strike-through format and new language is shown in bold.
2. As long as technology exists and is able, members of the public shall be admitted to meetings if they wish to participate electronically and shall be able to view or listen to and participate in the meeting under the regular rules allowed for public participation.
3. Staff members may participate electronically in all meetings including those listed in subsection (i) of Exhibit A, which are meetings in which all members of a governing body must attend in person, provided there is no actual need for a staff member to be physically present at a particular meeting. Such need shall be determined at the sole discretion of the President or Chair of the ORC, unless a majority of the governing body votes to require a staff member to attend a particular meeting.

Adopted this day of ____ day of _____ 2021, by the Ordinance Review Committee, Monroe County, Indiana. The signature of the Chair, below, signifies that this Resolution was adopted by a majority of the Ordinance Review Committee.

Chair of the Monroe County Ordinance Review Committee

EXHIBIT A

SECTION 5. IC 5-14-1.5-3.5, AS AMENDED BY P.L.154-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3.5.

(a) This section applies only to a governing body of a public agency of a political subdivision, other than a governing body of an airport authority or a department of aviation as set forth in section 3.6 of this chapter.

(b) **Subject to subsection (i)**, a member of the governing body of a public agency who is not physically present at a meeting of the governing body ~~but who communicates with members of the governing body during the meeting by telephone, computer, video conferencing, or any other electronic means of communication:~~

~~(1) may not participate in final action taken at the meeting unless the member's participation is expressly authorized by statute; and~~

~~(2) may not be considered to be present at the meeting unless considering the member to be present at the meeting is expressly authorized by statute.~~

~~(c) The memoranda prepared under section 4 of this chapter for a meeting in which a member participates by using a means of communication described in subsection (b) must state the name of:~~

~~(1) each member who was physically present at the place where the meeting was conducted;~~

~~(2) each member who participated in the meeting by using a means of communication described in subsection (b); and~~

~~(3) each member who was absent.~~

may participate in a meeting by any electronic means of communication that does the following:

(1) Allows all participating members of the governing body to simultaneously communicate with each other.

(2) Allows the public to simultaneously attend and observe the meeting. However, this subdivision does not apply to a meeting held in executive session.

Subject to subsection (i), a governing body member who participates in the meeting by an electronic means of communication shall be considered present for purposes of establishing a quorum but may participate in any final action taken at the meeting only if the member can be seen and heard.

(c) A technological failure in an electronic means of communication that disrupts or prevents:

(1) the simultaneous communication between a member who is not physically present at the meeting and the governing body; or

(2) a member of the public who is not present at the meeting from attending and observing the meeting;

does not prevent the governing body from conducting the meeting or affect the validity of an action taken by the governing body at the meeting if the sum of the governing body members physically present at the meeting and the governing body members participating by electronic communication without technological failure satisfy the quorum and (if a final action is taken) the voting requirements of the governing body.

(d) The governing body shall adopt a written policy establishing the procedures that apply to a member's participation in a meeting by an electronic means of communication. The governing body may establish procedures that are more restrictive than the procedures established by this section. The policy adopted under this section may include:

- (1) limiting the number of members who may participate by electronic communication in any one (1) meeting;
- (2) limiting the total number of meetings that the governing body may conduct in a calendar year by electronic communication; and
- (3) requiring a member, except in the case of a meeting called to deal with an emergency under section 5(d) of this chapter, who plans to attend a meeting by any electronic means of communication to notify the presiding officer within a certain period of time before the meeting, as specified by the governing body, so that arrangements may be made for the member's participation by electronic communication.

(e) The memoranda prepared under section 4 of this chapter for a meeting in which a member participates by an electronic means of communication must:

- (1) state the name of each member of the governing body who:
 - (A) was physically present at the place where the meeting was conducted;
 - (B) participated in the meeting by using any electronic means of communication; and
 - (C) was absent; and
- (2) identify the electronic means of communication by which:
 - (A) members of the governing body participated in the meeting; and
 - (B) the public attended and observed the meeting, if the meeting was not held in executive session.

(f) All votes taken during a meeting under this section must be taken by roll call vote.

(g) At least fifty percent (50%) of the members of the governing body must be physically present at a meeting.

(h) A member of the governing body may not attend more than fifty percent (50%) of the governing body's meetings in a calendar year by means of electronic communication, unless the member's electronic participation is due to:

- (1) military service;**
- (2) illness or other medical condition;**
- (3) death of a relative; or**
- (4) an emergency involving actual or threatened injury to persons or property.**

(i) A member of a governing body may not participate in a meeting of the governing body by electronic communication if the governing body is attempting to take final action to:

- (1) adopt a budget;**
- (2) make a reduction in personnel;**
- (3) initiate a referendum;**
- (4) establish or increase a fee;**
- (5) establish or increase a penalty;**
- (6) use the governing body's eminent domain authority; or**
- (7) establish, raise, or renew a tax.**

(j) A governing body may not prohibit a member of the governing body from attending consecutive meetings by electronic communication. A member may attend two (2) consecutive meetings (a set of meetings) by electronic communication. A member shall physically attend at least one (1) meeting between sets of meetings that the member attends by electronic communication, unless the member's absence is due to:

- (1) military service;**
- (2) illness or other medical condition;**
- (3) death of a relative; or**
- (4) an emergency involving actual or threatened injury to persons or property.**

CHAPTER 802

ZONING ORDINANCE: ZONES AND PERMITTED USES

802-1. Establishment of Zones

- (A) The County Jurisdictional Area is hereby classified and divided into the following eighteen (18) zones (also referred to as "districts"):

AG/RR	Agriculture/Rural Reserve;
FR	Forest Reserve;
CR	Conservation Residential;
ER	Estate Residential;
LR	Low Density Residential;
SR	Suburban Residential;
MR	Medium Density Residential;
HR	High Density Residential;
UR	Urban Residential;
LB	Limited Business;
GB	General Business;
PB	Pre-Existing Business;
IP	Institutional/Public;
LI	Light Industrial;
HI	Heavy Industrial;
ME	Mineral Extraction;
PUD	Planned Unit Development and
REC	Recreation.

- (B) In addition to the zones listed above, portions of the County Jurisdictional Area may be classified according to one or more of the following overlay zones (also referred to as "overlay districts"):

SFHA	Special Flood Hazard Area;
HP	Historic Preservation (Primary or Secondary);
ECO	Environmental Constraints Overlay;
BI	Business and Industrial Overlay; and
WCF	Wireless Communications Facilities Overlay.

- (C) In addition to the zones and overlay districts listed above, Chapter 833 of the Monroe County Zoning Ordinance incorporates those sections of the City of Bloomington Zoning Ordinance which would apply to the zoning effective for those areas of the County formerly under the City of Bloomington's planning and zoning jurisdictional control, as amended. Refer to Chapter 833 of the zoning ordinance for regulations pertaining to these areas.

- (D) The foregoing zones and overlay zones are defined as follows:

Agriculture/Rural Reserve (AG/RR) District. The character of the Agriculture/Rural Reserve (AG/RR) District is defined as that which is primarily intended for agriculture uses including, but not limited to, row crop or livestock production, forages, pasture, forestry, single family residential uses associated with agriculture uses and limited, very low density, rural non-farm related single family uses and not in (major) subdivisions. Its purposes are to encourage the continuation of agriculture uses, along with the associated single family residential uses, to discourage the development of residential subdivisions and non-farm-related nonresidential uses, to protect the environmentally sensitive areas, such as floodplain and steep slopes, and to maintain the character of the surrounding neighborhood. Therefore, the number of uses permitted in the AG/RR District is limited. Some uses are conditionally permitted. The conditions placed on these uses are to insure their compatibility with the agriculture-related uses. The development of new non-farm residential activities proximate to known mineral resource deposits or extraction operations may be buffered by increased setback distance.

Forest Reserve (FR) District. The character of the Forest Reserve (FR) District is defined as that which is primarily intended for the preservation of forests, recreational areas, parks and greenways, limited agricultural uses and very, very low density single family residential uses. Its purposes are to permit limited single family residential development on very large lots, to discourage the development of residential subdivisions and nonresidential uses, to protect environmentally sensitive areas, such as floodplain and steep slopes and to maintain the character of the surrounding neighborhood. Development in the FR District is hindered by extreme topography, poor access and the availability of few or no public services. Therefore, the number of uses permitted in the FR District is limited. Some uses are conditionally permitted. The conditions placed on these uses are to insure their compatibility with the low-density residential and public open space uses.

Conservation Residential (CR) District. The character of the Conservation Residential (CR) District is defined as that which is primarily intended to provide a residential option (planned unit or cluster development) at environmentally sound locations while protecting the environmentally sensitive watersheds of Lake Griffey and Monroe Reservoir. Its purposes are to protect the environmentally sensitive watershed, especially the floodplain and steep slopes, to permit limited single family residential development on very large lots or in subdivisions (planned unit or cluster development) at environmentally sound locations, to discourage the development of nonresidential uses, to discourage the development of sanitary sewer systems except for existing development and to maintain the character of the surrounding neighborhood. Development in the CR District is hindered by concern over the watershed environment, and, in some cases, extreme topography, poor access and the availability of few or no public services. Therefore, the number of uses permitted in the CR District is limited. Some uses are conditionally permitted. The conditions placed on these uses are to insure their compatibility with the watershed environment and low-density residential uses. The development of new residential activities proximate to known mineral resource deposits or extraction operations may be buffered by increased setback distance.

Estate Residential (ER) District. The character of the Estate Residential (ER) District is defined as that which is primarily intended for low density, single family residential development on relatively flat land in areas that have some, but not full, public services, generally along or near major County roads or state highways. Its purposes are to permit limited single family residential development on large lots, to discourage the development of sanitary sewer systems except for existing development, to discourage the development of residential subdivisions and non-farm nonresidential uses, to protect environmentally sensitive areas, such as floodplain, karst, and steep slopes and to maintain the character of the surrounding neighborhood. Therefore, the number of uses permitted in the ER District is limited. Some uses are conditionally permitted. The conditions placed on these uses are to insure their compatibility with the low-density residential uses. The development of new residential activities proximate to known mineral resource deposits or extraction operations may be buffered by increased setback distance.

Suburban Residential (SR) District. The character of the Suburban Residential (SR) District is defined as that which is primarily intended for existing, possibly nonconforming, recorded single family residential subdivisions and lots of record. Its purposes are to accommodate existing, substandard subdivision developments and lots, to permit the build-out of single family residential uses in those developments and lots, to encourage the development of sanitary sewer systems for the existing development in the Lake Lemon area, to discourage the development of nonresidential uses, to protect environmentally sensitive areas, such as floodplain, karst, and steep slopes, and to maintain the character of the surrounding neighborhood. Therefore, the number of uses permitted in the SR District is limited. Some uses are conditionally permitted. The conditions placed on these uses are to insure their compatibility with the residential uses. The need for expanding this district beyond the areas designated on the Official Zone Maps on the date of the adoption of the zoning regulations is not anticipated or encouraged.

Low Density Residential (LR) District. The character of the Low Density Residential (LR) District is defined as that which is primarily intended for residential development in areas in and surrounding urban service areas, where public sewer service is available or planned in the near future. Its purposes are to encourage the development of moderately-sized residential lots in areas where public services exist to service them efficiently, to discourage the development of nonresidential uses, to protect the environmentally sensitive areas, including floodplain, watersheds, karst, and steep slopes, and to maintain the character of the surrounding neighborhood. Therefore, the number of uses permitted in the LR District is limited. Some uses are conditionally permitted. The conditions placed on these uses are to insure their compatibility with the residential uses. The development of new residential activities proximate to known mineral resource deposits or extraction operations may be buffered by distance.

Medium Density Residential (MR) District. The character of the Medium Density Residential (MR) District is defined as that which is primarily intended for residential development in areas in urban service areas, where public sewer service is available. Its purposes are: to encourage the development of moderately-sized residential lots in areas where public services exist to service them efficiently; to discourage the development of nonresidential uses; to protect the environmentally sensitive areas, including floodplain, watersheds, karst, and steep slopes; and to maintain the character of the surrounding neighborhood. Therefore, the number of uses permitted in the MR District is limited. Some uses are conditionally permitted. The conditions placed on these uses are to insure their compatibility with the residential uses. The development of new residential activities proximate to known mineral resource deposits or extraction operations may be buffered by distance.

High Density Residential (HR) District. The character of the High Density Residential (HR) District is defined as that which is primarily intended for residential development in areas in urban service areas, where public sewer service is currently available. Its purposes are: to encourage the development of smaller-sized residential lots in areas where public services exist to service them efficiently; to discourage the development of nonresidential uses; to protect the environmentally sensitive areas, including floodplain, watersheds, karst, and steep slopes; and to maintain the character of the surrounding neighborhood. Therefore, the number of uses permitted in the HR District is limited. Some uses are conditionally permitted. The conditions placed on these uses are to insure their compatibility with the residential uses. The development of new activities proximate to known mineral resource deposits or extraction operations may be buffered by distance.

Urban (Multifamily) Residential (UR) District. The character of the Urban (Multifamily) Residential (UR) District is defined as that which is primarily intended for multifamily and high density residential development in areas within urban service areas, near business nodes and concentrations where public sewer service is currently available. Its purposes are: to encourage the development of multifamily and two-family residential lots and developments in areas where public services exist to service them efficiently; to encourage the integration and mixing of high-density residential development with local nonresidential uses in an appropriate and comprehensive manner; to protect the environmentally sensitive areas, including floodplain, watersheds, karst, and steep slopes; and to maintain the character of the surrounding neighborhood. Therefore, the number of uses permitted in the UR District is limited. Some uses are conditionally permitted. The conditions placed on these uses are to insure their compatibility with the residential uses. The development of new activities proximate to known mineral resource deposits or extraction operations may be buffered by distance.

Limited Business (LB) District. The character of the Limited Business (LB) District is defined as that which is primarily intended to meet the essential business needs and convenience of neighboring residents. Limited business uses should be placed into cohesive groupings rather than on individual properties along the highways and access control should be emphasized. Its purposes are: to encourage the development of groups of nonresidential uses that share common highway access and/or provide interior cross-access in order to allow traffic from one business to have access to another without having to enter the highway traffic; to discourage single family residential uses; to protect environmentally sensitive areas, such as floodplain, karst, and steep slopes; and to maintain the character of the surrounding neighborhood. Therefore, the number of uses permitted in the LB District is limited. Some uses are conditionally permitted. The conditions placed on these uses are to insure their compatibility with the adjacent residential uses.

General Business (GB) District. The character of the General Business (GB) District is defined as that which is primarily intended to meet the needs for heavy retail business uses. General business uses should be placed into cohesive groupings rather than on individual properties along highways in order to take advantage of major thoroughfares for traffic dissemination. Access control should be emphasized. The purposes of the GB District are: to encourage the development of groups of nonresidential uses that share common highway access and/or provide interior cross-access in order to allow traffic from one business to have access to another without having to enter the highway; to discourage single family residential uses; to protect environmentally sensitive areas, such as floodplain, karst and steep slopes; and to maintain the character of the surrounding neighborhood. Some uses are conditionally permitted. The conditions placed on these uses are to insure their compatibility with the adjacent residential uses.

Institutional/Public (IP) District. The Institutional/Public (IP) District is defined as that which is primarily intended to accommodate uses of a governmental, civic, public service, or public institutional nature, including major public facilities, public utilities, and local government-owned property.

Light Industrial (LI) District. The character of the Light Industrial (LI) District is defined as that which is primarily intended for industrial uses that have minimal exterior movement of vehicles and goods. Its purposes are: to establish areas for the exclusive development of light industries; to discourage residential and commercial uses; to protect environmentally sensitive areas, such as floodplain, karst, and steep slopes; and to maintain the character of the surrounding neighborhood. Uses shall be restricted to activities that are not a nuisance because of dust, fumes, noise, odor, refuse matter, smoke, vibration, water-carried waste or other adverse effects on surrounding uses. Some uses are conditionally permitted. The conditions placed on these uses are to insure their compatibility with adjacent non-industrial uses. The LI District shall provide open space, landscaping and buffering in order to achieve desirable site development.

Heavy Industrial (HI) District. The character of the Heavy Industrial (HI) District is defined as that which is primarily intended for industrial uses that have extensive exterior movement of vehicles and goods. Its purposes are: to establish areas for industrial development; to discourage residential and commercial uses; to protect environmentally sensitive areas, such as floodplain, karst, and steep slopes; and to maintain the character of the surrounding neighborhood. Some uses are conditionally permitted. The conditions placed on these uses are to insure their compatibility with adjacent uses. The intensity of uses associated with the HI District required imposing strict measures, such as extensive setbacks, buffers, and landscaping, to control adverse environmental and visual impacts.

Mineral Extraction (ME) District. The character of the Mineral Extraction (ME) District is defined as that which is primarily intended for limestone extraction and stone processing activities and, where known limestone reserves exist but have not been tapped, limited agriculture uses. Its purposes are: to protect areas of known limestone reserves from encroachment by incompatible residential and business development; to discourage residential, commercial and industrial uses; to protect environmentally sensitive areas, such as floodplain, karst, and steep slopes; and to maintain compatibility with the character of the surrounding neighborhood to the greatest extent possible. The list of possible uses is severely limited due to the intensive nature of the extractive operations.

Planned Unit Development (PUD) District. The character of the Planned Unit Development (PUD) District is defined as an area where the placement of large scale, unified land developments, typically involving a configuration and/or mix of uses not otherwise permitted "as of right" under the Zoning Ordinance, may nevertheless promote the purposes of the Zoning Ordinance and may be considered by the County and the Commission. Additional clarification of the process for approval of Planned Unit Developments is detailed in Chapter 811 of this Ordinance.

Pre-Existing Business (PB) District. The Pre-Existing Business (PB) District is defined as that which is primarily intended to accommodate commercial and business service uses that were in operation prior to the adoption of this zoning ordinance. The intent of the PB District is to identify locations of commercial activity that are not supported by the Comprehensive Land Use Plan, but where commercial and service operations continue to exist. This District is identified for the purposes of maintaining commercial activities with business zoning, while at the same time not allowing for the expansion of new business activity proximate to the location of the PB District. Expansion of the business is permitted within the lot of record. The type of business may change to one of equal or lower intensity as identified on Table 2-1 *Permitted Land Uses*.

Recreation (REC) District. The character of the Recreation District is defined as that which is primarily intended to meet the essential recreation needs and convenience of county residents. Its purposes are: to discourage single family residential uses; to protect environmentally sensitive areas, such as floodplain, karst, and steep slopes; and to maintain the character of the surrounding neighborhood while meeting the essential recreation needs and convenience of County residents. Therefore, the number of uses permitted in the REC District is limited. Some uses are conditionally permitted. The conditions placed on these uses are to insure their compatibility with the adjacent residential uses.

Special Flood Hazard Area (SFHA) Overlay District. The character of the Special Flood Hazard Area (SFHA) Overlay District is defined as those lands within the County Jurisdictional Area which are subject to inundation by the regulatory flood. The SFHAs are generally identified as such on the Monroe County and Incorporated Areas Flood Insurance Rate Map prepared by the Federal Emergency Management Agency, dated December 17, 2010, as amended. The SFHAs are shown on a FHBM or FIRM as Zone A, AE, A1-A30, AH, AR, A99, or AO."

Historic Preservation (HP) Overlay District. The character of the Historic Preservation (HP) Overlay District is defined as areas which contain (Primary) or which surround (Secondary) areas which contain buildings, structures or places in which historic events occurred or having special public value because of notable architectural or other features relating to the general, archeological, economic, social, political, architectural, industrial or cultural history of Monroe County, Indiana, of such significance as to warrant conservation or preservation, and which, by virtue of the foregoing, have been designated as an Historic Districts by the Monroe County Commissioners pursuant to the provisions of the Zoning Ordinance.

Environmental Constraints Overlay (ECO) District. The character of the Environmental Constraints Overlay (ECO) District is defined as those areas of Monroe County, Indiana, that are within both the Monroe Reservoir and Lake Griffey watershed boundaries, as located by the Environmental Systems Applications Center, Indiana University, Bloomington, and the County Jurisdictional Area. The ECO District is divided into four areas based on topography and proximity to Monroe Reservoir and Lake Griffey and to stream beds that convey water to Monroe Reservoir and Lake Griffey.

Business and Industrial Overlay (BI) District. The character of the Business and Industrial Overlay (BI) District is defined as those areas of Monroe County, Indiana, that are identified on the Comprehensive Land Use Plan as well suited for business and industrial uses. Limited residential development is permitted, but only in cluster subdivisions to allow for future business and industrial development.

Wireless Communications Overlay (WCF) District. The character of the Wireless Communications Overlay (WCF) District is defined as that which is intended for wireless communications uses, including but not limited to: placement of wireless communications facilities, antenna arrays, support structures, and equipment facilities as needed to provide wireless communications services. Its purpose is to identify those areas that are designated for wireless communications facilities as permitted uses, encourage co-location of facilities, discourage the proliferation of towers, and accommodate the needs of wireless communications services providers. Conditions placed on permitted and conditional uses are designed to promote the purpose of the district and promote public health, safety and welfare. The geographical extent of the WCF overlay is defined on the Monroe County Zoning Maps.

- (E) The zone and overlay zone boundaries are shown on the Zone Maps.

802-2. Establishment of Zone Maps

- (A) The zone maps adopted with this ordinance are hereby established as the Official Zone Maps and Zoning Districts (hereinafter "Zone Maps") of Monroe County, Indiana. The Zone Maps designate the respective zoning districts in accordance with this ordinance. In addition, the Flood Insurance Rate Map for Monroe County, Indiana, prepared by the Federal Emergency Management Agency, is also designated as part of the Official Zone Maps.
- (B) The Zone Maps are specifically identified follows:
 - Zoning Map of Bean Blossom Township;
 - Zoning Map of Benton (North) Township;
 - Zoning Map of Benton (South) Township;
 - Zoning Map of Bloomington Township;
 - Zoning Map of Clear Creek Township;
 - Zoning Map of Indian Creek Township;
 - Zoning Map of Perry Township;
 - Zoning Map of Polk Township;
 - Zoning Map of Richland Township;
 - Zoning Map of Salt Creek Township;
 - Zoning Map of Van Buren Township;
 - Zoning Map of Washington Township; and
 - Zone Map identified as the "Flood Insurance Rate Map of Monroe County, Indiana," shall be identified as the "Monroe County and Incorporated Areas Flood Insurance Rate Map, prepared by the Federal Emergency Management Agency."

802-3. Determination and Interpretation of Zone Boundaries

- (A) In determining the boundaries of districts, and establishing the provisions applicable to each district, due and careful consideration has been given to 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 Jurisdictional Area.
- (B) Where uncertainty exists as to the exact boundaries of any district as shown on the Zone Maps, the following rules shall apply:
 - (1) Unless otherwise indicated, the zone boundary lines are the section, half and quarter section lines, the center lines of streets or such lines extended;
 - (2) Where zone boundary lines divide a lot having frontage only on a street in the more restricted zone, the provisions of this ordinance covering the less restricted portion of such lot shall extend to the entire lot;
 - (3) Where zone boundary lines divide a lot having frontage on a street in the less restrictive zone, the provisions of this ordinance covering the less restricted portion of such lot may extend to the lot, but in no case for a distance of more than thirty (30) feet;
 - (4) In the case of further certainty, the Commission shall interpret the intent of the Zone Map as to the location of the boundary in question.

802-4. Performance Standards for Permitted Uses

All permitted uses established or placed into operation after the effective date of this ordinance shall comply with the following performance standards in the interest of protecting public health, safety and welfare, and lessening injury to property. No use in existence on the effective date of this ordinance shall be so altered as to conflict (or increase and existing conflict) with these standards.

- (A) **Fire Protection.** Firefighting equipment and prevention measures acceptable to the local fire department shall be readily available and apparent when any activity involving the handling or storage of flammable or explosive materials is conducted.
- (B) **Electrical Disturbance.** No use shall cause electrical disturbance adversely affecting radio, television or other equipment in the vicinity of the use.
- (C) **Noise.** No use shall produce noise in such a manner as to be objectionable because of volume, frequency, intermittence, heat, shrillness, or vibration. Such noise shall be muffled or otherwise controlled so as not to become detrimental, provided however, that public safety sirens and related apparatus used solely for public purposes shall be exempt from this standard.
- (D) **Vibration.** No use shall cause vibrations or concussions detectable beyond lot lines without the aid of instruments.
- (E) **Air Pollution.** No use shall discharge across lot lines fly-ash, dust, smoke, vapors, noxious, toxic or corrosive matter, or other air pollutants in such concentration as to be detrimental to health, animals, vegetation or property and/or in conflict with relevant air quality standards established by State and/or Federal agencies.
- (F) **Heat and Glare.** No use shall produce heat or glare in such manner as to create a nuisance perceptible from any point beyond the lot lines of the property on which the use is conducted. In nonresidential areas, any lighting used to illuminate an off-street parking area, loading area, driveway, or service drive shall be shielded with appropriate light fixtures directing the light down and away from adjacent properties in order that the illumination at any property line shall not exceed one (1) foot candle. All exterior lighting shall be hooded and shielded so that the light source (i.e. bulb, filament, etc.) is not directly visible from the residential property lines. In residential areas, exterior lighting at any property line shall not exceed one (1) foot candle.
- (G) **Water Pollution.** No use shall produce erosion or other pollutants in such quantity as to be detrimental to adjacent properties and conflict with relevant water pollution standards established by State and/or Federal agencies.
- (H) **Waste Matter.** No use shall accumulate within the lot, or discharge beyond the boundary lines of the lot on which the use is located, any waste matter, whether liquid or solid, in violation of applicable public health, safety and welfare standards and regulations.

802-5. Permitted Land Uses

- (A) The chart and conditions of Table 2-1 are incorporated in this section and are adopted as the basic land use regulations for the County Jurisdictional Area. The chart and conditions, which may be generally referred to as the "County Land Use Schedule," identify the types of land uses that are permitted within the County Jurisdictional Area. A measure of intensity associated with the land use is noted after each particular use.
- (B) To determine the zone(s) in which a particular use is allowed, find the use in the list of uses along the left-hand side of Table 2-1 and read across the use row to find the zone column designations.
- (C) Legend:
- | | |
|--------------------------------|--------------|
| Use allowed in particular zone | P |
| Use not allowed | [blank] |
| Standard Conditions of use | 1 through 57 |
- (D) The uses listed in Table 2-1 are defined as follows:

(1) **AGRICULTURAL USES**

Accessory Use. A use which is customarily accessory, and clearly incidental and subordinate, to the principal agricultural use on the same lot.

Agriculture. Farming, including plowing, tillage, cropping, livestock, and installation of best management practices, seeding, cultivating, or harvesting for the production of food and fiber products (except commercial logging and timber harvesting).

Agricultural-related industry.

(1) *Packaging plants:* May include but are not limited to the following activities: washing, sorting, crating, and other functional operations such as drying, field crushing, or other preparation in which the chemical and physical composition of the agricultural product remains essentially unaltered. Does not include processing activities, slaughterhouses, animal reduction yards, or tallow works.

(2) *Processing plants:* May include but are not limited to those activities which involve the fermentation or other substantial chemical and physical alteration of the agricultural product. Does not include slaughterhouses or rendering plants.

(3) *Storage facilities:* Includes controlled atmosphere and cold storage warehouses and warehouses for the storage of processed and/or packaged agricultural products.

Agricultural Uses, Land Animal Related. Commercial agricultural activities involving the production of animals and the preparation of products for human use, including dairying, poultry, livestock, or other such operations, but excluding meat processing and packaging operations.

Agricultural Uses, Non-Animal Related. Agricultural and farming activities involving the production and preparation of plants for human use, including horticulture, nurseries, forestry, sugar making, viticulture, grains and seed crops, fruits and vegetables of all kinds, greenhouse applications, and lands devoted to soil conservation and forestry management; all such uses exclude the processing and packaging of plants as food stuffs, with the exception of viticulture operations and small-scale marketing of processed fruit products, as in fruit markets.

Agritourism /Agritainment. Farming-related activities offered on a working farm or other agricultural setting for entertainment or educational purposes.

Aquaculture. The commercial cultivation and processing of aquatic life, including fish, shellfish and seaweed.

Christmas Tree Farm. An agricultural use involving the raising or harvesting of Christmas trees for sale on-site or transport to market.

Commercial Facilities for the sale, repair, and service of agricultural equipment, vehicles, feed, or supplies. Establishments selling, renting, or repairing agricultural machinery, equipment, and supplies for use in soil preparation and maintenance, the planting and harvesting of crops, and other operations and processes pertaining to farming and ranching.

Commercial Non-Farm Animals. Animal production for human use, not including animals for agricultural use as listed above, but including animals for commercial production, such as bees and apiary products, fur animals, and exotic animals.

Composting Operation. An establishment for the composting of waste materials accumulated as the result of the care of lawns, shrubbery, vines, and trees. However, property on which the principal use is residential and on which composting of such materials, accumulated exclusively on-site, is conducted, shall not be considered a composting operation.

Confined Feeding Operations. The confined feeding of 150 or more cattle, 300 or more of swine and sheep, or 10,000 or more fowl, per facility.

Equestrian center. Commercial horse, donkey, and mule facilities including: horse ranches, boarding stables, riding schools and academies, horse exhibition facilities, pack stations. This land use includes barns, stables, corrals, and paddocks accessory and incidental to the above uses.

Equine Services. Operations involved in the shelter and care of horses, as well as breeding, training, and for giving lessons, including stables, stud farms, and other related uses.

Feed Lot. An area restricted by fencing or other structure in which animals are fed, watered, and otherwise maintained for the purpose of growing for market.

Feed Mill. A facility where various feed stuffs are inventoried and processed for the purpose of providing complete or partial animal rations. This facility sells its product either directly to the user or may provide the service of delivery to the user. Sale of other agricultural items may be included and shall be an incidental accessory use. Limited, portable operation of feed mills as non-commercial uses on farms is allowed as an accessory use.

Horse farm. A building or structure and/or land whose operator keeps equines primarily for breeding.

Kennels, including commercial animal breeding operations. The boarding, breeding, raising, grooming, or training of two or more dogs, cats, or other household pets of any age not owned by the owner or occupant of the premises, and/or for commercial gain.

Nursery/greenhouse. An establishment for the growth, display, and/or sale of plants, shrubs, trees, and materials used in indoor or outdoor planting, conducted within or without an enclosed building.

Orchard. A group of fruit or nut trees grown and cultivated for the sale of harvested produce.

Pick-your-own operation. An establishment where commercially grown fruit or vegetables are picked by the customer for purchase at the place of production.

Roadside Stand, Permanent: A permanent structure, operated on a seasonal or year-round basis, which allows for local agricultural producers to retail their products and agriculture-related items directly to consumers and enhance income through value-added products.

Roadside Stand, Temporary: A non-permanent structure (tent or table), operated on a seasonal basis which allows for local agricultural producers to retail their products and agriculture-related items directly to consumers and enhance income through value-added products.

Stockyard. A place where livestock is assembled and at which place facilities are maintained for the handling of such livestock either for purchase or sale at competitive bidding, or purchase by the owners operating the stockyards and such places shall be deemed to include concentration points where livestock is assembled for the purpose of redistribution or resale by means other than competitive bidding, but such places shall not be deemed to include sale barns.

Winery. An agricultural processing plant used for the commercial purpose of processing grapes, other fruit products, or vegetables to produce wine or similar spirits. Processing includes wholesale sales, crushing, fermenting, blending, aging, storage, bottling, administrative office functions for the winery and warehousing. Retail sales and tasting facilities of wine and related promotional items may be permitted as part of the winery operations.

(2) RESIDENTIAL USES

Accessory Apartment. A separate and complete dwelling unit contained within the structure of a single family dwelling unit, and containing only one bedroom.

Accessory Dwelling Units – A separate, complete housekeeping unit with a separate entrance, kitchen, sleeping area, and full bathroom facilities, which is an attached or detached extension to an existing single-family structure.

Accessory Livestock, Non-Farm Animals. Keeping domestic livestock, or poultry for personal use in a manner that is customarily accessory and clearly incidental and subordinate to the principal rural residential uses on the same lot.

Accessory Use. A use which is customarily accessory, and clearly incidental and subordinate, to the principal residential use on the same lot.

Boarding House. A dwelling or part thereof in which, for compensation, temporary lodging and meals are provided.

Elderly Housing. For purposes of this provision, 'Elderly Housing' is defined as housing subject to an age-restriction in accordance with the age-restricted housing rules of the Housing for Older Persons Act of 1995 (42 U.S.C. § 3601). Includes the use of a site for a residential development to house elderly persons who are capable of caring for themselves and maintaining independent households. A typical development would include separate dwelling units, containing independent cooking, bathroom, and sleeping facilities, to be occupied by only one (1) person or couple.

Guest House. An accessory building containing a lodging unit with or without kitchen facilities, used to house occasional visitors or nonpaying guests of the occupants of a dwelling unit on the same site.

Home Based Business. An accessory occupational use conducted in a residential dwelling by the inhabitants that is clearly incidental to the use of the structure for residential purposes and does not change the residential character of the site. A home based business is conducted in the primary residential structure or one accessory structure, that shall not have more than two employees living off-site, permitting on-site sales of merchandise constructed on-site or are incidental to services performed on-site, and are identified with minimal advertising signs as given in Chapter 807. Activities that create no external visual changes and produce no odors, noise, vibration, or other discernible impacts outside the dwelling, including but not limited to drafting, drawing, typing, writing, and operating telephones, sewing machines or computers, shall not require an Improvement Location Permit or conditional use approval, provided that the following regulations are met:

1. No employees or customers visit or park vehicles on the premises;
2. No signs are displayed; and
3. No deliveries other than those normally associated with residential uses are made to the site.

Home Occupation. An accessory occupational use conducted in a residential dwelling by the inhabitants that is clearly incidental to the use of the structure for residential purposes and does not change the residential character of the site. A home occupation is based entirely within the primary residential structure, limited to not more than twenty-five (25) percent of the total square footage of the residential structure, with not more than two (2) employees living off-site, incidental sales of goods permitted, but no external signs identifying the business are permitted. Activities that create no external visual changes and produce no odors, noise, vibration, or other discernible impacts outside the dwelling, including but not limited to drafting, drawing, typing, writing, and operating telephones, sewing machines or computers, shall not require an Improvement Location Permit or conditional use approval, provided that the following regulations are met:

1. No employees or customers visit or park vehicles on the premises;
2. No signs are displayed; and
3. No deliveries other than those normally associated with residential uses are made to the site.

Manufactured Home Park. A site containing spaces with required improvements and utilities that may be leased for the long-term placement of manufactured houses and that may include services and facilities for the residents.

Multifamily Dwelling. The use of a lot for three (3) or more dwelling units, within one (1) or more buildings, other than a manufactured home.

Residential Storage Structure. A structure to be used for private noncommercial storage by the property owner. Does not require the presence of a principle use on the same lot. Structure shall not exceed 1750 square feet in the AG/RR, FR or CR zoning districts and 875 feet in all other permitted zoning districts.

Single Family Dwelling. The use of a lot for only one (1) dwelling unit, including site-built housing or manufactured housing, herein defined as a dwelling unit fabricated in an off-site manufacturing facility for installation or assembly at a building site, which meet the National Manufactured Home Construction and Safety Standards Act (42 U.S.C. Sec. 5401), including single and double wide mobile homes and modular homes.

Temporary Dwelling. The temporary use of a manufactured home as a residence on a lot previously occupied by permanent dwelling that is destroyed to such an extent as to be

unlivable or the temporary placement and occupancy of a manufactured home as a second main structure on a lot as described in Chapter 814-7.

Two Family Dwelling. The use of a lot for two (2) dwelling units, within a single building, including duplex manufactured housing.

(3) PUBLIC AND SEMIPUBLIC FACILITIES

Accessory Use. A use which is customarily accessory, and clearly incidental and subordinate, to the principal public, semipublic, or office use on the same lot.

Airport. A place where aircraft can land and take off, usually equipped with hangars, facilities for refueling and repair, and various accommodations for passengers.

Cemetery. Land used or intended to be used for burying the human dead and dedicated for cemetery purposes, including mausoleums and mortuaries when operated in conjunction with and within the boundaries of the cemetery.

Central Garbage/Rubbish Collection Facility. Public or private establishments contracted to remove solid waste from residential or commercial uses and transport such wastes to a locally operated public or private landfill or other waste collection facility, designated for consolidation of garbage and recycled matter.

Charitable, Fraternal, or Social Organization. A facility for administrative, meeting, or social purposes for a private or nonprofit organization, primarily for use by administrative personnel, members and guests.

Community Center. A facility designed for educational, recreational, cultural, and social activities, open to the public or a designated part of the public, usually owned and operated by a public or nonprofit group or agency.

Cultural Facility. A library, museum, or similarly registered nonprofit organizational use displaying, preserving, and exhibiting objects of community and cultural interest in one or more of the arts and sciences.

Day Care Facility. A facility, or use of a building or portion thereof, for daytime care of individuals. This term includes nursery schools, pre-schools, day care centers for children or adults, and similar uses, but excludes public and private primary or secondary educational facilities and child care homes as defined by the State of Indiana Code.

Funeral Home. An establishment engaged in undertaking services, such as preparing the human dead for burial, and arranging and managing funerals.

Governmental Facility. A government owned or operated building, structure, or land used for public purpose.

Group Home. A housing unit classified further as one of the following:

- (a) Group Home, Class I.** A facility providing 24-hour care in a protected living arrangement for not more than fifteen (15) residents. This classification includes foster homes, homes for the physically and mentally impaired, homes for the developmentally disabled, congregate living facilities for persons 60 years of age and older, and maternity homes.
- (b) Group Home, Class II.** A facility providing 24-hour care in a protected living arrangement for not more than fifteen (15) residents. This classification includes

homes for juvenile delinquents, halfway houses providing residence in lieu of institutional sentencing, halfway houses providing residence to those needing correctional and mental institutionalization. This classification also includes emergency shelter during crisis intervention for not more than fifteen (15) victims of crime, abuse, or neglect, and residential rehabilitation for alcohol and chemical dependence for 15 or fewer individuals.

Hospital. A facility providing medical, psychiatric or surgical services for sick or injured persons primarily on an inpatient basis, including ancillary facilities for outpatient and emergency treatment, diagnostic services, training, research and administration, and services to patients, employees, and visitors.

Medical Clinic. An establishment providing medical, psychiatric or surgical services exclusively on an outpatient basis, including emergency treatment and diagnostic services.

Nursing Home. A privately operated establishment providing long-term personal and nursing care for the elderly, or for other individuals incapacitated in some manner for medical reasons.

Postsecondary Educational Institution. A school offering educational instruction beyond the secondary level, having regular sessions with regularly employed instructors, which is licensed by the State of Indiana.

Religious Facilities. A building or structure, or groups of buildings or structures, that by design and construction are primarily intended for conducting organized religious services and associated accessory uses.

Remote Garbage/Rubbish Removal Facility. Public or private establishments contracted to remove solid waste from residential or commercial uses and transport such wastes to a locally operated public or private landfill or other waste collection facility, designated for local collection and transportation to central collection facilities for disposal and recycling.

Retirement Center. A facility designed for educational, recreational, social, and other similar types of activities for retired persons.

School (K-12). A school offering educational instruction in grades kindergarten (K) through twelve (12), or any portion thereof, having regular sessions with regularly employed instructors, that teach those subjects that are fundamental and essential in general education, and which are licensed by the Indiana Department of Education.

Solar Farm. A commercial facility that converts sunlight into electricity, whether by photovoltaics (PV) or other conversion technology, for the primary purpose of wholesale sales of generated electricity.

Temporary Care Facility. A facility designed to allow persons needing temporary special supervision or care to live together in a homelike, non-institutional setting in order to conduct their lives in the least restrictive environment possible in a manner most like that of persons not needing special supervision or care.

Utility Service Facility. Electrical switching facilities and primary substations, and other services which are necessary to support principal development and involve minor structures such as lines and poles. This definition excludes generating plants.

Wastewater Treatment Facility. Facility designed for the treatment and discharge of wastewater.

Water Treatment Facility. Facilities designed for the collection, treatment, and transport of potable water.

Wired Communication Services (formerly Telephone and Telegraph Services). A facility for the transmission of writing, signs, signals, pictures, and sounds of all kinds by aid of wire, cable, or other like connection between the points of origin and reception of the transmission, including all instrumentalities, facilities, apparatus, and services (among other things, the receipt, forwarding, and delivery of communications) incidental to the transmission. Examples include telephone networks, cable television or internet access, and fiber-optic communication.

Wireless Communications Facilities (WCF). Any unstaffed facility for the transmission and/or reception of wireless communications services, usually consisting of an Antenna Array, transmission cables, equipment facilities, and a Support Structure.

(4) BUSINESS AND PERSONAL SERVICES

Accessory Use. A use which is customarily accessory, and clearly incidental and subordinate, to the principal business or personal service use on the same lot.

Air Cargo and Package Service. An establishment primarily engaged in the hauling and delivery of cargo and packages between persons, companies, and corporations, while acting a distinct party to the transaction.

Aircraft Charter Service. An establishment primarily engaged in the private transportation of passengers and cargo, usually performed under private contract with a person, group of persons, or private company or corporation.

Airport Transportation Service. An establishment primarily engaged in the transportation of passengers, luggage, and other small cargo from and to airports.

Appliance Repair. An establishment involved in repairing instruments or devices designed for a particular use, such as stoves, fans, or refrigerators that are operated by gas or electric current.

Artisan Crafts. Individuals or businesses which primarily produce art- or craft-related items on site. Such uses include (but are not limited to) stone carving, wood crafts, specialty paper products, an artist's studio, glassblowing, and metal sculpting.

Barber Service. An establishment involved in cutting and styling men's hair, shaving and trimming beards and performing other related services.

Beauty Service. An establishment or department where women's hair-dressing, facials, manicures, and other related services are performed.

Bed and Breakfast. An operator occupied residence in which four (4) or fewer guest rooms, and breakfast, are furnished to the public under a short term lodging agreement.

Boat Storage. A storage facility utilizing enclosed buildings and/or unenclosed outdoor areas for the seasonal or year-round storage of four or more boats.

Caterer. A place of business whose employees provide food and service for various functions, such as banquets, private parties, weddings, and so forth.

Coin-Operated Cleaning/Laundry. An establishment providing coin-operated or similar

self-service laundry and dry cleaning equipment for use on the premises.

Composting Operation. An establishment engaged in the controlled process of degrading organic matter for retail of processed material.

Convenience Storage. A storage service primarily for personal effects and household goods within an enclosed storage area having individual access, but excluding uses such as workshops, hobby shops, manufacturing or commercial activities, and may include an on-site apartment for a resident manager.

Copy Service. A place of business providing duplication services.

Dry Cleaning and Laundry Pickup. An establishment providing dry cleaning and laundry pickup services, but where no dry cleaning and laundering are done on the premises.

Dry Cleaning and Laundry Service. An establishment providing dry cleaning and laundering services where dry cleaning and laundering are done on the premises.

Electrical Repair. An establishment primarily engaged in repairing electrical and electronic equipment, such as electrical household appliances and equipment.

Employment Agency. An agency whose business is to find jobs for people seeking employment or to find people to fill jobs that are available.

Equipment Rental. An establishment involved in renting small tools and equipment, such as plumbing tools, lawn and garden equipment, janitorial equipment, and so forth; and small furniture and appliances, such as baby beds, chairs and tables, televisions and videocassette recorders, videodiscs, and so forth.

Estates Services. A business which provides estate planning and financial services, and organizes and conducts estate sales and management services, under contract.

Exterminating Service. A service related to the eradication and control of rodents, insects, and other pests.

Financial Service. An establishment primarily engaged in providing financial and banking services. Typical uses include banks, savings and loan institutions, stock and bond brokers, loan and lending activities and similar services.

Greenfill. The placement of more than 2,000 pounds of organic material brought from an off site location that has the effect of altering the natural topography of existing low areas or ravines. Organic material includes such items as tree limbs, tree stumps, tree branches and leaves, shrubs, undergrowth, etc... For the purpose of this definition, incidental grass clippings, leaves, tree trimmings from on site maintenance are not included in this definition. Greenfill is considered a land disturbing activity, subject to the provisions of this ordinance.

Gunsmith. An individual or establishment that designs, makes or repairs small firearms. The retail or wholesale sale and trading of firearms is prohibited.

Hotel. A building, or portion thereof, in which five (5) or more guest rooms (typically accessible from an interior hallway) are furnished to the public under a short-term lodging agreement

Industrial Equipment Repair. An establishment primarily engaged in repairing industrial equipment, including repairing heavy-construction and earth-moving equipment.

Insurance Agency. An agency whose business is to insure persons or property.

Interior Decorating. An establishment involved in the art or practice of planning and supervising the design and implementation of architectural interiors and their furnishings.

Kennel, including Commercial Animal Breeding Operations. An establishment wherein any person engages in the business of boarding, breeding, buying, keeping, letting for hire, training for a fee, or selling dogs, cats, and/or other small domesticated household pets (not farm animals).

Legal Service. An establishment engaged in offering legal advice or legal services, the head or heads of which are members of the bar.

Locksmith. An individual who makes or repairs locks.

Massage Studio. An establishment offering massage therapy and/or body work by a massage therapist certified under IC 25-21.8 or under the direct supervision of a licensed physician, surgeon, chiropractor, or osteopath.

Motel. A building, or portion thereof, in which five (5) or more guest rooms (typically accessible from an outdoor parking lot) are furnished to the public under a short-term lodging agreement

Office. An establishment primarily engaged in providing professional, financial, administrative, clerical and other similar services.

Office Equipment Repair. An establishment involved in repairing office equipment, such as typewriters, copying machines, computers, calculators, and so forth.

Parking Facility. An area on a site with or without a principal use, which includes one or more off-street parking spaces together with driveways, aisles, turning and maneuvering areas, clearances, and similar features. A parking facility includes parking lots, parking garages, and parking structures, and includes both publicly and privately owned facilities.

Pet Services. Establishments engaged in grooming and boarding, when totally within a building, of dogs, cats, birds, fish, or similar small animals customarily used as household pets. Typical uses include dog bathing and clipping salons and pet grooming shops.

Photographic Service. An establishment primarily engaged in developing films, in making photographic prints and enlargements for the trade or for the general public, and in renting photographic equipment.

Physical Therapy Facility. A place where treatment of disease and injury by mechanical means such as exercise, heat, light, and massage is provided.

Real Estate Agency. An agency primarily engaged in renting, buying, selling, managing and appraising real estate for others.

Real Estate Sales Office or Model Home Office. The temporary use of a mobile office, or similar structure, or a model home, as a sales office during the development of a new subdivision, office building, shopping center, industrial complex, and so forth.

Rehabilitation Therapy Facility. A place used to assist humans to achieve or to restore good health or useful life through therapy, treatment and education.

Shoe Repair. A place of business primarily engaged in repairing footwear.

Small Engine and Motor Repair. An establishment involved in repairing lawn mowers, garden equipment, model airplane engines, and so forth.

Tailoring. An establishment primarily engaged in making and selling men's and women's clothing to individual order.

Taxidermist. One who prepares, stuffs, and mounts the skins of animals, especially vertebrates.

Temporary / Seasonal Activity. Any sale made by a person, firm or corporation engaging in the temporary business of selling seasonal products or engaging in events either retail or outdoor in nature, on property owned or leased by the person, firm, or corporation. The following list identifies the kinds of temporary / seasonal activity:

- Outdoor art or craft show or exhibit;
- Christmas tree sales;
- Fireworks sales;
- Car Tent sales;
- Food Trucks;
- Outdoor public, religious, patriotic, or historic assembly or exhibit, including a festival, benefit, fund raising event, or similar use that typically attracts a mass audience;

For temporary uses that are not listed above, the Director shall determine whether an unlisted temporary seasonal activity use should be classified as a temporary seasonal activity. This determination shall be based upon the similarities and differences with the above listed uses and an assessment of the proposed temporary seasonal activity's compatibility with the zoning district and surrounding land uses.

Tourist Home or Cabin. A building, or portion thereof, in which four (4) or fewer guest rooms are furnished to the public under the terms of a short-term lodging agreement.

Travel Agency. An agency engaged in selling and arranging personal transportation and accommodations for travelers.

Upholstery Service. An establishment offering reupholstery and repair services and specific upholstery materials for sale.

Veterinary Service (Indoor). An establishment of licensed practitioners primarily engaged in practicing veterinary medicine, dentistry or surgery where all services are performed or provided indoors.

Veterinary Service (Outdoor). An establishment of licensed practitioners primarily engaged in practicing veterinary medicine, dentistry or surgery where some services may be performed or provided outdoors, including kennels for small animals.

(5) RETAIL AND WHOLESALE TRADE

Accessory Use. A use which is customarily accessory, and clearly incidental and subordinate, to the principal retail or wholesale trade use on the same lot.

Agricultural Sale Barn. A facility where a livestock auction market is conducted and may include agricultural products or equipment sold on a consignment basis.

Agricultural Supply. An establishment involved in the retail sale of animal feeds, fertilizers, pesticides, seeds and other farm supplies, and non-mechanized equipment.

Apparel Shop. An establishment involved in selling clothing and clothing accessories.

Appliance Sales. Establishments involved in selling instruments or devices designed for a particular use, such as stoves, fans or refrigerators that are operated by gas or electric current.

Auction House. A place where objects of art, furniture, and other goods are offered for sale to persons who bid on the object in competition with each other.

Bakery (Retail). An establishment primarily engaged in the production and retail sale of bakery products.

Bakery (Wholesale). An establishment primarily engaged in manufacturing bakery products for sale primarily for home service delivery, or through one (1) or more non-baking retail outlets.

Bookstore. A place of business where books and magazines are the main items offered for sale.

Bottled Gas Storage and Distribution. An establishment primarily engaged in the retail sale of pressurized gas products, such as natural gas and propane, from bulk gas storage facilities.

Building Materials. Establishments involved in selling lumber, and a general line of building materials and supplies, typically sold to contractors, but also to the general public, which may include roofing, siding, shingles, wallboard, paint, cement, and so forth, including incidental storage.

Cabinet Sales. Establishments primarily engaged in selling cabinets, none of which are made on the premises.

Camera and Photographic Supply. An establishment primarily engaged in selling cameras, film, and other photographic supplies and equipment.

Confectionery. An establishment primarily engaged in the retail sale of candy, chewing gum, nuts, sweetmeats, chips, popcorn and other confections. Operation of a soda fountain or lunch counter is common.

Convenience Store. Any retail establishment offering for sale prepackaged food products, household items, gasoline sales, newspapers and magazines, and sandwiches and other freshly prepared foods, such as salads, for off-site consumption. The maximum size for a convenience store is 3,500 square feet.

Department Store. A retail store carrying a general line of apparel, such as suits, coats, dresses and socks; home furnishings, such as furniture, floor coverings, curtains, draperies, linens and major household appliances; and housewares, such as kitchen appliances, dishes, and utensils. These and other merchandise lines are normally arranged in separate sections or departments with accounting on a departmentalized basis. The departments and functions are integrated under a single management. The stores usually provide their own charge accounts, deliver merchandise and maintain open

stocks.

Drapery Sales. Places of business where draperies are the main product offered for sale.

Drugstore. An establishment engaged in the retail sale of prescription drugs and patent medicines and which may carry a number of related product lines, such as cosmetics, toiletries, tobacco and novelty merchandise, and which may also operate a soda fountain or lunch counter.

Fertilizer Sales (Bulk). Establishments involved in the sale of bulk fertilizer and fertilizer materials.

Fertilizer Sales (Packaged). Establishments involved in the sale of packaged fertilizer and fertilizer materials.

Florist (Retail). An establishment primarily engaged in the retail sale of cut flowers and growing plants.

Florist (Wholesale). An establishment primarily engaged in the wholesale distribution of flowers and florist supplies.

Fruit Market. An establishment primarily engaged in the retail sale of fresh fruits.

Furniture Sales. Establishments where furniture is the main item offered for sale; however, these places of business may also sell home furnishings, major appliances and floor coverings.

Garden Center. A place of business where retail and wholesale nursery and garden products are sold. These uses import many of the items sold, and may include plants, nursery products and stock, potting soil, hardware, power equipment and machinery, hoes, rakes, shovels, and other garden and farm variety tools and utensils.

General Flooring Sales. Places of business where floor coverings or hard wood flooring are the main products offered for sale.

Gift Shop. An establishment primarily engaged in the retail sale of combined lines of gifts and miscellaneous small art goods, such as greeting cards and holiday decorations.

Grocery Store. A store primarily engaged in the retail sale of various canned foods and dry goods, either packaged or in bulk, such as tea, coffee, spices, sugar and flour; fresh fruits and vegetables; and, frequently, fresh, smoked and prepared meats, fish, and poultry.

Gunshop. Any establishment primarily engaged in the sale, trade, or purchase of firearms or ammunition, wholesale or retail.

Handicrafts. Places of business that sell articles fashioned by those engaged in handicrafts.

Hardware. An establishment less than 30,000 square feet that is primarily engaged in the retail sale of basic hardware lines, such as tools, builders' hardware, gardening tools and paint and glass, housewares and household appliances and cutlery.

Heavy Machinery Sales. Establishments primarily engaged in marketing heavy machinery, such as road construction and maintenance machinery, mining machinery, agricultural machinery, industrial machinery and equipment, and so forth.

Home Improvement Center. An establishment greater than 30,000 square feet that is primarily engaged in the retail sale of a general line of building materials and supplies,

housewares and household appliances and gardening supplies to the general public, which may include roofing, siding, shingles, wallboard, paint, cement, and so forth, including incidental storage. Examples of this use include: Lowe's, Menard's, and Home Depot

Industrial Supplies. Establishments primarily engaged in marketing industrial supplies, such as bearings, boxes, gaskets, bottles, rubber goods, welding supplies, metal containers, and so forth.

Jewelry. An establishment primarily engaged in selling any combinations of lines of jewelry, such as diamonds and other precious stones mounted in precious metals such as rings, bracelets and brooches; sterling and plated silverware; and watches and clocks.

Liquor Store. An establishment primarily engaged in the retail sale of packaged alcoholic beverages, such as ale, beer, wine and whiskey, for off-premises consumption.

Marine Supply. An establishment primarily engaged in the retail sale of motorboats and other watercraft, marine supplies, and outboard motors, including incidental storage.

Manufactured Housing Sales. Establishments primarily engaged in the retail sale of new and used mobile homes, new manufactured houses, and new modular homes, including incidental storage.

Meat Market. A place of business where fresh, frozen or cured meats are sold and where no animals are butchered on the premises.

Music Store. An establishment primarily engaged in selling musical instruments, phonograph records, compact discs, tapes, sheet music and similar musical supplies.

Office Showroom. An establishment where office merchandise is exhibited for sale or where sample office supply items are displayed, including incidental storage, provided that a minimum of twenty (20) percent of the building is comprised of finished office space.

Office Supplies. Places of business where stationer and office supplies, such as enveloped, typewriter and mimeograph paper, file cards and folders, pens and pencils, and so forth, are the main items offered for sale.

Optical Goods. Establishments involved in selling visual devices or products.

Pet Shop. Place of business where domestic animals, and products for the health and care of domestic animals, are sold.

Petroleum Bulk Sales and Storage. An establishment primarily engaged in the retail sale of petroleum products, such as fuel oil and kerosene, from bulk liquid storage facilities.

Restaurant. An establishment engaged in the retail sale of prepared food and drinks for consumption on the premises or for carry-out.

Restaurant (Drive-in). An establishment engaged in the retail sale of ready-to-consume food and drinks in disposable containers, for consumption on or off the premises, and has drive-in or drive-through facilities so that patrons may be served while remaining in their automobiles.

Sporting Goods. Establishments primarily engaged in selling sporting goods, sporting equipment and accessories.

Tavern. A place of business where alcoholic beverages are sold to be drunk on the premises. The establishment may also sell some food items for consumption on the premises.

Used Merchandise (Antiques). A place of business where works of art, pieces of furniture, or decorative objects, made during an earlier period, are the main items offered for sale.

Used Merchandise (Flea Market). An open-air market for secondhand articles and antiques.

Used Merchandise (General). A store primarily engaged in the retail sale of used merchandise, antiques and secondhand goods, such as clothing, furniture, musical instruments, cameras, phonographs, and so forth.

(6) AUTOMOTIVE AND TRANSPORTATION SERVICES

Accessory Use. A use which is customarily accessory, and clearly incidental and subordinate, to the principal automotive or transportation service use on the same lot.

Automobile Repair Services, Minor. The replacement of any mechanical part or repair of any mechanical part including the removal of the engine head or pan, engine transmission or differential; and upholstering service, as an accessory to a residential use.

Automotive Paint Shop. An establishment primarily engaged in automotive painting and refinishing.

Automotive Rentals. Establishments involved in renting passenger cars, noncommercial trucks, motor homes or recreational vehicles, including incidental parking and servicing of vehicles available for rent.

Automotive/Boat Repair Shop. An establishment primarily engaged in general or specialized automotive, motorcycle, or watercraft repairs.

Automotive Sales. Establishments primarily engaged in the retail sale of new and used automobiles, noncommercial trucks, motor homes or recreational vehicles, including incidental storage, maintenance and servicing.

Automotive Supply. An establishment primarily engaged in the retail sale of automotive parts, tires, and accessories.

Automotive Tire Sales/Repair. An establishment primarily engaged in the retail sale and repair or retreading of automotive tires.

Bus Terminal. A facility designed to accommodate passengers who arrive and depart on commercial buses, which may include management offices, bus parking or storage areas and personal services for passengers.

Car Wash. An area or structure equipped with automatic or self-service facilities for washing automobiles.

Cold Storage Plant. A facility designed for storing perishable goods in a cold place for preservation.

Gasoline Service Station. An establishment primarily engaged in selling gasoline and

lubricating oils and which may sell other merchandise or perform minor repair work.

Grain Elevator. A building for buying, selling, storing, discharging and sometimes processing grain.

Motorcycle Sales. Establishments primarily engaged in the retail sale of new and used motorcycles, motor scooters, and personal watercraft, including incidental storage, maintenance and servicing.

Taxicab Stand. An establishment primarily engaged in furnishing passenger transportation by automobiles not operated on regular schedules.

Transfer or Storage Terminal. An establishment primarily engaged in furnishing local and long distance trucking and storage services, including parking and storage areas for vehicles used in the operation of the terminal.

Truck Stop/Travel Plaza. A development oriented to the service of trucks, including the sale of fuel to truck drivers, and provision for support facilities for truck drivers. They may also be utilized by non-truck traffic and the interstate traveler. Business activities which are customarily accessory and clearly incidental and subordinate to the truck stop or travel plaza, may include but not be limited to: scales, truck wash, tire repair and sales, barber shop, restaurant with or without alcohol service, shower facility, convenience store, truckers lounge (for services such as television/exercise/internet access etc.), motel/hotel, laundry, chain rental, vehicle fuel and consumer propane bottle dispensing. The facility may allow for the temporary, daily, or overnight parking (excluding for the loading and unloading of cargo) of commercial motor vehicles which are en-route to or from a destination along an interstate freeway system, for free or for a fee that may be independent of any other use on the premises. The term "truck" shall mean a commercial vehicle driven by a 'truck driver' who is required to have a Class "A" CDL (Commercial Driver's License) license or equivalent.

Trucking Terminal. A terminal facility used by highway-type, property-carrying vehicles, which may include truck maintenance facilities.

Wrecker Service. A service for towing wrecked or disabled automobiles or freeing automobiles stalled in snow or mud.

(7) AMUSEMENT AND RECREATIONAL SERVICES

Accessory Use. A use which is customarily accessory, and clearly incidental and subordinate, to the principal amusement or recreational use on the same lot.

Amphitheater. An open air structure devoted primarily to the showing of theatrical or musical productions, with the provision of seating areas for patrons. These uses frequently include refreshment stands.

Camping Facility. A plot of ground upon which two (2) or more campsites are located, established, or maintained for occupancy by camping units as temporary living quarters for recreation, education, or vacation purposes.

Club or Lodge. A use providing meeting, recreational or social facilities for a private or nonprofit association, primarily for use by members and guests.

Indoor Shooting Range. A facility designed and used for shooting at targets with archery and/or firearms, and which is completely enclosed within a building or structure.

Indoor Theater. A building for showing motion pictures or for live dramatic, dance, musical, or other productions, which is usually commercially operated.

Outdoor Drive-in Theater. An open-air lot devoted primarily to the showing of motion pictures for patrons in automobiles. These uses frequently include refreshment stands.

Park and Recreational Services. Publicly- and privately-owned and operated parks, playgrounds, recreational facilities, golf courses and open spaces.

Private Recreational Facility. A recreational facility for use by residents and guests of a particular residential development, church, private primary or secondary educational facility or limited residential neighborhood, including both indoor and outdoor facilities.

Race Track. A large open or enclosed space used for games or racing events or competitions and partly or completely surrounded by tiers of seats for spectators.

Recreational Vehicle (RV) Park. An area designed for transient occupancy by any number of recreational vehicles.

Resorts. A facility for temporary guests where the primary attraction is generally recreational features or activities.

Rodeo. A facility designed for the entertainment and competition between owners of equine and other farm-related animals.

Transient Amusement Enterprises. Carnivals, circuses or other similar transient amusement enterprises.

(8) MANUFACTURING, MINING, CONSTRUCTION, AND INDUSTRIAL USES

Abrasive Products. Establishments primarily engaged in manufacturing abrasive grinding wheels of natural or synthetic materials, and other abrasive products, such as scouring pads, sandpaper, steel wool, and so forth.

Accessory Use. A use which is customarily accessory, and clearly incidental and subordinate, to the principal manufacturing, mining, construction, or industrial use on the same lot.

Apparel. An establishment primarily engaged in manufacturing clothing and clothing accessories.

Appliance Assembly. An establishment primarily engaged in manufacturing instruments or devices for a particular use, such as stoves, fans or refrigerators that are operated by gas or electric current.

Beverage Products. Establishments primarily engaged in manufacturing beverages, beverage bases and beverage syrups.

Bottling Machinery. An establishment primarily engaged in manufacturing machinery for use by the food products and beverage manufacturing industries in washing, sterilizing, filling, capping, labeling, and so forth, of food and beverage products; and parts and attachments for the machinery.

Cement Products. A use engaged in processing and manufacturing materials or products predominantly from cement.

Commercial Printing. Establishments primarily engaged in letterpress and screen commercial or job printing, including flexographic; in printing by the lithographic process, in engraving and plate printing; in gravure printing; or in printing newspapers, periodicals, books, greeting cards, and so forth.

Construction Trailer. The temporary use of a mobile home, or similar structure, as a construction office during the development of a new subdivision, office building, shopping center, industrial complex, and so forth.

Cut Stone and Stone Products. Establishments primarily engaged in cutting, shaping and finishing marble, granite, slate and other stone for building and miscellaneous uses.

Dairy Products. Establishments primarily engaged in manufacturing creamery butter, natural cheese, condensed and evaporated milk, ice cream, and frozen desserts, and special dairy products, such as processed cheese and malted milk; and processing (pasteurizing, homogenizing, vitaminizing, bottling) fluid milk and cream, and related products, for wholesale or retail distribution.

Electronic Devices and Instruments. Establishments primarily engaged in manufacturing devices or instruments that work by the methods or principals of electronics.

Engineering and Scientific Instruments. Establishments involved in manufacturing instruments used in engineering and scientific procedures.

Farm Machinery and Equipment. Establishments primarily engaged in manufacturing farm machinery and equipment, including tractors, for use in preparing and maintaining the soil; planting and harvesting crops; preparing crops for market, on the farm; or for use in performing other farm operations and processes.

Food Products. Establishments involved in manufacturing or processing food products.

Furniture. An establishment involved in manufacturing furniture.

General Contractor. An individual who contracts to perform work or to provide supplies on a large scale, or an individual who contracts to erect buildings **off-site. Businesses may include, but are not limited to, plumbing, landscaping, electrical work, etc.**

Glass and Glassware. Establishments primarily engaged in manufacturing glass and glassware, pressed, blown or shaped from glass produced in the same establishment; or establishments primarily engaged in manufacturing glass products from purchased glass.

Grain Mill Products. Establishments primarily engaged in manufacturing grain mill products such as flour, cereal, meal, and so forth.

Hard Surface Floor Coverings. Establishments involved in manufacturing hard surface floor covering, such as tile and linoleum.

Insulation Products. Establishments involved in manufacturing insulation products.

Jewelry Products. Establishments primarily engaged in manufacturing jewelry and other articles worn on or carried about the person, made of precious metals with or without stones (including the setting of stones where used), including cigarette cases and lighters, vanity cases and compacts; trimmings for umbrellas and canes; and jewel settings and mountings; or establishments primarily engaged in manufacturing costume jewelry made of all materials, except precious stones and rolled gold plate and gold filled materials.

Laboratories. Facilities equipped for experimental study in a science or for testing and analysis; facilities providing opportunity for research, experimentation, observation or

practice in a field of study.

Leather Goods. Establishments primarily engaged in manufacturing leather goods, such as handbags and purses, billfolds, checkbook covers, saddles, horse whips, and so forth, and where no leather tanning or curing is done on the premises.

Machine Assembly. An establishment involved in manufacturing and assembling machinery.

Machine Shop. A workshop in which material are machined to size and assembled.

Metal Fabrication. An establishment involved in fabricating any of the various opaque, fusible, ductile and typically lustrous substances that are good conductors of electricity and heat.

Metalworking Machinery. An establishment involved in manufacturing machinery to be used for shaping objects out of metal.

Mineral Extraction. The on-site extraction of surface or sub-surface mineral products or natural resources. Typical extractive uses are quarries, borrow pits, sand and gravel operations, and mining operations.

Motor Vehicle and Equipment Assembly. Establishments primarily engaged in manufacturing or assembling complete passenger automobiles, trucks, commercial cars and buses and special purpose motor vehicles, including establishments primarily engaged in manufacturing chassis or passenger car bodies, which may also manufacture motor vehicle parts.

Musical Instruments. Establishments primarily engaged in manufacturing pianos, with or without player attachments; organs; other musical instruments; and parts and accessories for musical instruments.

Office and Computer Equipment. Establishments primarily engaged in manufacturing office equipment such as typewriters, desk calculators, adding and accounting machines, duplicating machines and similar equipment; and/or in manufacturing electronic computer and peripheral equipment and/or major logical components intended for use in electronic computer systems.

Optical Instruments and Lenses. Establishments primarily engaged in manufacturing instruments that measure an optical property, including apparatus, except photographic, that projects or magnifies, such as binoculars, prisms and lenses; optical sighting and fire control equipment and related analytical instruments; or establishments primarily engaged in manufacturing eyeglass lenses, frames, or fittings.

Paper Products. Establishments involved in manufacturing paper products such as envelopes, paper bags, file folders, stationery, wrapping paper, and so forth, and where no paper is produced on the premises.

Paving Materials Central Mixing. Establishments primarily engaged in mixing paving materials to be transported and used at another location.

Perfumes, Cosmetics and Toiletries Manufacture. Establishments primarily engaged in the manufacture of perfumes (natural and synthetic), cosmetics, and toiletries; establishments engaged in blending and compounding perfume bases and the manufacture of shampoos and shaving products, whether soap or synthetic detergents.

Pharmaceuticals. Establishments primarily engaged in manufacturing, fabricating or

processing drugs in pharmaceutical preparations for human or veterinary use. Most of the products of these establishments are finished in the form intended for final consumption, such as ampuls, tablets, capsules, vials, ointments, medicinal powders, solutions and suspensions. Products of this industry consist of two important lines: pharmaceutical preparations promoted primarily to the dental, medical or veterinary professions; and pharmaceutical preparations promoted primarily to the public.

Plaster Central Mixing. Establishments primarily engaged in mixing plaster, usually for use by others.

Plastic Products Assembly. Establishments primarily engaged in molding primary plastics for the trade and fabricating miscellaneous finished plastics products; establishments primarily engaged in manufacturing fabricated plastics products or plastics film, sheet, rod, nontextile monofilaments and regenerated cellulose products and vulcanized fiber, whether from purchased resins or from resins produced in the same plant.

Plating and Polishing. Establishments primarily engaged in all types of electroplating, plating, anodizing, coloring and finishing of metals and formed products for the trade.

Pottery Products. Establishments involved in manufacturing pottery and related products such as red earthenware flower pots, fine earthenware cooking ware, bone china, china plumbing fixtures, and so forth.

Rock Crushing Establishments. Establishments primarily engaged in the use of rock crushing machinery in relation to the construction and mining industries.

Sawmill. An establishment in which timber is sawed into planks, boards, etc., by machinery.

Ship and Boat Building. Establishments primarily engaged in building all types of ships and boats, including converting and altering ships and boats.

Signs and Advertising Displays. Establishments primarily engaged in manufacturing electrical, mechanical, cutout or plate signs and advertising displays, including neon signs and advertising novelties.

Structural Clay Products. Establishments primarily engaged in manufacturing brick and structural clay tile, ceramic wall and floor tile, clay firebrick and other heat-resisting clay products, and so forth.

Terra Cotta. An establishment involved in manufacturing glazed or unglazed fired clay use specifically for statuettes and vases and architectural purposes, such as for roofing, facing and relief ornamentation.

Textiles. Establishments engaged in preparing fiber and the subsequent manufacturing of yarn, thread, braids, twine and cordage; manufacturing broad woven fabric, narrow woven fabric, knit fabric and carpets and rugs from yarn; dyeing and finishing fiber, yarn, fabric and knit apparel; coating, waterproofing or otherwise treating fabric; integrated manufacturing of knit apparel and other finished articles from yarn; and manufacturing felt goods, nonwoven fabrics and miscellaneous textiles.

Textile Machinery. Establishments primarily engaged in manufacturing machinery for the textile industries, including parts, attachments and accessories.

Tile. An establishment primarily engaged in manufacturing tile.

Warehousing and Distribution Activities. Establishments involved in storing, stocking or distributing of merchandise or commodities.

Watches and Clocks. Establishments primarily engaged in manufacturing watches, watch cases, clocks, mechanisms for clockwork operated devices and clock and watch parts, including those engaged in assembling watches and clocks from purchased movements and cases.

Welding. Establishments primarily engaged in manufacturing welding equipment, electric welding apparatus and accessories.

Wood Products. Establishments primarily engaged in manufacturing products from wood.

(9) ADULT ORIENTED BUSINESS

Adult Oriented Business: An adult arcade, adult media store, adult retail store, adult cabaret, adult motel, adult motion picture theater, adult theater, lingerie modeling studio, massage parlor, sexual encounter establishment, escort agency, or, semi-nude model studio as defined by Chapter 837 of this ordinance.

(10) MULTI-USE

Business or Industrial Center. A site developed and operated under single or common ownership to include of a mix of industrial and/or commercial uses where the majority of uses are permitted under the Business and Personal Services, Retail and Wholesale Trade and Manufacturing, Mining, Construction and Industrial use categories, with customer and employee parking provided on-site, provisions for goods delivery separated from customer access, aesthetic considerations and protection from the elements, and landscaping and signage in accordance with an approved plan.

Commercial / Industrial Adaptive Reuse. The repurposing of a building or group of buildings to accommodate a mix of industrial and/or commercial uses developed and operated under single or common ownership where the majority of uses are permitted under the Business and Personal Services, Retail and Wholesale Trade and Manufacturing, Mining, Construction and Industrial use categories, with customer and employee parking provided on-site, provisions for goods delivery separated from customer access, aesthetic considerations and protection from the elements, and landscaping and signage in accordance with an approved plan.

Shopping Center. A site developed and operated under single or common ownership to include a mix of commercial uses where the majority of uses are permitted under the Business and Personal Services and Retail and Wholesale Trade use categories, with customer and employee parking provided on-site, provisions for goods delivery separated from customer access, aesthetic considerations and protection from the elements, and landscaping and signage in accordance with an approved plan.

AGRICULTURAL USES	i	AG	FR	CR	ER	LR	SR	MR	HR	UR	LB	GB	LI	HI	IP	ME	REC	Condition
Accessory Use		P	P	P									P	P		P		53
Accessory Structures for Agricultural Use	L	P	P	P														
Agriculture	H	P	P	P														53
Agricultural Event Center, Small	H	C																
Agricultural Event Center, Intermediate	H	C																
Agricultural Event Center, Large	H	C																
Agricultural-Related Industry	H	P	C	P														53
Agricultural Uses-Land Animal	H	P	P	P									P	P		P		22; 53
Agricultural Uses-Non Animal	H	P	P	P									P	P		P		22; 53
Agritourism / Agritainment (i.e. corn mazes, petting zoos, hay tunnels)	H	P	P	P														53
Aquaculture	M	P	P	P														22; 53
Christmas Tree Farm	H	P	C	P														53
Commercial facilities for the sale, repair, and service of agricultural equipment, vehicles, feed, or supplies	H	C	C	C														53
Commercial Non-Farm Animals	M	P	P	P														53
Confined Feeding Operations	H	C																24;44
Equestrian Center	H	C	C	C														53
Equine Services	L	P																
Feed Lot	H	P																24
Feed Mill	L	P											P					6;25
Historic Adaptive Reuse		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	15; 44
Horse Farm	L	P	P	P														53
Nursery/greenhouse	H	P	P	P														53
Orchard	H	P	P	P														53
Pick-your-own operation	H	P	C	P														53
Roadside farm stand, Permanent	M	P	P	P														52
Roadside farm stand, Temporary	L	P	P	P														51
Stockyard	H	P											P					24
Winery	H	P	P	P														53
RESIDENTIAL USES																		
Accessory Apartments	L	P	P	P	P	P	P	P	P									26
Accessory Dwelling Units	L	P	P	P														53; 55
Accessory Livestock	L	P	P	P	P	P	P											43
Accessory Use		P	P	P	P	P	P	P	P	P								5

	<u>I</u>	<u>AG</u>	<u>FR</u>	<u>CR</u>	<u>ER</u>	<u>LR</u>	<u>SR</u>	<u>MR</u>	<u>HR</u>	<u>UR</u>	<u>LB</u>	<u>GB</u>	<u>LI</u>	<u>HI</u>	<u>IP</u>	<u>ME</u>	<u>REC</u>	<u>Condition</u>
Boarding House	L										P	P						
Elderly Housing	L								P	P								57
Guest House	L	P	P	P	P	P												
Historic Adaptive Reuse		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	15; 44
Home Based Business	L	P	P	P	P	P												46
Home Occupation	L	P	P	P	P	P	P	P	P	P								46
Manufactured Home Park	M					P		P	P	P								22.39
Multifamily Dwelling	n/a																	
Residential Storage Structure	L	P	P	P	P		P											15
Single Family Dwelling	n/a	P	P	P	P	P	P	P	P	P								1
Temporary Dwelling	L	P	P	P	P	P	P	P	P	P								3; 53
Two Family Dwelling	n/a	P	P	P	P	P	P	P	P	P								2

PUBLIC AND SEMIPUBLIC	i	AG	FR	CR	ER	LR	SR	MR	HR	UR	LB	GB	LI	HI	IP	ME	REC	Condition
Accessory Use		P	P	P	P	P	P	P	P	P	P	P	P	P				13
Airport	H													P				15
Cemetery	H	P	P	P	P	P		P	P									
Central Garbage/Rubbish	H													C	C	C		33
Charitable, Fraternal, or Social	L											P						
Community Center	L										P	P						28
Cultural Facility	L																P	
Daycare Facility	M									P	P	P	P					22;30;42
Funeral Home	M											P						
Governmental Facility	H	P	P	P	P	P		P	P	P	P			P	P			7;40
Group Home Class I	L						P	P	P	P	P	P						
Group Home Class II	L									P	P	P						
Historic Adaptive Reuse		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	15; 44
Hospital	H											P						
Medical Clinic	L										P	P						
Nursing Home	L											P						
Postsecondary Education	H														P			29
Religious Facilities	H	P	P	P	P	P		P	P	P	P	P						22
Remote Garbage/Rubbish Removal	H	C	C	C							C	C	C	C	C	C		34
Retirement Center	L										P	P						
School (K-12)	H														P			29
Solar Farm	L	C											C	C	C			
Telephone and Telegraph Services	L	P	P	P	P	P		P	P	P	P	P	P	P	P			32
Temporary Care Facility	L											P						
Utility Service Facility	M	P	P	P	P	P		P	P	P	P	P	P	P	P			31
Wastewater Treatment Facility	H	C	C	C									P	P	P			15
Water Treatment Facility	H	C	C	C	P	P		P	P	P	P	P	P	P	P			
Wired Communication Services	M	P	P	P														32
Wireless Communications Facilities		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	32

Business and Personal Services	i	AG	FR	CR	ER	LR	SR	MR	HR	UR	LB	GB	LI	HI	IP	ME	REC	Condition
Accessory Use		P	P	P	P	P					P	P	P	P				13
Air Cargo and Package Service	H											P	P	P				6
Air Craft Charter Service	L											P	P					
Airport Transportation Service	M											P						
Appliance Repair	L										P	P	P					6
Artisan Crafts	M	C	C	C	C		C											15, 22, 44
Barber Service	L										P	P						
Beauty Service	L										P	P						
Bed and Breakfast	L	P	P	P	P	P		P	P		P							8
Boat Storage	M										P						CU	41
Caterer	L										P	P						
Coin Operated Cleaning/Laundry	L										P	P						
Composting Operation	H	P												P		P		31; 53
Convenience Storage	M										P	P	P					4;6;21
Copy Service	L										P	P						
Dry Cleaning and Laundry Pickup	L										P	P						
Dry Cleaning and Laundry Service	L											P						
Electrical Repair	L										P	P	P					6
Employment Agency	M										P	P						
Equipment Rental	M										P	P						7;21
Estate Services	L										P	P						
Event Center	H											P						
Exterminating Service	L											P	P					
Financial Service	M										P	P						
Greenfill	M	P														P		7;15;22;47
Gunsmith	L											P	P					
Historic Adaptive Reuse		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	15; 44
Hotel	M											P						
Industrial Equipment Repair	L												P	P				7;16
Insurance Agency	L										P	P						
Interior Decorating	L										P	P						
Kennel, including commercial animal breeding operations	H	C	C										P	P				10;15; 53
Legal Service	L										P	P						
Locksmith	L										P	P	P					

Business and Personal Services cont.	i	AG	FR	CR	ER	LR	SR	MR	HR	UR	LB	GB	LI	HI	IP	ME	REC	Condition
Massage Studio	M										P	P						
Motel	M											P						
Office	L										P	P	P					
Office Equipment Repair	L											P	P					6
Parking Facility	H										P	P	P	P				31
Pet Services	L											P						
Photographic Services	L										P	P						
Physical Therapy Facility	M										P	P	P					
Real Estate Agency	L										P	P						
Real Estate Sales office Or Model	L	P	P	P	P	P	P	P	P	P	P	P						9
Rehabilitation Therapy Facility	M										P	P	P					
Shoe Repair	L										P	P						
Small Engine and Motor Repair	L										P	P	P	P				6;21
Tailoring	L										P	P						
Taxidermist	L	P	P	P								P	P	P				6
Temporary Seasonal Activity	M	P	P	P							P	P						46; 54
Tourist Home or Cabin	L	P	P	P	C	C		C	C	C								48
Travel Agency	L										P	P						
Upholstery Service	L											P	P					
Veterinary Service (Indoor)	H	C	C	C							P	P	P					15
Veterinary Service (Outdoor)	M	C	C	C									P					10; 15

Retail and Wholesale Trade	i	AG	FR	CR	ER	LR	SR	MR	HR	UR	LB	GB	LI	HI	IP	ME	REC	Condition
Accessory Use		P									P	P	P	P				13
Agricultural Sale Barn	H	P												P				35
Agricultural Supply	H											P						7
Apparel Shop	L										P	P						
Appliance Sales	L											P						
Auction House	H											P	P					
Bakery (Retail)	L										P	P						
Bakery (Wholesale)	L												P	P				7;15
Bookstore	L										P	P						
Bottled Gas Storage/Distribution	L													P				
Building Materials	H											P	P	P				7;31
Cabinet Sales	L											P						
Camera and Photographic Supply	L										P	P						
Confectionery	L										P	P						
Convenience Store	H										P	P						
Department Store	M											P						
Drapery Sales	L											P						
Drugstore	M										P	P						
Fertilizer Sales (Bulk)	M													P				6
Fertilizer Sales (Packaged)	M											P	P					7;21
Florist (Retail)	L										P	P						
Florist (Wholesale)	N											P	P					
Fruit Market	L	P									P	P						
Furniture Sales	L											P						6
Garden Center	H	C	C	C								P	P					53
General Flooring Sales	L											P						
Gift Shop	L										P	P						
Grocery Store	M											P						21
Gunshop	M										CU	CU	CU					
Handicrafts	L										P	P						

Retail and Wholesale Trade cont.	i	AG	FR	CR	ER	LR	SR	MR	HR	UR	LB	GB	LI	HI	IP	ME	REC	Condition
Hardware	M										P	P						6
Heavy Machinery Sales	M												P	P				7
Historic Adaptive Reuse		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	15; 44
Home Improvement Center	H											P						7;31
Industrial Supplies	L												P	P				
Jewelry	L											P						
Liquor Store	M										P	P						
Marine Supply	L											P						31
Manufactured Housing Sales	M											P		P				
Meat Market	L										P	P						
Music Store	L											P						
Office Showroom	M											P	P					
Office Supplies	M											P						
Optical Goods	L											P						
Pet shop	L											P						6;11
Petroleum Bulk Sales and Storage	M													P				
Restaurant	M										P	P						
Restaurant (Drive-in)	H											P						23
Sporting Goods	L										P	P						
Tavern	L											P						
Used Merchandise (Antiques)	L											P						
Used Merchandise (Flea Market)	H											P						19;21
Used Merchandise (General)	L											P						21

Automotive and Transportation	i	AG	FR	CR	ER	LR	SR	MR	HR	UR	LB	GB	LI	HI	IP	ME	REC	Condition
Accessory Use											P	P	P	P				13
Automobile Repair Services, Minor	H	C	C	C														50; 53
Automotive Paint Shop	L												P	P				
Automotive Rentals	M											P						21
Automotive/Boat Repair Shop	H											P	P	P				6
Automotive Sales	H											P						31
Automotive Supply	M											P						7;21
Automotive Tire Repair	M											P	P	P				7;21
Bus Terminal	H											P						21
Car Wash	L											P						21
Cold Storage Plant	L												P	P				
Gasoline Services Station	H											P	P					7
Grain Elevator	L													P				
Historic Adaptive Reuse		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	15; 44
Motorcycle Sales	L											P						6;21
Taxicab Stand	M											P						
Transfer or Storage Terminal	H												P	P				7
Truck Stop/Travel Plaza	H													C				
Trucking Terminal	H												C	P				31
Wrecker Service	M											P	P	P				7
Amusement and Recreational																		
Accessory Use		P	P	P	P	P					P	P	P	P			P	13
Amphitheater	H																CU	
Camping Facility	H	P	C	P													P	27; 53
Club or Lodge	L											P					P	37
Historic Adaptive Reuse		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	15; 44
Indoor Shooting Range	M																P	45
Indoor Theater	M											P						
Outdoor Drive-In Theater	H											P						38
Park and Recreational Services	H	C	C	C	P	P					P	P	P	P			P	14;20
Private Recreational Facility	H	C	C	C	P	P						P					P	20
Race Tracks	H																CU	
Recreational Vehicle (RV) Park	H	C	C	C														53
Resorts	L																CU	
Rodeo	H											P					CU	

Transient Amusement Enterprises	H																CU	
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Manufacturing, Mining Construction and Industrial	i	AG	FR	CR	ER	LR	SR	MR	HR	UR	LB	GB	LI	HI	IP	ME	REC	Condition
Abrasive Products	L													P				15
Accessory Use		P	P								P	P	P	P		P		13
Apparel	H												P	P				7;16
Appliance Assembly	H												P	P				7;16
Beverage Products	H												P	P				7;16
Bottling Machinery	L												P	P				7;16
Cement Products	M													CU		CU		
Commercial Printing	H											P	P	P				6
Construction Trailer	L				P	P	P	P	P	P	P	P	P	P				17
Cut Stone and Stone Products	H													P		P		15
Dairy Products	M													P				15
Electronic Devices and	L												P	P				7;16
Engineering and Scientific	L												P	P				7;16
Farm Machinery and Equipment	H													P				15
Food Products	M												P	P				15
Furniture	H												P	P				15
General Contractor	M	C	C	C								P	P	P				15
Glass and Glassware	L													P				15
Grain Mill Products	L													P				15
Hard Surface Floor Covering	L													P				15
Historic Adaptive Reuse		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	15; 44
Insulation Products	L													P				15
Jewelry Products	L												P	P				7;16
Laboratories	M												P	P				17;16
Leather Goods	L												P	P				7;16
Machine Assembly	M												P	P				15
Machine Shop	H												P	P				15
Metal Fabrication	H												P	P				15
Metalworking Machinery	M												P	P				15
Mineral Extraction	H															P		15;18
Motor Vehicle and Equipment	H													P				15
Musical Instruments	L												P	P				7;16

Manufacturing, Mining Construction and Industrial cont.	i	AG	FR	CR	ER	LR	SR	MR	HR	UR	LB	GB	LI	HI	IP	ME	REC	Condition
Office and Computer Equipment	H												P	P				7;16
Optical Instruments and Lenses	L												P	P				7;16
Paper Products	M												P	P				15
Paving Materials and Central Mixing	H													CU		CU		
Perfumes, Cosmetics and Toiletries	H													P				7;16
Pharmaceuticals	H													P				7;16
Plaster Central Mixing	L													P				15
Plastic Products Assembly	H												P	P				7;16
Plating and Polishing	L												P	P				15
Pottery Products	L													P				15
Rock Crushing	H													CU		CU		
Sawmill	H	C	C	C														15;22
Ship and Boat Building	H													P				15
Sign and Advertising Displays	L												P	P				7;15
Structural Clay Products	L													P				15
Terra Cotta	L													P				15
Textiles	H													P				15
Textiles Machinery	M													P				15
Tile	L													P				15
Warehousing and Distribution	H												P	P				7;16
Watches and Clocks	L												P	P				7;16
Welding	L												P	P				7;15
Wood Products	M	C	C	C									P	P				7;15
Adult Oriented Business	i																	
Adult Oriented Businesses	L/M										P	P		P				49
Multi-Use	i																	
Business or Industrial Center	H											P	P	P				22
Commercial / Industrial Adaptive Reuse	H											P	P	P				22;56
Shopping Center	H											P						22

Conditions Pertaining to Permitted Uses in Zoning Districts

1. Permitted on existing lots of record after the issuance of a building permit by the Building Department.
2. For zoning districts that permit two family dwellings, the following conditions shall apply:
 - A. The location of lots designated as two family dwelling lots shall be approved by the Plan Commission as part of its approval of the subdivision plat.
 - B. Exterior building materials of dwelling units to be placed on two family lots shall be of the same type and quality of the existing dwelling unit or, in the case of new two family dwellings, of the same type and quality of dwelling units on adjoining lots.
 - C. Each two-family dwelling shall have a lot area equal to twice that required for a single family residence or greater.
 - D. A two family dwelling proposed on a lot or parcel of record created via the Sliding Scale Subdivision Option may only be constructed on the Parent Parcel Remainder and only if that Parent Parcel Remainder meets the minimum lot size for the zoning district in which it is located.
3. The Building Commissioner may issue a temporary certificate of occupancy permit for the use and occupancy of a mobile home as a single family dwelling unit on a lot previously occupied by a permanent dwelling that is destroyed so as to be unlivable. The Building Commissioner may impose reasonable conditions upon the issuance of the permit in order to provide for the least impact on surrounding property. A permit issued for a temporary dwelling shall be for a period not to exceed six (6) months. After the expiration of the permit, an additional three (3) months may be granted after the approval by the Plan Commission. No site plan is required.
4. On-site apartment shall not exceed one thousand five hundred (1,500) square feet and shall be attached to, and incorporated into, the convenience storage facility.
5. The following conditions shall apply to residential accessory buildings or structures:
 - A. No more than four (4) accessory buildings or structures shall be erected on a lot. This provision shall not apply in the AG/RR, CR, and FR zoning districts which allow a maximum lot coverage of 15,000 square feet without limitation to the number of structures.
 - B. An accessory building or structure equal to or less than 15 feet in height shall be permitted within five (5) feet of rear property line(s).
 - C. Accessory buildings or structures greater than 15 feet in height are subject to all applicable setbacks.
6. All storage of materials shall be indoors. This condition does not apply to automotive repair when the use is located in a Heavy Industrial (HI) district.
7. Outdoor storage areas shall not be visible from streets and/or adjacent properties. This condition does not apply to heavy machinery sales, welding, and wood products when the uses are located in a Heavy Industrial (HI) District.
8. A site plan and notification of adjoining property owners are required. At least one (1) rented room shall be located in the principal dwelling unit. The proposed bed and breakfast shall retain the architectural orientation and form characteristic of the surrounding neighborhood.
9. One (1) real estate sales office or model home office may be situated in a section of a subdivision or on a multifamily site.
10. Outdoor kennels and storage areas shall not be visible from streets and/or adjacent properties.

11. Animals shall be kept indoors.
12. No more than five hundred (500) gallons of a product shall be stored above ground.
13. The following conditions shall apply to a nonresidential accessory use:
 - A. No more than one (1) accessory building per establishment shall be erected on a lot.
 - B. An accessory building shall be at least five (5) feet from all lot lines and from any other building on the same lot.
 - C. No accessory building shall be erected in a required front or side yard.
14. Uses not involving permanent development shall be permitted in the Floodway and Floodway Fringe districts after approval by the Plan Commission, subject to conditions necessary to protect the public interest. A site plan is required.
15. The Plan Commission may attach additional conditions to its approval in order to prevent injurious or obnoxious dust, fumes, gases, noises, odors, refuse matter, smoke, vibrations, water-carried waste or other objectionable conditions and to protect and preserve the character of the surrounding neighborhood.
16. Use shall be conducted within the buildings or structures on the site. Non-agricultural tools, vehicles, and equipment shall be stored so as to not be visible from the street or adjoining property. In addition, storage areas must be screened from view by an appropriate fence or similar enclosure.
17. One (1) construction trailer may be situated in a subdivision or on a nonresidential construction site with the prior approval of the Building Commissioner, who may grant approval subject to conditions that he deems necessary. Construction trailers shall be permitted on specific nonresidential construction sites for as long as a valid building permit continues in existence.
18. Mineral extraction activities are permitted subject to the following provisions:
 - A. Mining operations shall not be conducted on parcels located within residential districts or residential neighborhoods.
 - B. The applicant shall state to the Planning Director the course of travel to be followed by vehicles transporting minerals. In the event the course of travel contemplates that the vehicles will process over county roads, then the applicant shall post bond in favor of the county in an amount established by the Plan Commission for the purpose of repairing damage and/or wear to county roads resulting from the use of the roads by the vehicles.
 - C. The mining site shall be sprinkled, or other measures shall be taken as deemed appropriate by the Planning Director, in order to prevent dust and other particles, from polluting the atmosphere as a result of the mining operations and as a result of transporting minerals.
 - D. Vehicles transporting minerals shall be loaded so that the minerals shall not spill from the vehicles to road surfaces.
 - E. Mining operations shall cease when mud would be collected on the wheels of the vehicles transporting minerals, in order to keep mud off county roads.
19. No site plan is required.
20. Commercial uses, such as miniature golf, go-cart tracks, swimming pools, and so forth, shall not be permitted in residential districts.
21. This use is prohibited in the area within 500 feet, measured perpendicularly from the nearest lane of traffic along State Road 37.

CHAPTER 813

ZONING ORDINANCE: CONDITIONAL USES

813-1. Regulations for Conditional Uses

The regulations set forth or identified in this chapter are provided to establish procedures, criteria and conditions which shall be met before the Board of Zoning Appeals may approve a conditional use to the terms of this ordinance.

813-2. Application for Conditional Use Approval

A person desiring conditional use approval shall submit a written application for such approval with the Administrator. An application for approval shall:

- (A) be made on the forms available at the office of the Board and be signed by the owner of the property subject to the conditional use request ("subject property") or by a person who has been authorized to sign the form by the owner. If the form is signed by a person other than the owner, the person must submit written documentation of his/her authority to sign the form (e.g., a letter from the owner which states that the person has been authorized to sign the form);
- (B) identify the specific conditional use requested;
- (C) be presented to the Administrator in duplicate;
- (D) be accompanied by two (2) copies of an area map which shows the location of the subject property, the locations of related public and utility facilities (e.g., schools, sewer, etc.), and the relationship of the subject property to the thoroughfare plans for the area;
- (E) be accompanied by two (2) copies of a site plan, drawn to an appropriate scale, which shows:
 - (1) the subject property;
 - (2) the location of all existing and proposed buildings, structures and improvements to be made to the subject property, including drainage and erosion control facilities and features;
 - (3) accurate dimensions of the parcel, buildings, parking areas and ingress/egress driveways;
 - (4) location, owner of record, zoning and use of adjacent properties, including the location, size and use of all structures within fifty (50) feet of the subject property;
 - (5) location, right-of-way and pavement width of all streets adjacent to the subject property; and
 - (6) proposed connections to public utilities; and
 - (7) landscaping improvements, as required by Chapter 830.

- C. Storage and unloading areas shall be paved.
- D. The site must be kept clear of litter, scrap paper, or other refuse matter.
- E. No power driven processing equipment shall be used at any unenclosed facility.
- F. Facilities attended by any on-site employees shall provide one (1) parking space per employee.
- G. Prior to application for Conditional Use permit, facility must be shown to have fully complied with the provisions of Monroe County Ordinance 2007-18 and Chapter 360 of the Monroe County Code.
- H. If the Conditional Use is approved, all required permits from the Indiana Department of Environmental Management must be issued prior to filing an application for an Improvement Location Permit.

(16) Central Garbage/Rubbish Removal

Development and Operational Standards. The following development and operational standards shall apply to a Central Garbage/Rubbish Removal facility:

- A. Unloading areas for materials must be not less than fifty (50) feet from any adjoining property, unless unloading is conducted entirely within a building.
- B. Portions of a site used for truck maneuvering or the storage, bailing, processing, or other handling of materials must be enclosed by an opaque fence or wall with a nonglare finish not less than eight (8) feet in height.
- C. Loading and unloading areas must be paved.
- D. The site must be kept clear of litter, scrap paper, or other refuse matter.
- E. Chemical or heating processes shall not be used on materials.
- F. Prior to application for Conditional Use permit, facility must be shown to have fully complied with the provisions of Monroe County Ordinance 2007-18 and Chapter 360 of the Monroe County Code.
- G. If the Conditional Use is approved, all required permits from the Indiana Department of Environmental Management must be issued prior to filing an application for an Improvement Location Permit.

(17) General Contractor (Rural)

Development and Operational Standards.

The following development and operational standards shall apply to a general contractor in the AG/RR, FR, or CR Zones:

- A. Site must meet or exceed minimum lot size for the zoning district.
- B. Presence of a primary residence on the property is required. Business operator must record an affidavit and commitment stating they, as owners of the property, will reside on the property full-time.

- C. Employees of the business living off-site may park at the residential location provided there is off-street parking and that they meet a parking setback of 50 feet. The number of employees are limited to 5 total;
- D. No retail is permitted at the residential site;
- E. Any building used in connection with the general contractor use shall be located at least 50' from rear and side property lines.
- F. No permanent advertising signs are permitted at the residential property;
- G. Hours of operation shall be between 7 AM and 7 PM.
- H. Any outdoor storage of vehicles or materials used for the general contracting business must be stored indoors, or screened on all sides by an appropriate fence or arborvitae plantings. If screened, the following standards must be followed:
 - a. A minimum of 6 foot opaque fence or landscaping that meets the interior tree requirement must immediately surround around the entire storage area meeting the 'Type D' bufferyard type in Chapter 830. The screening must capture the entirety of items stored and staff has the final determination as to whether fencing or landscaping is more appropriate depending on items stored.
 - b. Outdoor storage of vehicles should be limited to 5 or less. The types of vehicles must be included on the application and not exceed the County's definition of 'heavy equipment'.
 - c. No outdoor storage area may exceed 100' x 100'

- (D) Effect of Issuance of a Conditional Use Permit. The grant of a conditional use authorizes the use and establishes the terms of use. Conditional uses are also subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. All required permits must be obtained before any grading, construction, or use commences.
- (E) Expiration of Conditional Use Permit. Any conditional use permit granted by the Board of Zoning Appeals shall expire:
 - (1) In the case of new construction or modifications to an existing structure:
 - (a) Two (2) years after the date granted by the Board of Zoning Appeals, unless a building permit has been obtained and construction of the structure or structures has commenced; or
 - (b) At the date of termination established by the Board of Zoning Appeals as a condition or commitment if different from (1) above.
 - (2) In the case of occupancy of land which does not involve new construction:
 - (a) Two (2) years after the date granted by the Board of Zoning Appeals, unless an occupancy permit has been obtained and the use has commenced; or
 - (b) At the date of termination established by the Board of Zoning Appeals as a condition or commitment if different from (1) above.