

#ZORD-2025-0013

BILL NO. G-25-07-22

ORDINANCE NO. G-16-25

**AN ORDINANCE amending Chapter 157
of the City of Fort Wayne Municipal Code**

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the current Chapter 157 (Zoning Ordinance), Section 157.200 (Zoning Districts),
Section 157.300 (Development Processes and Standards), Section 157.400 (Additional General Standards),
and Section 157.500 (Administration) are hereby amended as follows.

Amendment PU1 - § 157.203 (B)

Primary Uses should be regulated in the Permitted Uses section of the Zoning District.; Added, “(including two (2) primary structures)” to the “Single family dwelling (detached)” permitted use in the AR, and R2 zoning districts.

Amendment SU1 - § 157.206 (C)

There is confusion concerning the existing Two Family Dwelling special use. Removed, “(to allow for conforming status for existing nonconforming uses)” in the AR, R1, and MHS zoning districts.

Amendment DS1 - § 157.203 (E)

Primary Uses should be regulated in the Permitted Uses section of the Zoning District. Removed, “Number of buildings on a lot” section of the development standards table in all zoning districts.

Amendment PU2 - § 157.206 (B), 157.207 (B)

Not all types of Single Family Dwellings are permitted in the R1 Single Family. Added, “Zero Lot Line Single Family Dwelling (one building of up to two (2) units on individual lots or parcels)” to the Permitted Uses section of the R1.

Amendment ABSU1 - § 157.206 (D)

Zero Lot Line Accessory Building is not listed as an accessory use in the Residential Accessory Buildings, Structures, and Uses Table. Added, “Zero Lot Line Accessory Building” to the Residential Accessory Buildings, Structures, and Uses Table in the R1, R2, R3, RP, DE, and UC zoning districts.

Amendment DS2- § 157.506 (E)

Align and update development standards concerning lot area in R1, R2, R3, RP, MHS.
Reduced Lot Area for detached SFR from 6,000 to 4,000, and corner detached SFR from 8,500 to 6,000

Amendment DS3 - § 157.206 (E)

Align and update development standards concerning lot width in R1, R2, R3, RP, MHS.
Reduced Lot Width for detached SFR from 50 to 40, and corner detached SFR from 70 to 60.

Amendment DS4 - § 157.506 (E)

Zero lot line single family dwelling Lot Area and Lot Width is not addressed in the Development Standards Table in R1. Added Zero lot line single family dwelling Lot Area and Lot Width standards to the Development Standards Table in R1.

Lot area: Public Sewer (interior) = 2,000 sq ft and Public Sewer (corner) = 3,000 sq ft
Lot width: Public Sewer (interior) = 20' and Public Sewer (corner) = 30'

Amendment PU3 - § 157.207(B)

Language concerning single family dwelling (attached) in R2 needs updated and aligned. Replacing "Single family dwelling (attached) (one building of up to two (2) units) with "Zero Lot Line Single Family Dwelling (one building of up to two (2) units on individual lots or parcels)" in the Permitted Uses section of R2

Amendment PU4 - § 157.207(B)

Not all types of Two Family Dwellings are permitted in the R2 Two Family Residential Zoning Districts. Added, "Zero lot line two family dwelling (one building of up to two (2) units on individual lots or parcels)" as a Permitted Use of the R2 zoning district.

Amendment DS5 - § 157.207, 157.208, 157.209 (E)

Align and update development standards and language concerning Detached and Attached Single Family Dwellings to include Zero Lot Line Single Family Dwelling. Replaced, "Attached Single Family" with "Zero Lot Line." Changed, "3,000" to "2,000", "6,000" to "3,000", "25'" to "20'", and "50'" to "30'" in R2, R3, RP.

Amendment PU5 - § 157.208, 157.209, 157.220 (B)

Align and update language concerning Detached and Attached Single Family Dwellings to include Zero Lot Line Single Family Dwelling. Replaced, "Single family dwelling (attached)" with, "Zero lot line single family dwelling (one building with units on individual lots or parcels)" in the Permitted Uses section of the R3, RP, and UC zoning districts.

Amendment PU6 - § 157.208, 157.209, 157.220 (B)

Update language concerning Zero Lot Line Two Family Dwelling. Added, "Zero lot line two family dwelling (one building with units on individual lots or parcels)" in the Permitted Uses section of the R3, RP, and UC zoning districts.

Amendment DS6 - § 157.208 and 157.209 (E) (1)

Align and update language concerning Multiple family complex building separations. Removed existing Multiple family complex building separations, and replaced with, "Side yard separation from the side of another primary building: 10'" and, "Separation from the front or rear of another primary building: 20'"

Amendment PU7 - § 157.209 (B)

Primary Uses should be regulated in the Permitted Uses section of the Zoning District. Added, "(including multiple primary structures)" to the "Single family dwelling (detached)" permitted use in the RP zoning districts.

Amendment PU8 - § 157.212 (B)

There is confusion concerning Townhouse Complex. Removed, "Townhouse complex" from the Permitted Uses Table in C1, C2, NC, SC, C3, C4, DC, DE, UC, I1, I2, I3, RO.

Amendment PU9 - § 157.219 (B)

Align and update language concerning Detached and Attached Single Family Dwellings to include Zero Lot Line Single Family Dwelling. Added "Zero lot line single family dwelling (one building of up to ten (10) units on individual lots or parcels)" as a Permitted Use of the DE zoning district.

Amendment PU10 - § 157.220 (B)

There is confusion concerning Townhouse Dwelling. Removed, "Townhouse dwelling" from the Permitted Uses Table of the UC zoning district.

Amendment PP1 - § 157.301 (B) (1)

There is confusion concerning when a Development Plan is required. Added multiple family complex and clarified two primary nonresidential buildings in the "When Required" Development Plan Table.

Amendment SPR1 - § 157.302 (C)

There is confusion concerning when a Site Plan Review is required. Added single family zero lot line and two family zero lot line to the Site Plan Review Exclusions.

Amendment DDS1 - § 157.404 (W)

Primary Uses should be regulated in the Permitted Uses section of the Zoning District. Removed, "Number of buildings on a lot" section from the development design standards section.

Amendment DDS2 - § 157.404 (X)

There is confusion concerning Townhouse Complex. Added, Dwellings and Townhouse: "Townhouse Dwellings and Townhouse Complexes"

Amendment PRO1- § 157.503 (D)

Special Use Zoning Districts in the Special Uses Table need to be updated accordingly.
Updated Special Uses Table Accordingly.

Amendment DEF1- § 157.506

Add a definition for Accessory Building, Zero Lot Line to align language concerning Zero Lot Line Single Family Dwelling. Added definition, "A building detached from, used with, clearly incidental and subordinate to a primary Zero Lot Line Single Family Dwelling building or Zero Lot Line Two Family Dwelling building. Must be located on the same lot with that primary Zero Lot Line Single Family Dwelling building or Zero Lot Line Two Family Dwelling building along one side lot line and attached to one similar unit."

Amendment DEF2- § 157.506

There is confusion concerning why Duplex is not addressed in the Zoning Ordinance. Added, "Duplex (see "Dwelling, Two Family")".

Amendment DEF3- § 157.506

Align and update language concerning Detached and Attached Single Family Dwellings to include Zero Lot Line Single Family Dwelling. Removed Definition and added, "(see "Dwelling, Zero Lot Line Single Family")".

Amendment DEF4- § 157.506

There is confusion concerning Townhouse Dwelling and Zero Lot Line Single Family Dwelling. Removed Definition and added, "(see "Dwelling, Zero Lot Line Single Family")".

Amendment DEF5- § 157.506

Provide clarity for Zero Lot Line Single Family Dwelling Use. Updated to read, "A single family dwelling unit placed on a lot or parcel so that it is positioned along one or more side lot lines and attached to one or more similar units".

Amendment DEF6- § 157.506

Add a definition for Dwelling, Zero Lot Line Two Family to Provide clarity for Zero Lot Line Two Family Dwelling Use. Updated to read, "A Two family dwelling unit placed on a lot or parcel so that it is positioned along one or more side lot lines and attached to one or more similar units".

Amendment DEF7- § 157.506

Align and update language concerning Detached and Attached Single Family Dwellings to include Zero Lot Line Single Family Dwelling. Replaced, "Single family (attached)" with, "Zero lot line single family" and added "zero lot line two family" in the model home definition.

Amendment DEF8- § 157.506

Align and update multiple family complex definition language with the Development Plan section. Added, ", parcel, or development site".

Amendment DEF9- § 157.506

There is confusion concerning Townhouse complex and Multiple Family Complex. Removed Definition and added, "(see "Multiple Family Complex")".

Amendment DEF10- § 157.506

There is confusion concerning Townhouse Structure. Removed "Townhouse Structure".

SECTION 2. That this Ordinance, after its passage and approval by the Mayor, shall be in full force and effect starting on November 7, 2025.


Council Member

APPROVED AS TO FORM AND LEGALITY:


Malak Heiny, City Attorney

City of Fort Wayne Common Council
DIGEST SHEET

Department of Planning Services

Title of Ordinance:	Zoning Ordinance Amendment
Case Number:	ZORD-2025-0013
Bill Number:	G-25-07-22
Council District:	All

Introduction Date:	July 22, 2025
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Plan Commission Public Hearing Date:	August 11, 2025 (not heard by Council)
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Next Council Action:	Ordinance will return to Council after recommendation by the Plan Commission
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Synopsis of Ordinance:	A proposal to amend the Fort Wayne Zoning Ordinance (Chapter 157)
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Location:	Within the planning jurisdiction of Fort Wayne.
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Applicant:	The Fort Wayne Plan Commission
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Related Petitions:	A similar amendment is being proposed to the Allen County Zoning Ordinance.
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Effect of Passage:	This set of housing amendments is proposed to: 1) Identify issues and elements of current the zoning ordinances that can be updated to encourage the development of more diverse and innovative housing types; and 2) Implement housing related policies and action steps of the All In Allen Comprehensive Plan.
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Effect of Non-Passage:	The City of Fort Wayne will not address the issues identified with regard to the zoning ordinance.
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Department of Planning Services
Zoning Ordinance Amendment Application

Project Name Fort Wayne Housing Amendment

Applicant Department of Planning Services

Address 200 E Berry St, STE 150

City Fort Wayne State IN

Telephone 260-449-7607 Zip 46802

Email _____

☐ Allen County Planning Jurisdiction ☒ City of Fort Wayne Planning Jurisdiction

☐ Other _____

Proposed Effective Date November 7, 2025

Legislative Body Fort Wayne City Council

Brief Description of Zoning Ordinance Amendment
(Please attach full amendment document)

This set of housing amendments is proposed to:

1) Identify issues and elements of current the zoning ordinances that can be updated to encourage the development of more diverse and innovative housing types; and

2) Implement housing related policies and action steps of the All In Allen Comprehensive Plan.



Dave Schaab  Dave Schaab 7/1/2025
Signature of Applicant Printed Name Date

Memo

To: Allen County Plan Commission

From: Dave Schaab, Senior Land Use Planner – Special Projects Division

Date: 5/9/2025

Subject: 2025 Housing Amendment Initiation

The Department of Planning Services is requesting the Allen County Plan Commission to initiate the 2025 Housing Amendment for the Allen County Zoning Ordinance. This amendment has been developed by the Housing Options Review Work Group which is comprised of staff from the Allen County Department of Planning Services and the Fort Wayne Community Development Division. The primary objective of this Work Group is to implement housing related policies and action steps in the All In Allen Comprehensive Plan related to encouraging the development of more diverse housing options in Fort Wayne and Allen County. The work group has spent the past three years reviewing existing policies and ordinances, conducting research on other communities, determining policies and standards that may be limiting housing options, and developing recommended amendments to those standards. This 2025 Housing Amendment for the Allen County Zoning Ordinance is the second phase of the Housing Options Review Work Group's proposed changes.

If you have any follow up questions or comments, please feel free to reach out to me directly at davidschaab@allencounty.us. Thank you for your consideration.

DRAFT 2025 Allen County and Fort Wayne Zoning Ordinance Housing Amendments Summary

This set of housing amendments is proposed to:

- 1) Identify issues and elements of current the zoning ordinances that can be updated to encourage the development of more diverse and innovative housing types; and
- 2) Implement housing related policies and action steps of the All In Allen Comprehensive Plan.

A summary of the proposed 2025 housing amendments is below; the proposed effective date is November 7, 2025. To maintain alignment with Allen County and Fort Wayne, the Grabill, Huntertown, Monroeville and Woodburn ordinances may also be amended.

Draft Summary of Amendments			
No.	Keyword/Reference AC/FW	Issue	Proposed Amendments
PU 1	Permitted Uses FW (17 et al) AC (13 et al)	157.203 (B) et al / 3-2-3-2 et al Primary Uses should be regulated in the Permitted Uses section of the Zoning District. <i>See Comparison Use Tables (pages 7 & 8)</i>	Added, “(including two (2) primary structures)” to the “Single family dwelling (detached)” permitted use in the A1, A3, AR, and R2 zoning districts.
SU 1	Special Uses FW (25) AC (16, 23, 30)	157.206 (C) et al / 3-2-3-3 (a) et al There is confusion concerning the existing Two Family Dwelling special use.	Removed, “(to allow for conforming status for existing nonconforming uses)” in the A1, AR, A3, R1, and MHS zoning districts.
DS 1	Development Standards FW (21 et al) AC (18 et al)	157.203 (E) et al / 3-2-3-5 (a) et al Primary Uses should be regulated in the Permitted Uses section of the Zoning District.	Removed, “Number of buildings on a lot” section of the development standards table in all zoning districts.
PU 2	Permitted Uses FW (25, 31) AC (29, 35)	157.206 (B), 157.207 (B) / 3-2-6-2, 3-2-7-2 Not all types of Single Family Dwellings are permitted in the R1 Single Family <i>See Comparison Use Tables (pages 7 & 8)</i>	Added, “Zero Lot Line Single Family Dwelling (one building of up to two (2) units on individual lots or parcels)” to the Permitted Uses section of the R1
ABSU 1	Accessory Buildings, Structures, and Uses FW (27 et al) AC (31,38,45)	157.206 (D) et al / 3-2-6-4 et al Zero Lot Line Accessory Building is not listed as an accessory use in the Residential Accessory Buildings, Structures, and Uses Table.	Added, “ Zero Lot Line Accessory Building ” to the Residential Accessory Buildings, Structures, and Uses Table in the R1, R2, R3, RP, DE, and UC zoning districts.
DS 2	Development Standards FW (28 et al) AC (33 et al)	157.206 (E) at al / 3-2-6-5 (a) Align and update development standards concerning lot area in R1, R2, R3, RP, MHS	Reduce Lot Area for detached SFR from 6,000 to 4,000, and corner detached SFR from 8,500 to 6,000

Draft Summary of Amendments			
No.	Keyword/Reference AC/FW	Issue	Proposed Amendments
DS 3	Development Standards FW (28 et al) AC (33 et al)	157.206 (E) at al / 3-2-6-5 (a) Align and update development standards concerning lot width in R1, R2, R3, RP, MHS	Reduce Lot Width for detached SFR from 50 to 40, and corner detached SFR from 70 to 60
DS 4	Development Standards FW (28) AC (32)	157.206 (E) / 3-2-6-5 (a) Zero lot line single family dwelling Lot Area and Lot Width is not addressed in the Development Standards Table in R1	Added Zero lot line single family dwelling Lot Area and Lot Width standards to the Development Standards Table in R1. Lot area: Public Sewer (interior) = 2,000 sq ft Public Sewer (corner) = 3,000 sq ft Lot width: Public Sewer (interior) = 20' Public Sewer (corner) = 30'
PU3	Permitted Uses FW (31) AC (37)	157.207 (B) / 3-2-7-2 Language concerning single family dwelling (attached) in R2 needs updated and aligned <i>See Comparison Use Tables (pages 7 & 8)</i>	Replacing “Single family dwelling (attached) (one building of up to two (2) units) with “Zero Lot Line Single Family Dwelling (one building of up to two (2) units on individual lots or parcels)” in the Permitted Uses section of R2
PU 4	Permitted Uses FW (120) AC (37)	157.207 (B) / 3-2-7-2 Not all types of Two Family Dwellings are permitted in the R2 Two Family Residential Zoning Districts. <i>See Comparison Use Tables (pages 6 & 7)</i>	Added, “Zero lot line two family dwelling (one building of up to two (2) units on individual lots or parcels)” as a Permitted Use of the R2 zoning district.
DS 5	Development Standards FW (34 et al) AC (41 et al)	157.207, 157.208, 157.209 (E) / 3-2-7-4, 3-2-8-5 (a) Align and update development standards and language concerning Detached and Attached Single Family Dwellings to include Zero Lot Line Single Family Dwelling.	Replaced, “Attached Single Family” with “Zero Lot Line.” Changed, “3,000” to “2,000”, “6,000” to “3,000”, “ 25’ ” to “ 20’ ”, and “ 50’ ” to “ 30’ ” in R2, R3, RP
PU 5	Permitted Uses FW (37 et al) AC (45)	157.208 / 157.209 / 157.220 (B) 3-2-8-2 Align and update language concerning Detached and Attached Single Family Dwellings to include Zero Lot Line Single Family Dwelling. <i>See Comparison Use Tables (pages 6 & 7)</i>	Replaced, “Single family dwelling (attached)” with, “Zero lot line single family dwelling (one building with units on individual lots or parcels)” in the Permitted Uses section of the R3, RP, and UC zoning districts.

Draft Summary of Amendments			
No.	Keyword/Reference AC/FW	Issue	Proposed Amendments
PU 6	Permitted Uses FW (38 et al) AC (45)	157.208, 157.209 , 157.220 (B) / 3-2-8-2 Update language concerning Zero Lot Line Two Family Dwelling. <i>See Comparison Use Tables (pages 6 & 7)</i>	Added, “Zero lot line two family dwelling (one building with units on individual lots or parcels)” in the Permitted Uses section of the R3, RP, and UC zoning districts.
DS 6	Development Standards (FW 45 and 50) AC (50)	157.208 and 157.209 (E) (1) / 3-2-8-5 (a) Align and update language concerning Multiple family complex building separations.	Removed existing Multiple family complex building separations, and replaced with, “Side yard separation from the side of another primary building: 10’” and, “Separation from the front or rear of another primary building: 20’”
PU 7	Permitted Uses FW (47)	157.209 (B) Primary Uses should be regulated in the Permitted Uses section of the Zoning District. <i>See Comparison Use Tables (page 6)</i>	Added, “(including multiple primary structures)” to the “Single family dwelling (detached)” permitted use in the RP zoning districts.
PU 8	Permitted Uses (FW 66, 74, 82, 90, 98, 106, 114, 122, 132, 147, 158, 168, and 276) (AC 65 et al)	157.212 (B) et al / 3-2-12-2 et al There is confusion concerning Townhouse Complex.	Removed, “Townhouse complex” from the Permitted Uses Table in C1, C2, NC, SC, C3, C4, DC, DE, UC, I1, I2, I3, RO
PU 9	Permitted Uses FW (122)	157.219 (B) Align and update language concerning Detached and Attached Single Family Dwellings to include Zero Lot Line Single Family Dwelling. <i>See Comparison Use Tables (pages 6 & 7)</i>	Add “Zero lot line single family dwelling (one building of up to ten (10) units on individual lots or parcels)” as a Permitted Use of the DE zoning district.
PU 10	Permitted Uses FW (132)	157.220 (B) There is confusion concerning Townhouse Dwelling.	Removed, “Townhouse dwelling” from the Permitted Uses Table of the UC zoning district.
DP 1	Development Plans FW (171) AC (146)	157.301 (B) (1) / 3-3-1-2 (a) There is confusion concerning when a Development Plan is required.	Added multiple family complex and clarified two primary <u>nonresidential</u> buildings in the “When Required” Development Plan Table.
SPR 1	Site Plan Review FW (179) AC (154)	157.302 (C) / 3-3-2-3 There is confusion concerning when a Site Plan Review is required.	Added single family zero lot line and two family zero lot line to the Site Plan Review Exclusions.

Draft Summary of Amendments			
No.	Keyword/Reference AC/FW	Issue	Proposed Amendments
DDS 1	Development Design Standards FW (215) AC (193)	157.404 (W) (3) / 3-4-4-23 Primary Uses should be regulated in the Permitted Uses section of the Zoning District.	Removed, "Number of buildings on a lot" section from the development design standards section.
DDS 2	Development Design Standards FW (225)	157.404 (X) (4) (p) There is confusion concerning Townhouse Complex.	Added, Dwellings and Townhouse: "Townhouse Dwellings and Townhouse Complexes"
PRO 1	Procedures FW (359) AC (314, 315)	157.503 (D) (1) / 3-5-3-4 (a) Special Use Zoning Districts in the Special Uses Table need to be updated accordingly.	Updated Special Uses Table Accordingly.
DEF 1	Accessory Building, Zero Lot Line FW (383) AC (334)	157.506 / 3-5-6-2 Add a definition for Accessory Building, Zero Lot Line to align language concerning Zero Lot Line Single Family Dwelling.	Added definition, "A building detached from, used with, clearly incidental and subordinate to a primary Zero Lot Line Single Family Dwelling building or Zero Lot Line Two Family Dwelling building. Must be located on the same lot with that primary Zero Lot Line Single Family Dwelling building or Zero Lot Line Two Family Dwelling building along one side lot line and attached to one similar unit."
DEF 2	Duplex FW (401) AC (361)	157.506 / 3-5-6-2 There is confusion concerning why Duplex is not addressed in the Zoning Ordinance.	Added, "Duplex (see "Dwelling, Two Family")"
DEF 3	Dwelling, Single Family (Attached) FW (401) AC (362)	157.506 / 3-5-6-2 Align and update language concerning Detached and Attached Single Family Dwellings to include Zero Lot Line Single Family Dwelling.	Removed Definition and added, "(see "Dwelling, Zero Lot Line Single Family")"
DEF 4	Dwelling, Townhouse FW (401) AC (362)	157.506 / 3-5-6-2 There is confusion concerning Townhouse Dwelling and Zero Lot Line Single Family Dwelling.	Removed Definition and added, "(see "Dwelling, Zero Lot Line Single Family")"
DEF 5	Dwelling, Zero Lot Line Single Family FW (402) AC (362)	157.506 / 3-5-6-2 Provide clarity for Zero Lot Line Single Family Dwelling Use.	Updated to read, "A single family dwelling unit placed on a lot or parcel so that it is positioned along one or more side lot lines and attached to one or more similar units"
DEF 6	Dwelling, Zero Lot Line Two Family FW (402) AC (362)	157.506 / 3-5-6-2 Add a definition for Dwelling, Zero Lot Line Two Family to Provide clarity for Zero Lot Line Two Family Dwelling Use.	Updated to read, "A Two family dwelling unit placed on a lot or parcel so that it is positioned along one or more side lot lines and attached to one or more similar units"
DEF 7	Model Home FW (424) AC (382)	157.506 / 3-5-6-2 Align and update language concerning Detached and Attached Single Family Dwellings to include Zero Lot Line Single Family Dwelling.	Replaced, "Single family (attached)" with, "Zero lot line single family" and added "zero lot line two family" in the model home definition.

Draft Summary of Amendments			
No.	Keyword/Reference AC/FW	Issue	Proposed Amendments
DEF 8	Multiple Family Complex FW (428) AC (344)	157.506 / 3-5-6-2 Align and update multiple family complex definition language with the Development Plan section.	Added, “, parcel, or development site”
DEF 9	Townhouse Complex FW (454) AC (407)	157.506 / 3-5-6-2 There is confusion concerning Townhouse complex and Multiple Family Complex.	Removed Definition and added, “(see “Multiple Family Complex”)”
DEF 10	Townhouse Structure FW (454) AC (407)	157.506 / 3-5-6-2 There is confusion concerning Townhouse Structure	Removed “Townhouse Structure”

Draft Summary of Amendments

Fort Wayne Comparison Use Table

Changes to the Fort Wayne Permitted and Special Use provisions shall be made as shown in the Use Comparison Table below:

Fort Wayne Permitted Uses	AR	R1	R2	R3	RP	MHS	MHP	C1	C2	NC	SC	C3	C4	DC	DE	UC	BTI	I1	I2	I3
Single family dwelling (detached) (including two (2) primary structures)	P		P																	
Single family dwelling (detached) (including multiple primary structures)					P															
Zero lot line single family dwelling (one building of up to two (2) units on individual lots or parcels)		P	P																	
Zero lot line single family dwelling (one building with units on individual lots or parcels)				P	P											P				
Zero lot line two family dwelling (one building of up to two (2) units on individual lots or parcels)			P																	
Zero lot line two family dwelling (one building with units on individual lots or parcels)				P	P											P				
Zero lot line single family dwelling (one building of up to ten (10) units on individual parcels)															P					

P = Permitted Use

S = Special Use

Draft Summary of Amendments

Allen County Comparison Use Table

Changes to the Allen County Permitted and Special Use provisions shall be made as shown in the Use Comparison Table below:

Allen County Permitted Uses	A1	A3	R1	R2	R3	MHS	MHP	C1	C2	NC	SC	C3	C4	BTI	I1	I2	I3
Single family dwelling (detached) (including two (2) primary structures)	P	P		P													
Zero lot line single family dwelling (one building of up to two (2) units on individual lots or parcels)			P	P													
Zero lot line single family dwelling (one building with units on individual lots or parcels)					P												
Zero lot line two family dwelling (one building of up to two (2) units on individual lots or parcels)				P													
Zero lot line two family dwelling (one building with units on individual lots or parcels)					P												

P = Permitted Use

S = Special Use

§ 157.203 AR LOW INTENSITY RESIDENTIAL

(A) Purpose

The Low Intensity **Residential district** is intended to create areas for both low intensity residential and **agricultural uses**. The purpose of this **district** is to allow for the continuation of agricultural land **uses** while also allowing low intensity residential **development** and certain additional **uses** where adequate **infrastructure** is available.

(B) Permitted Uses

The following **uses** are permitted as a matter of right in an AR **district**:

- (1) **Accessory building, structure, or use** as set forth in §157.203(D);
- (2) **Agricultural uses and buildings, including:**
 - (a) **agronomic crop production**, along with the operation of any machinery or vehicles necessary for the crop production; **apiculture**; floriculture; forestry and tree farming; horticulture; and viticulture; and
 - (b) **low intensity livestock operation**, on properties of two (2) acres or more in size.
- (3) **Common areas** used for a **clubhouse, neighborhood center, swimming pool, tennis court**, or other similar assembly/**recreation facility or use**, in association with a **minor plat** or an existing single **family** subdivision;
- (4) **Group residential facility (small)**;
- (5) **Model home** (in association with a **minor plat**, permitted for up to two (2) years);
- (6) **Riding stable, residential** (shall be located on a lot with a single family dwelling);
- (7) **Single family dwelling (detached)** (including two (2) primary structures);
- (8) **Universally permitted use**;
- (9) **Wind Energy Conversion System, Micro** (on unplatted parcels); and
- (10) **Wind Energy Conversion System, Standard** (on **parcels** of over five (5) acres not **adjacent** to platted lots or **residential zoning districts**).

Same Revisions have also been made in R1 and MHS Zoning Districts

- (32) **Two family dwelling** ~~(to allow conforming status for existing noneconforming uses);~~
- (33) **Utility facility, private** (not otherwise permitted or exempt);
- (34) **Wind energy conversion system, micro** (to allow systems for **single family detached dwellings** on platted land, or to request approval of a greater height); and
- (35) **Wind energy conversion system, standard** (to allow systems on a parcel of less than five (5) acres, or adjacent to platted lots or residential zoning districts).

FORT WAYNE ZONING ORDINANCE

(E) Development Standards

- (1) The standards in the following table shall apply in the AR **district**; all are minimum standards unless otherwise noted (the table continues onto the next page).

AR LOW INTENSITY RESIDENTIAL DEVELOPMENT STANDARDS	
Building size (square feet)	
Single family dwelling	700 ⁽¹⁾
Accessory structures	On lots of less than two (2) acres served by an on-site sewage system , new detached accessory building square footage shall be less than the square footage of the primary building
Number of buildings permitted on a lot	
Two freestanding single family dwelling units are permitted: one primary single family detached residential building per lot, plus:	
One freestanding single family dwelling unit	
Multiple primary nonresidential buildings are permitted per lot	
Height (maximum) ⁽²⁾	
Accessory building	25'
Primary building	40'
Lot area (square feet)	
Public sewer	12,000
Private sewage disposal	87,120 (2 acres)
Lot width (at front building line and at front lot line)	
Public sewer	75'
Private sewage disposal	120'
Front yard	
Platted lot	25' (or platted front building line , whichever is greater)
Unplatted lot if adjacent to: Arterial/collector street Local or private street PC-approved easement	115' from the centerline of the street 65' from the centerline of the street 30' from the easement
Flag Lot	30' Flag lots shall have two (2) required front yards (see definition of lot line, front)
Through lot	As noted above, at each end of the lot , based on the street classification/type the yard is adjacent to, except that: • If no access is permitted to the rear of the lot, then a detached accessory structure shall be permitted as set forth below, and a fence shall be permitted with no setback; or • If access is permitted to the rear of the lot, then a detached accessory structure shall be permitted with a 10' setback and a fence shall be permitted with a 5' setback
If there is an existing residence on an adjacent parcel on the same side of the street with a nonconforming front setback , and the existing residence is within 300' of the proposed residence	The minimum front yard shall be the smallest existing nonconforming setback on the adjacent parcel(s)

FORT WAYNE ZONING ORDINANCE

§ 157.206 R1 SINGLE FAMILY RESIDENTIAL

(A) Purpose

The Single **Family Residential district** is intended to create and maintain areas for single **family** residential **uses** on individual **lots** or **tracts** and to provide for a variety of areas for single **family** neighborhoods, along with certain additional **uses**.

(B) Permitted Uses

The following **uses** are permitted as a matter of right in an R1 **district**:

- (1) **Accessory building, structure, or use** as set forth in §157.206(D);
- (2) **Common areas** used for a **clubhouse, neighborhood center, swimming pool, tennis court,** or other similar assembly or **recreation facility**, including **structures** and **uses** typically associated with a single **family** subdivision;
- (3) **Group residential facility (small)**;
- (4) **Model home** (permitted for up to two (2) years);
- (5) **Single family dwelling (detached)**; ~~and~~
- ~~(6)~~ **Universally permitted use**; and
- ~~(6)(7)~~ **Zero lot line single family dwelling (one building of up to two (2) units on individual lots or parcels).**

(C) Special Uses

The following **uses** may be approved by the **Board of Zoning Appeals** after the filing of a **special use** petition:

- (1) **Accessory dwelling unit** (freestanding);
- (2) **Animal keeping** (outdoor, small animal);
- (3) **Bed and breakfast**;
- (4) **Boarding house**;
- (5) **Class II child care home**;
- (6) **Club, private (transitional use)**;
- (7) **Community facility** not otherwise permitted (transitional use);
- (8) **Community garden** that includes a structure;
- (9) **Container home** (see §157.503(D)(3)(h) for additional standards);
- (10) **Country club**;
- (11) **Educational institution** (not otherwise permitted);
- (12) **Educational institution-associated facilities, uses, and areas** (on non-contiguous properties);
- (13) **Emergency response facility** (transitional use);
- (14) **Funeral home**;
- (15) **Golf course**;
- (16) **Group residential facility (large)**;

Same Revisions have also been made in R2, R3, RP, DE, and UC Zoning Districts

Accessory buildings, structures, and uses shall be permitted, including but not limited to:

UNIVERSALLY PERMITTED ACCESSORY BUILDINGS, STRUCTURES, AND USES		
Accessory dwelling unit (integrated)	Hedge	Satellite dish
Access ramp	Holiday decorations	Sign
Address marker	Landscape elements	Solar panels (building mounted)
Arbor or pergola	Mailbox	Swimming pool
Bird bath/house	Name plate	Swing set
Carport	Newspaper delivery box	Television aerial
Deck	Patio	Trellis
Driveway	Play equipment	Utility fixture
Fence	Pond	Walk
Flagpole	Property boundary marker	Wall
Garage	Radio antenna (amateur)	Yard light
Gazebo	Rain barrel	
Geothermal system	Rain garden	

RESIDENTIAL ACCESSORY BUILDINGS, STRUCTURES, AND USES	RELIGIOUS INSTITUTION ACCESSORY BUILDINGS, STRUCTURES, AND USES
Basketball backboard and goal	Athletic or recreation fields (non-illuminated)
Bath house or cabana	Assembly building, including hall and gymnasium
Class I child care home	Bleachers or similar structures
Day care	Child care ministry
Dog/pet house	Clothing bank
Garage or yard sale	Community garden
Garden (private)	Convent, parsonage, rectory, or similar residence
Greenhouse	Dumpster ⁽¹⁾
Grill or fire pit	Family counseling or education
4H/similar indoor small animal project	Food bank
Home occupation	Maintenance building
Hot tub, Jacuzzi, or spa	Outdoor events (short-term)
Shed	Performances (indoor)
Smoke house/oven (outdoor)	Shop (for sale of religious institution related items)
Tree house	Storage Building ⁽¹⁾
<u>Zero Lot Line Accessory Building</u>	
Notes:	
(1) Also permitted for nonresidential uses	

FORT WAYNE ZONING ORDINANCE

(E) Development Standards

- (1) The standards in the following table shall apply in the R1 **district**; all are minimum standards unless otherwise noted (the table continues onto the next page).

R1 SINGLE FAMILY RESIDENTIAL DEVELOPMENT STANDARDS		
Building size (square feet)		
Single family dwelling	700 ⁽¹⁾	
Accessory structures	Total square footage shall be less than the primary building	
Number of buildings permitted on a lot		
One primary residential building per lot		
Multiple primary nonresidential buildings are permitted per lot		
Height (maximum) ⁽²⁾		
Accessory building	25'	
Primary building	40'	
Lot area (square feet)		
	<u>Detached Single Family Dwelling</u>	<u>Zero Lot Line Single Family Dwelling</u>
Public sewer (interior lot)	<u>64,000</u>	<u>2,000</u>
Public sewer (corner lot)	<u>8,5006,000</u>	<u>3,000</u>
Private sewage disposal	87,120 (2 acres)	
Lot width (at front building line and at front lot line unless otherwise stated)		
	<u>Detached Single Family Dwelling</u>	<u>Zero Lot Line Single Family Dwelling</u>
Public sewer (interior lot)	<u>5040'</u> (25' at front lot line)	<u>20'</u>
Public sewer (corner lot)	<u>7060'</u>	<u>30'</u>
Private sewage disposal	120'	
Front yard ⁽³⁾		
Platted lot	25' (or platted building line setback, whichever is greater)	
Unplatted lot if adjacent to: Arterial/collector street Local or private street PC-approved easement	115' from the centerline of the street 25' from the street right-of-way 30' from the easement	
Flag Lot	30' Flag lots shall have two (2) required front yards (see definition of lot line, front)	
Through lot	At each end of the lot , based on the street classification/type the yard is adjacent to, except that: • If no access is permitted to the rear of the lot , then a detached accessory structure shall be permitted as set forth below, and a fence shall be permitted with no setback ; or • If access is permitted to the rear of the lot , then a detached accessory structure shall be permitted with a 10' setback and a fence shall be permitted with a 5' setback	
If there is an existing residence on an adjacent parcel on the same side of the street with a nonconforming front setback , and the existing residence is within 300' of the proposed residence	The minimum front yard shall be the smallest existing nonconforming setback on the adjacent parcel(s)	

FORT WAYNE ZONING ORDINANCE

§ 157.207 R2 TWO FAMILY RESIDENTIAL

(A) Purpose

The Two **Family Residential district** is intended to create areas for medium density residential **uses** on individual **lots** or **tracts** and to provide for a variety of areas for single **family** and two **family** residential **development**, along with certain additional **uses**.

(B) Permitted Uses

The following **uses** are permitted as a matter of right in an R2 **district**:

- (1) **Accessory building, structure, or use** as set forth in §157.207(D);
- ~~(2)~~ Common areas used for a clubhouse, neighborhood center, swimming pool, tennis court, or other similar assembly or recreation facility, including structures and uses typically associated with a single family subdivision;
- ~~(2)(3)~~ **Group residential facility (small);**
- ~~(3)(4)~~ **Model home** (permitted for up to two (2) years);
- ~~(4) — Single family dwelling (attached) (one building of up to two (2) units);~~
- (5) **Single family dwelling (detached)** ~~(including two (2) primary structures);~~
- (6) **Two family dwelling; and**
- (7) **Universally permitted use;**
- ~~(8)~~ **Zero lot line single family dwelling (one building of up to two (2) units on individual lots or parcels); and**
- ~~(8)(9)~~ **Zero lot line two family dwelling (one building of up to two (2) units on individual lots or parcels).**

(C) Special Uses

The following **uses** may be approved by the **Board of Zoning Appeals** after the filing of a **special use** petition:

- (1) **Accessory dwelling unit** (freestanding);
- (2) **Animal keeping** (outdoor, small animal);
- (3) **Bed and breakfast;**
- (4) **Boarding house;**
- (5) Class II child care home;
- (6) Club, private (transitional use);
- (7) Community facility not otherwise permitted (transitional use);
- (8) Community garden that includes a structure;
- (9) **Container home** (see §157.503(D)(3)(h) for additional standards);
- (10) Country club;
- (11) **Educational institution** (not otherwise permitted);
- (12) **Educational institution**-associated facilities, **uses**, and areas (on non-contiguous properties);
- (13) Emergency response facility (transitional use);

Same Revisions have also been made in R3 and RP Zoning Districts

(E) Development Standards

- (1) The standards in the following table shall apply in the R2 **district**; all standards are minimum standards unless otherwise noted (the table continues onto the next page).

R2 TWO FAMILY RESIDENTIAL DEVELOPMENT STANDARDS		
Building size (square feet)		
Single family dwelling	700 ⁽¹⁾	
Accessory structures	Total square footage shall be less than the primary building	
Number of buildings permitted on a lot		
One primary residential building per lot		
Multiple primary nonresidential buildings are permitted per lot		
Height (maximum) ⁽²⁾		
Accessory building	25'	
Primary building	40'	
Lot area (square feet)		
	Detached Single Family Dwelling	Zero Lot Line Attached Single Family Dwelling
Public sewer (interior lot)	64,000	32,000
Public sewer (corner lot)	8,5006,000	63,000
Private sewage disposal	87,120 (2 acres)	
Lot width (at front building line and at front lot line unless otherwise stated)		
	Detached Single Family Dwelling	Zero Lot Line Attached Single Family Dwelling
Public sewer (interior lot)	5040' (25' at front lot line)	2520'
Public sewer (corner lot)	7060'	5030'
Private sewage disposal	120' at front building line	
Front yard ⁽³⁾		
Platted lot	25' (or platted building line setback, whichever is greater)	
Unplatted lot if adjacent to: Arterial/collector street Local or private street PC-approved easement	115' from the centerline of the street 25' from the street right-of-way 30' from the easement	
Flag Lot	30' Flag lots shall have two (2) required front yards (see definition of lot line, front)	
Through lot	At each end of the lot, based on the street classification/type the yard is adjacent to, except that: • If no access is permitted to the rear of the lot, then a detached accessory structure shall be permitted as set forth below, and a fence shall be permitted with no setback; or • If access is permitted to the rear of the lot, then a detached accessory structure shall be permitted with a 10' setback and a fence shall be permitted with a 5' setback	
If there is an existing residence on an adjacent parcel on the same side of the street with a nonconforming front setback, and the existing residence is within 300' of the proposed residence	The minimum front yard shall be the smallest existing nonconforming setback on the adjacent parcel(s)	

FORT WAYNE ZONING ORDINANCE

§ 157.208 R3 MULTIPLE FAMILY RESIDENTIAL

(A) Purpose

The Multiple **Family Residential district** is intended to create areas for high density multiple **family residential uses**, as well as single and two family **dwelling** units and other compatible **nonresidential uses** where adequate public facilities are available.

(B) Permitted Uses

The following **uses** are permitted as a matter of right in an R3 **district**:

- (1) **Accessory building, structure, or use** as set forth in §157.208(D) (including rental/management office in a **multiple family complex**);
- (2) Assisted living facility;
- (3) Common areas used for a clubhouse, neighborhood center, swimming pool, tennis court, or other similar assembly or recreation facility (including structures and uses typically associated with a single family subdivision);
- (4) Fraternity or sorority house;
- (5) **Group residential facility (small)**;
- (6) **Model home** (permitted for up to two (2) years);
- (7) Multiple family complex;
- (8) Multiple family dwelling;
- (9) Off-site campus housing;
- (10) Retirement facility;
- ~~(11) Single family dwelling (attached);~~
- ~~(12)(11)~~ Single family dwelling (detached) (including multiple primary **structures**);
- ~~(13)(12)~~ Two family dwelling; ~~and~~
- ~~(13)~~ Universally permitted use;
- ~~(14)~~ **Zero lot line single family dwelling (one building with units on individual lots or parcels);**
and
- ~~(14)(15)~~ **Zero lot line two family dwelling (one building with units on individual lots or parcels).**

Same Revisions have also been made in RP Zoning District

R3 MULTIPLE FAMILY RESIDENTIAL DEVELOPMENT STANDARDS	
Side yard ⁽³⁾	
Interior lot	
Private sewage disposal	15'
Public sewer	5'
Corner lot	The street side yard setback shall be the same as the front yard setback, based on the side lot line street classification, except that: - On corner lots, if there is a platted street side yard building line then an addition to a primary residential structure or an accessory structure shall meet that platted building line. - If there is no platted building line, on a lot of up to 70', a primary residential structure or an accessory structure (except for fences and walls) shall meet a 10' side yard setback; on a lot of over 70', a primary residential structure or an accessory structure shall meet a 25' side yard setback. - For fences and walls, if there is no platted building line, a fence (except for an ornamental fence or a retaining wall of up to 3' in height) shall meet a 5' setback; an ornamental fence or a retaining wall of up to 3' in height shall not have a setback requirement.
Rear yard	
Primary building	25' ⁽⁴⁾ 50' if adjacent to a collector or arterial street
Accessory structure ⁽⁵⁾	3' from a side or rear lot line ⁽⁶⁾
Swimming pool	6' from a side or rear lot line ⁽⁶⁾
Multiple family building and complex perimeter setback	
One story building	25'
Two story building	30'
Three story or above building	40'
Multiple family complex building separation	
Side yard separation from the side of another primary building	10'
Separation from the front or rear of another primary building	20'
Multiple family building	25' (separation from any other primary multiple family building)
Condominium building	10' (side yard separation from the side of another primary single or two family building)
Townhouse building	10' (separation from the side of another primary townhouse building) 20' (separation from the front or rear of another primary townhouse building)
Notes:	
(1) Excluding basement and attached garage area	
(2) See §157.405(C) (Development Standards Waivers and Exceptions) for exceptions; §157.409 (Signs) for maximum sign heights ; and §157.404(O) (Residential Impact Mitigation) and §157.411 (Airport Overlay Districts) for additional restrictions	
(3) See rear yard information for accessory structure and swimming pool side yard standards	
(4) A single story addition to an existing single family detached dwelling may encroach up to 10' into the required rear yard , if the addition is 250 square feet or less.	
(5) Excluding swimming pools	
(6) If located behind the primary building	

FORT WAYNE ZONING ORDINANCE

§ 157.209 RP PLANNED RESIDENTIAL

(A) Purpose

The Planned **Residential district** is intended to create areas for mixed residential **uses**. The purpose of this **district** is to permit residential and other compatible **nonresidential uses**, where adequate public facilities are available.

(B) Permitted Uses

The following **uses** are permitted as a matter of right in an RP **district**:

- (1) **Accessory building, structure, or use** as set forth in §157.209(D) (including rental/management office in a **multiple family complex**);
- (2) Assisted living facility;
- (3) Common areas used for a clubhouse, neighborhood center, swimming pool, tennis court, or other similar assembly or recreation facility (including structures and uses typically associated with a single family subdivision);
- (4) **Group residential facility (small)**;
- (5) Fraternity or sorority house;
- (6) **Model home** (permitted for up to two (2) years);
- (7) Multiple family complex;
- (8) Multiple family dwelling;
- (9) Off-site campus housing;
- (10) Retirement facility;
- ~~(11) Single family dwelling (attached);~~
- ~~(12)~~(11) Single family dwelling (detached) (including multiple primary structures)
- ~~(13)~~(12) Two family dwelling; ~~and~~
- ~~(13)~~ Universally permitted use;
- ~~(14)~~ **Zero lot line single family dwelling (one building with units on individual lots or parcels);**
and
- ~~(14)~~(15) **Zero lot line two family dwelling (one building with units on individual lots or parcels).**

FORT WAYNE ZONING ORDINANCE

(E) Development Standards

- (1) The standards in the following table shall apply in the MHS **district**; all standards are minimum standards unless otherwise noted (the table continues onto the next page).

MHS MANUFACTURED HOME SUBDIVISION DEVELOPMENT STANDARDS	
Building size (square feet)	
Single family dwelling	700 ⁽¹⁾
Accessory structures	Total square footage shall be less than the primary building
Number of buildings permitted on a lot	
One primary residential building per lot	
Multiple primary nonresidential buildings are permitted per lot	
Height (maximum) ⁽²⁾	
Accessory building	25'
Primary building	40'
Lot area (square feet)	
Public sewer (interior lot)	64,000
Public sewer (corner lot)	8,5006,000
Private sewage disposal	87,120 (2 acres)
Lot width (at front building line and at front lot line unless otherwise stated)	
Public sewer (interior lot)	5040' (25' at front lot line)
Public sewer (corner lot)	7060'
Private sewage disposal	120'
Front yard ⁽³⁾	
Platted lot	25' (or platted building line setback , whichever is greater)
Unplatted lot if adjacent to: Arterial/collector street Local or private street PC-approved easement	115' from the centerline of the street 25' from the street right-of-way 30' from the easement
Flag Lot	30' Flag lots shall have two (2) required front yards (see definition of lot line, front)
Through lot	At each end of the lot , based on the street classification/type the yard is adjacent to, except that: • If no access is permitted to the rear of the lot, then a detached accessory structure shall be permitted as set forth below, and a fence shall be permitted with no setback; or • If access is permitted to the rear of the lot, then a detached accessory structure shall be permitted with a 10' setback and a fence shall be permitted with a 5' setback
If there is an existing residence on an adjacent parcel on the same side of the street with a nonconforming front setback , and the existing residence is within 300' of the proposed residence	The minimum front yard shall be the smallest existing nonconforming setback on the adjacent parcel(s)

FORT WAYNE ZONING ORDINANCE

(D) Development Standards

The standards in the following table shall apply in the MHP **district**; all are minimum standards unless otherwise noted.

MHP MANUFACTURED HOME PARK DEVELOPMENT STANDARDS	
Building size (square feet)	
Single family dwelling	700
Accessory structures	Total square footage shall be less than the primary building
Number of buildings permitted on a lot	
One primary residential building per lot	
Height (maximum) ⁽¹⁾	
Accessory building	25'
Primary building	40'
Front yard	
Standard lot	5'
Through lot	5' (minimum yard at both ends of the lot)
Side yard	
Standard lot	5'
Rear yard	
Standard lot	5'
Manufactured home park perimeter setback	
50'	
Manufactured home park building separation	
5' (separation from any other primary building)	
Notes:	
(1) See §157.405(C) (Development Standards Waivers and Exceptions) for exceptions; §157.409 (Signs) for maximum sign heights ; and §157.404(O) (Residential Impact Mitigation) and §157.411 (Airport Overlay Districts) for additional restrictions	

Same Revisions have also been made in C2, NC, SC, C3, C4, DC, DE, UC, I1, I2, I3 and RO Zoning Districts

C1 PROFESSIONAL OFFICE AND PERSONAL SERVICES SPECIFIC PERMITTED USES	
Health club	Pilates instruction
Homeless shelter ⁽¹⁾	Planetarium
Hospice care center	Planner
Hospital	Podiatrist
Insurance agency	Public transportation facility
Interior design service	Radio station
Internet service	Real estate
Investment service	Recording studio
Laboratory	Residential dwelling unit ⁽³⁾
Land surveyor	Residential facility for homeless individuals (up to 8) ⁽¹⁾
Legal service	Retirement facility
Live-work unit	Savings and loan
Loan office	Sculpture studio
Marketing agency	Security service
Martial arts training	Sleep disorder facility
Massage therapy	Social service agency
Medical training	Sorority house
Model unit	Stained glass studio
Mortgage service	Stock and bond broker
Multiple family complex ⁽⁴⁾	Surgery center
Multiple family dwelling ⁽⁴⁾	Tailor
Museum	Tanning salon
Music instruction	Tax consulting
Music studio	Television station
Nail salon	Title company
Neighborhood facility	Townhouse complex ⁽⁴⁾
Nursing home	Travel agency
Nutrition service	Treatment center
Office, professional	Tutoring service
Ophthalmologist	Universally permitted use ⁽²⁾
Optician	Veterinary clinic (indoor)
Optometrist	Website service
Painting studio	Wedding consultant
Parking area (off-site) ⁽²⁾	Weight loss service
Photography studio	Wind energy conversion system (micro) ⁽¹⁾
Photography training	Yoga instruction
Physical therapy facility	Zoo
Notes:	
(1) If not adjacent to a residential district	
(2) See universally permitted use definition for additional standards	
(3) Above, to the rear of, or attached to a permitted nonresidential use	
(4) See multiple family building and complex perimeter setback and building separation requirements in R3 district (§157.208(E)(1))	

FORT WAYNE ZONING ORDINANCE

DE DOWNTOWN EDGE SPECIFIC PERMITTED USES	
Music store	Shoe store
Music studio	Sign sales store
Musical instrument store	Skating rink
Nail salon	Sleep disorder facility
Neighborhood facility	Social service agency
Newspaper publishing facility	Sporting goods sales
Nursing home	Stadium
Nutrition service	Stained glass studio
Office, professional	Stationery store
Ophthalmologist	Stock and bond broker
Optician	Surgery center
Optometrist	Swim club (indoor)
Package liquor store	Tailor
Paint store	Tanning salon
Painting studio	Tattoo establishment
Parking area (off-site) ⁽³⁾	Tavern
Parking structure ⁽⁴⁾	Tax consulting
Pet store	Taxi service
Pharmacy	Tea room
Photography studio	Telephone sales
Photography supply store	Telephone service
Photography training	Television station
Physical therapy facility	Tennis club (indoor)
Picture framing facility	Theater (indoor)
Pilates instruction	Title company
Planetarium	Tobacco store
Planner	Townhouse complex ⁽²⁾
Podiatrist	Toy store
Public transportation facility	Travel agency
Radio station	Treatment center
Real estate	Tutoring service
Reception hall	Universally permitted use ⁽³⁾
Recording studio	Variety store
Rental store	Veterinary clinic
Residential dwelling unit ⁽¹⁾	Watch sales
Restaurant	Water park
Retirement facility	Website service
Riding stable	Wedding consultant
Sandwich shop	Weight loss service
Savings and loan	Window sales
Sculpture studio	Yoga instruction
Security service	<u>Zero lot line single family dwelling (one building of up to ten (10) units on individual lots or parcels)</u>
Shoe repair shop	Zoo
Notes: (1) Above, to the rear of, or attached to a permitted nonresidential use (2) See multiple family complex building separation requirements in R3 district (§157.208(E)(1)) (3) See universally permitted use definition for additional standards (4) If integrated within the footprint of a new building for a permitted primary use	

FORT WAYNE ZONING ORDINANCE

UC URBAN CORRIDOR SPECIFIC PERMITTED USES (drive-through facilities, gas stations and/or gas pumps/canopies shall not be permitted as either a primary or an accessory use)	
Ice cream store	Photography supply store
Insurance agency	Physical therapy facility
Interior decorating store	Picture framing facility
Interior design service	Pilates instruction
Internet service	Planetarium
Investment service	Planner
Jewelry sales	Podiatrist
Laboratory	Public transportation facility
Land surveyor	Radio station
Laundromat	Real estate
Leather goods store	Reception hall
Legal service	Recording studio
Live-work unit	Photography supply store
Loan office	Rental store
Luggage store	Residential dwelling unit
Marketing agency	Restaurant
Martial arts training	Retirement facility
Massage therapy	Riding stable
Meat/fish market	Sandwich shop
Medical training	Savings and loan
Model unit	Sculpture studio
Mortgage service	Security service
Movie rental	Shoe repair shop
Movie sales	Shoe store
Multiple family complex ⁽¹⁾	Sign sales store
Multiple family dwelling ⁽¹⁾	Single family dwelling (attached)
Museum	Single family dwelling (detached)
Music instruction	Skating rink
Music store	Sleep disorder facility
Music studio	Social service agency
Musical instrument store	Sporting goods sales
Nail salon	Stained glass studio
Neighborhood facility	Stationery store
Nursing home	Stock and bond broker
Nutrition service	Surgery center
Office, professional	Swim club (indoor)
Ophthalmologist	Tailor
Optician	Tanning salon
Optometrist	Tattoo establishment ⁽⁴⁾
Package liquor store	Tavern
Paint store	Tax consulting
Painting studio	Taxi service
Parking area (off-site) ⁽²⁾	Tea room
Parking structure ⁽³⁾	Telephone sales
Photography training	Telephone service
Pet store	Television station
Pharmacy	Tennis club (indoor)
Photography studio	Theater (indoor)

FORT WAYNE ZONING ORDINANCE

UC URBAN CORRIDOR SPECIFIC PERMITTED USES (drive-through facilities, gas stations and/or gas pumps/canopies shall not be permitted as either a primary or an accessory use)	
Title company	Veterinary clinic
Tobacco store	Watch sales
Townhouse complex ⁽⁺⁾	Website service
Townhouse dwelling	Wedding consultant
Toy store	Weight loss service
Travel agency	Window sales
Tutoring service	Yoga instruction
Two family dwelling	<u>Zero lot line single family dwelling (one building with units on individual lots or parcels)</u>
Universally permitted use ⁽²⁾	<u>Zero lot line two family dwelling (one building with units on individual lots or parcels)</u>
Variety store	Zoo
Notes: (1) See multiple family complex building separation requirements in R3 district (§157.208(E)(1)) (2) See universally permitted use definition for additional standards (3) If integrated within the footprint of a new building for a permitted primary use (4) New tattoo facilities shall be located a minimum of 500' from any existing facility, as measured from the closest property lines	

(C) Special Uses

- (1) **Accessory dwelling unit** (freestanding);
- (2) **Animal keeping** (outdoor, small animal);
- (3) Child care home (class II);
- (4) Community garden (that includes a structure);
- (5) **Container home** (see §157.503(D)(3)(h) for additional standards);
- (6) **Educational institution-associated uses** (on non-contiguous properties, not otherwise permitted);
- (7) Fraternity house;
- (8) Group residential facility (large);
- (9) Group residential facility (small);
- (10) **Home business** (for single **family detached** dwellings only; see §157.503(D)(3)(b) for additional standards);
- (11) Homeless shelter (accessory to a religious institution);
- (12) **Manufactured home, Type II** (see §157.503(D)(3)(e) for additional standards);
- (13) **Nature preserve** (that includes a structure or **parking area**);
- (14) **Nonconforming use** (expansion of existing **nonconforming use**, or allow conforming status to existing **use**, excluding **gas station uses**);
- (15) **Parking structures** (public or private) if not integrated within the footprint of a new building for a permitted primary use (in addition to the standards in §157.503(D)(2), the Board shall evaluate the request based on the standards and guidelines in §157.404(X)(n)(iv));

FORT WAYNE ZONING ORDINANCE

DEVELOPMENT PROCESSES AND STANDARDS

§ 157.301 DEVELOPMENT PLANS

(A) Purpose

The Development Plan process is intended to:

- (1) Promote and encourage quality **development** that has a positive impact on surrounding **structures** and land **uses**;
- (2) Allow for public, **Commission** and staff review of and input on the site layout, access and circulation, and **development** quality of certain **development** proposals, the potential impacts of those proposals on surrounding areas, and the ability of Fort Wayne and other governmental or quasi-governmental entities to provide public services required by those **developments**.
- (3) In the DC and DE **districts**, including the **Riverfront Overlay District**, to promote attractive and functional **building** forms; attractive and functional streetscape and public space design; compatibility of design, **use**, character, and pattern; increased **pedestrian oriented** design; and the **use** of high quality, durable materials.

(B) When Required

- (1) A Development Plan application shall be submitted and approved when an applicant is proposing the types of **development** indicated in the following table. If a Secondary Development Plan is not required, an administrative Site Plan Review process will generally be required following the Primary Development Plan approval.

TYPE OF DEVELOPMENT	PRIMARY DEVELOPMENT PLAN REQUIRED	SECONDARY DEVELOPMENT PLAN REQUIRED
Rezoning (when accompanied by a specific development project proposal, for which the applicant is requesting Plan Commission approval)	✓	
<u>Projects proposing a multiple family complex on a single lot, parcel, or development site</u>	✓	✓
Projects proposing more than one new primary <u>nonresidential building</u> on a single <u>lot, parcel, or development site</u>	✓	✓
Projects proposing the phased construction of infrastructure or streets	✓	✓
Projects requesting a waiver from one or more ordinance standards	✓	

- (2) In addition to the provisions above, an applicant or property **owner** may choose to voluntarily submit a project or **development** through the Development Plan process.
- (3) As part of its consideration and approval of a request for a **contingent use**, **special use**, or **use variance**, the **Board of Zoning Appeals** may require the submission and approval of a Development Plan.

FORT WAYNE ZONING ORDINANCE

§ 157.302 SITE PLAN REVIEW

(A) Purpose

The purpose of this section is to:

- (1) Provide a process that allows for administrative review of certain projects for compliance with the provisions of this ordinance;
- (2) In the DC and DE **districts**, establish plan documentation and supporting information that must be submitted to allow for the review of a project, including design review; and
- (3) Allow reviewing staff to provide input on proposed projects.

(B) When Required

Except as excluded in §157.302(C), any proposal for a new **building** or **structure** or **addition** to an existing **building** in the following categories that does not require the submission of a Development Plan under the provisions of §157.301, requires submittal, review and approval through the Site Plan Review process:

- (1) New individual **multiple family buildings** of over two (2) units;
- (2) A nonresidential **structure** or **building** (including a single **building** on an individual **lot** or **development site**, an **accessory structure** or **building**, **additions** to an existing **building**, a **gas station canopy** or pumps, and an outdoor eating/drinking/smoking area);
- (3) If the **Commission, Board**, or Hearing Officer determines in the course of application review that the proposal is large, complex, or raises potential unanticipated **development** impacts, the **Commission, Board**, or Hearing Officer may require that the proposed project complete the Site Plan Review process.

(C) Exclusion

The following shall also be exempt from the Site Plan Review process:

- (1) Projects of less than 1,000 square feet that do not have sanitary sewer or water facilities and fire sprinkler systems (including mobile classrooms but excluding **gas station canopies** or outdoor eating/drinking/smoking areas), ~~shall be exempt from the Site Plan Review process.~~
- (2) Temporary construction or temporary sales/leasing facilities that do not have water and sanitary sewer connections ~~shall also be exempt from the Site Plan Review process.~~

~~(1)~~(3) Single family zero lot line and two family zero lot line developments

(D) Pre-Application Meetings

- (1) Prior to the submission of an application for approval of a Site Plan, a pre-application meeting between **DPS** staff and the applicant is recommended. The purpose of the pre-application meeting is to:
 - (a) Acquaint the applicant with the standards, procedures, and requirements of this ordinance and any other applicable standards or requirements;
 - (b) Review the Site Plan Review process procedures and submittal requirements;
 - (c) Acquaint the applicant with any potential issues or problems regarding the specific site or surrounding area, including **significant** cost or permit delay issues; and
 - (d) Provide the applicant with a list of application submittal requirements based on the nature and size of the proposed **development**.

FORT WAYNE ZONING ORDINANCE

(B) Applicability

All Development Plans, Site Plan Reviews and **Subdivisions** shall comply with each of the standards shown in the table below.

DEVELOPMENT DESIGN STANDARD APPLICABILITY					
Standard	Section	DP	SP	MJS	MNS
Access	§157.404(D)	✓	✓	✓	✓
Airport overlay districts	§157.404(E)	✓	✓	✓	✓
Block layout	§157.404(F)			✓	
Easements	§157.404(G)	✓	✓	✓	✓
Floodplain	§157.404(H)	✓	✓	✓	✓
Landscape standards	§157.404(I)	✓	✓		
Lot standards	§157.404(J)			✓	✓
Natural site features	§157.404(K)	✓		✓	✓
Open space and recreation amenities	§157.404(L)			✓	
Parking	§157.404(M)	✓	✓		
Pedestrian circulation	§157.404(N)	✓	✓	✓	
Residential impact mitigation	§157.404(O)	✓	✓		
Sanitary sewer	§157.404(P)	✓	✓	✓	✓
Signs	§157.404(Q)	✓	✓	✓	✓
Site lighting	§157.404(R)	✓	✓		
Storm drainage	§157.404(S)	✓	✓	✓	✓
Street lighting	§157.404(T)	✓	✓	✓	
Vehicle circulation and streets	§157.404(U)	✓	✓	✓	✓
Water	§157.404(V)	✓	✓	✓	✓
Zoning district standards • Building Separation • Building Size • Number of Buildings on a Lot • Height • Lot Area and Width • Yard Requirements • Zoning Overlay Districts	§157.404(W)	✓	✓	✓	✓
Design standards (DC and DE)	§157.404(X)	✓	✓		
Riverfront overlay district (DC and DE)	§157.404(Y)	✓	✓		
KEY					
DP = Development Plan	SP = Site Plan	MJS = Major Subdivision	MNS = Minor Subdivision	✓ = Standard is applicable	

FORT WAYNE ZONING ORDINANCE

(c) Minor Subdivisions

No **Minor Subdivision** may provide an interconnection to more than one other **Minor Subdivision**, and no more than two (2) **Minor Subdivisions** may share a single point of access to a **public street**.

(7) School Bus Access

Each **Major Subdivision** or Development Plan containing over sixty (60) **lots** shall include an internal loop **street** system allowing **school** busses to access the **subdivision**, circulate, and return to an access point to a local, collector, or **arterial street** adjoining the **Major Subdivision** or Development Plan **development site** without turning around or backing up. The **Plan Commission** may permit alternative **street** system provisions allowing for internal bus access if those provisions have been approved by the applicable **school district**. For purposes of this standard, the number of homes in all adjoining phases of a **Major Subdivision** or Development Plan shall be considered together.

(8) Street Names

- (a) The name of any **street**, road, drive, or avenue already in **use** or established by **plat** anywhere in Allen **County** shall not be used in any new **development** except in the case of a direct extension of the existing **street**, road, drive, or avenue of the same name.
- (b) No name of a **street**, road, drive, or avenue shall include the word north, south, east or west, unless it denotes a geographic location.

(V) Water

Public water facilities shall be provided to serve the proposed development.

(W) Zoning District Standards

(1) Building Separation

All **buildings** and **structures** shall comply with the applicable **building** separation standards for the **zoning district** in which they are located, as set forth in §157.208-209.

(2) Building Size

All **residential buildings** shall comply with the applicable **building** size standards for the **zoning district** in which they are located, as set forth in §157.206-211.

~~(3) Number of Buildings on a Lot~~

~~All residential developments shall comply with the applicable building number limitations for the zoning district in which they are located, as set forth in §157.206-211.~~

~~(4)~~(3) Height

- (a) All **buildings** and **structures** shall comply with the height standards for the **zoning district** in which they are located, as set forth in §157.206-224.
- (b) In addition, when **development** other than a single **family** or **two family dwelling** occurs on a **lot** adjoining an AR, R1, R2, R3, RP, MHP, or MHS **zoning district**, the height standards in §157.404(O) shall apply.

~~(5)~~(4) Lot Area and Width

All **development** shall comply with the applicable **lot** area and **lot width** standards for the **zoning district** in which they are located, as set forth in §157.206-211.

FORT WAYNE ZONING ORDINANCE

- (iii) Parking structures shall be exempt from maximum parking requirements.
- (iv) Parking garage openings may remain unenclosed for ventilation.
- (v) Parking structures not integrated within the footprint of a new building for a permitted primary use shall require a Special Use approval. In addition to stand-alone parking structures meeting the requirements set forth in §157.404(X), the Board shall evaluate the request based on the following standards and guidelines:
 - [A] The stand-alone parking structure shall either be screened by architectural features or be compatible with one or more structures surrounding to the parking structure.
 - [B] The parking structure shall meet all applicable primary structure setbacks and height standards based on the underlying zoning district.
 - [C] If the setback is greater than zero, Parking Structure Landscaping Zoning Ordinance Standards are required.

(o) Site Lighting

- (i) The use of spotlights, floodlights, and searchlights shall be prohibited except for short-term events of up to seven (7) days.

(p) Townhouse Dwellings and Townhouse Complexes

- (i) Townhouse units shall only be connected to other units on the sides of the unit (each unit shall have its own exterior front and rear **walls**).
- (ii) No single **building** shall have more than ten (10) ground floor units.
- (iii) Units shall not have garage doors facing public streets.

(Y) Riverfront Overlay District

All development proposals shall also be subject to the applicable provisions of the Riverfront Overlay District as set forth in §157.410.

FORT WAYNE ZONING ORDINANCE

SPECIAL USES	
Special Use	District(s) Where Allowed
Sheet metal fabrication and/or processing	I1
Shooting range (indoor)	C2 and SC
Shooting range (outdoor)	C4
Sign (temporary subdivision direction)	AR, R1, R2, R3, RP, MHS, C1, C2, NC, SC, C3, C4, BTI, I1, I2 and I3
Single family dwelling (detached)	DE
Solar panel (ground mounted)	AR, R1, R2, R3, RP, MHS, C1, C2, NC, SC, C3, C4, DC, DE, UC, BTI, I1, I2 and I3
Solid waste transfer station ⁽²⁾	I2
Sorority house	DE and UC
Studio (transitional use)	R1, R2, R3, RP and MHS
Subdivision amenity	UC
Subdivision clubhouse, meeting hall, neighborhood center, or swim/tennis facility, if not previously approved as part of the subdivision	R1, R2, R3, RP and MHS
Tattoo establishment	C1
Tree service	C3 and C4
Two family dwelling (to allow conforming status for existing noneconforming uses)	AR, R1, and MHS
Utility facility, private (not otherwise permitted or exempt)	AR, R1, R2, R3, RP, MHS, C1, C2, NC, SC, C3, C4, DC, DE and UC
Wind energy conversion system (micro) ⁽¹⁾	AR, R1, R2, R3, RP, MHS, C1, C2, NC, SC, C3, C4, BTI, I1, I2 and I3
Wind energy conversion system (standard) ⁽¹⁾	AR, R1, R2, R3, RP, MHS, C1, C2, NC, SC, C3, C4, BTI, I1, I2 and I3
Notes: (1) See the individual zoning districts for possible additional use standards (2) See §157.503(D)(3) for additional use standards	

FORT WAYNE ZONING ORDINANCE

§ 157.506 DEFINITIONS

For the purpose of this ordinance, the following rules of usage and definitions shall apply:

(A) Rules of Usage

- (1) Words used in the present tense shall also include the future tense.
- (2) The singular shall include the plural: and the plural shall include the singular.
- (3) The word "shall" is mandatory; the words "may" or "should" are permissive.
- (4) The word "used" or "occupied" as applied to any land or **buildings** shall be construed to include the words "intended, arranged or designed to be used or occupied."

(B) Defined terms

The following terms shall have the following meaning, unless a contrary meaning is required by the context or specifically otherwise prescribed:

Access Ramp

A ramp or similar **structure** that provides wheelchair or similar access to a **building**.

Accessory Building

A **building detached** from a **primary building** or **structure** and customarily used with, and clearly incidental and subordinate to, the **primary building, structure, or use**, and ordinarily located on the same **lot** with that **primary building, structure, or use**.

Accessory Building, Zero Lot Line

A **building detached** from, used with, clearly incidental and subordinate to a primary **Zero Lot Line Single Family Dwelling building** or **Zero Lot Line Two Family Dwelling building**. Must be located on the same lot with that primary **Zero Lot Line Single Family Dwelling building** or **Zero Lot Line Two Family Dwelling building** along one side lot line and attached to one similar unit.

Accessory Dwelling Unit (ADU)

An additional **dwelling** unit with separate cooking, sleeping, and sanitation (bathroom) facilities. An **accessory dwelling unit** shall be subordinate to a primary residential **structure**. An ADU shall not be subdivided or otherwise separated in ownership from the primary residential structure. Where permitted, only one freestanding or integrated **accessory dwelling unit** shall be allowed per property. The ADU shall be less than 700 square feet of gross floor area, not including attached garage space if applicable. An integrated **accessory dwelling unit** shall include no separate entrance on the front-facing façade of the building. A freestanding accessory dwelling unit may be constructed as a new detached structure or created as part of the renovation of a detached accessory structure. An ADU shall not be constructed of portable storage containers, shipping containers, truck bodies, other abandoned vehicles, or portions of vehicles.

Accessory Living Quarters

Living quarters within an **accessory building** for the sole **use** of **persons** employed on the **lot**; such quarters having no kitchen facilities and not rented or otherwise used as a separate **dwelling**.

Accessory Structure (see Floodplain regulations - §157.412(B), Definitions)

Accessory Structure, Nonresidential

A **structure** or combination of **structures** that:

FORT WAYNE ZONING ORDINANCE

District

A part, zone, or geographic area within the **planning jurisdiction** of the **City** of Fort Wayne, within which certain zoning and/or **development** regulations apply. Also referred to as a “**zoning district**.”

Doctor Office

The private offices of physicians, dentists, or similar professionals, where **persons** are examined or treated on an outpatient basis only. **Laboratory** tests shall be permitted as an **accessory use**.

Domestic Farm Animal

Calves, cattle, emus, goats, horses, llamas, ostriches, poultry (including chickens and quail), sheep, and similar animals (pigeons shall not be considered to be **domestic farm animals**).

Dormitory

A **building** used as group living quarters for a student body or religious order as an **accessory use** for a college, university, boarding **school**, **convent**, monastery or other similar institutional **use**.

Double Frontage Lot

A **lot** having **frontage** on two separate parallel or approximately parallel dedicated **streets**. Also known as a “**through lot**”.

Downtown Design Manual

A document (the Fort Wayne **Downtown Design Manual**), adopted by the **Plan Commission**, to be used in the review of Development Plans and other **development** proposals in the DC and DE **zoning districts**, including the **Riverfront Overlay District**. If there is a conflict between the language in the **Downtown Design Manual** and the language in the **Zoning ordinance**, the ordinance language shall prevail.

Drive-Through Facility

Building or **structure** used to provide or dispense products or services, through an attendant, a **window** or an automated machine, to **persons** remaining in vehicles in a designated stacking aisle. A **drive-through facility** may be in combination with other **uses**, such as **banks**, **credit unions**, loan associations, automated teller machines (**ATM's**), dry cleaners, drug stores, pharmacies, **restaurants** or similar **uses**. A **drive-through facility** does not include a car wash, **automobile maintenance** facility (**quick service**), or **gas station**.

Driveway

An unobstructed paved or unpaved strip providing access to a vehicle **parking space**, loading space, or maneuvering facility.

Dry Cleaning Store

An establishment where laundry or dry cleaning is dropped off by customers or picked up by customers but not including any on-site cleaning or dry cleaning activities.

Dry Hydrant (see Floodplain regulations - §157.412(B), Definitions)

Duplex (see “Dwelling, Two Family”)

Dwelling

Any **building** that is wholly or partly used or intended to be used for a residence by human occupants, including but not limited to the **use** of living, sleeping, cooking, and eating.

FORT WAYNE ZONING ORDINANCE

Dwelling, Multiple Family

A **building** or portion of a **building** used for occupancy by three (3) or more **families** living independently of each other. For purposes of this ordinance, a **condominium structure** containing three (3) or more individual **dwelling** units shall be defined as a **multiple family dwelling** unit.

Dwelling, Single Family (Detached)

A **residential building** used for occupancy by one household, including **Type I manufactured homes**, which is not attached to any other **dwelling** unit through shared side or rear **walls**, floors or ceilings, or corner points. Temporary housing such as **bed and breakfasts**, **boarding houses**, **hotels**, **motels**, **nursing homes**, tents, and **recreational vehicles**, shall not be regarded as **single family dwellings**. The dwelling shall have a minimum of 700 square feet of gross floor area, not including attached garage space if applicable.

Dwelling, Single Family (Attached) (see “Dwelling, Zero Lot Line Single Family”)

~~A single residential building consisting of two single family dwellings on two individual lots, attached on a common lot line, intended for occupancy by one household per unit. Each dwelling unit may be attached to no more than one other dwelling unit.~~

Dwelling, Townhouse (see “Dwelling, Zero Lot Line Single Family”)

~~A single family dwelling unit with two (2) or more floors located on a separate lot or development site, with a private entrance and direct ground level access to the outdoors and a totally exposed front and rear wall to be used for access, light, and ventilation, and attached to one or more similar units. Townhouse dwellings are typically part of a structure whose dwelling units are attached in a linear arrangement with no other dwelling or use, or portion of another dwelling or use directly above or below the unit, and separated from adjoining unit(s) by a continuous wall.~~

Dwelling, Two Family

A detached residential **structure**, used for occupancy by two households living independently of each other, including but not limited to **structures** in which the two units are connected to allow assistance in daily living activities between the two households. Each **dwelling** shall have a minimum of 700 square feet of **gross floor area**, not including attached **garage** space if applicable.

Dwelling Unit, Residential

One or more rooms, designed, occupied, or intended for occupancy as separate living quarters, with cooking, sleeping, and sanitary facilities provided within the **dwelling** unit for the exclusive **use** of a single **family** maintaining a household.

Dwelling Unit, Efficiency

A **dwelling** unit consisting of not more than one habitable room together with a kitchen or kitchenette and sanitary facilities.

Dwelling, Zero Lot Line Single Family

A **single family detached dwelling** unit placed on the **lot or parcel** so that it is positioned along one or more side lot lines and attached to one or more similar units.

Dwelling, Zero Lot Line Two Family

A Two family dwelling unit placed on a lot or parcel so that it is positioned along one or more side lot lines and attached to one or more similar units.

FORT WAYNE ZONING ORDINANCE

Model Home

A **Zero lot line** single family (~~attached~~), single family (detached), **zero lot line two family**, or **two family dwelling** unit used for a temporary period of time for display purposes as an example of **dwelling** units available or to be available for sale or rental in an approved Major or Minor **Subdivision** or other residential **development**. **Model homes** may also include sales or rental offices.

Model Unit

A **multiple family** (apartment or **condominium**) **dwelling** unit used for a temporary period of time for display purposes as an example of **dwelling** units available or to be available for sale or rental in a **multiple family dwelling** or complex. **Model units** may also include sales or rental offices.

Modular Home (see “Manufactured Home, Type I”)

Monument

A permanent marker, used to identify the boundary lines of any **lot**, **parcel**, **tract**, **street** lines, or survey control points.

Mosque (see “Religious Institution”)

Motel

A **building** or series of **buildings**, typically one or two stories, in which sleeping accommodations are offered for compensation, and that is distinguished from a **hotel** primarily by providing independent exterior access to, and adjoining parking for, each rental unit.

Motor Vehicle

A boat/watercraft, bus, golf cart, lawn mower, lawn implements, truck, tractor, trailers, semi-trailer, **recreational vehicle**, or similar vehicle drawn or propelled by mechanical power, and farm implements whether self-propelled or designed to be pulled, pushed or carried by another **motor vehicle** or **automobile**.

Motor Vehicle, Inoperable

An **automobile** or **motor vehicle** which cannot be driven on a **public street** for reasons including, but not limited to, being abandoned, wrecked, in a state of disrepair, or otherwise incapable of moving under its own power.

Motor Vehicle Repair

A facility that provides general **motor vehicle** service, rebuilding or reconstruction of engines, transmissions, or other systems, steam cleaning, or minor painting or detailing services for **motor vehicles**. This definition shall not include any services provided under the definition of “**automobile body shop**”.

Motor Vehicle Storage Yard

A **lot**, **tract**, or **development site** used for the temporary, short-term (up to 90 days) **outdoor storage** of **automobiles** or **motor vehicles** not used for transportation purposes on an active, regular or continuing basis, whether or not the **motor vehicle** is titled, licensed, or operable, either as a **primary use** or **accessory use**. **Junk** and **salvage yards** shall not be included under this definition.

Mounting Height, Light

The **mounting height** of a light fixture shall be defined as the vertical distance between the **adjacent** grade and the top of the lighting fixture (luminaire).

FORT WAYNE ZONING ORDINANCE

Multiple Family Complex

A grouping of two (2) or more multiple **family structures**; also, a project with three or more single **family structures**, or two or more two **family structures**, on a single **lot, parcel, or development site**.

Multiple Family Complex, High Rise

A grouping of two (2) or more multiple **family structures** of five (5) or more stories.

Mural

A work of art, including a hand-painted, hand-tiled, or printed image on an exterior **wall** of a **building** that does not contain a message advertising a business conducted, service rendered, event scheduled, political issue, goods produced or sold, or other commercial message. A display or surface treatment that meets this definition is not a **sign**.

Museum

A facility open to the public, with or without charge, for the collection and display of paintings, sculpture, textiles, antiquities, other works of art, or similar items.

Name Plate

An accessory **sign** containing only the name of the occupant of a **dwelling** and an occupation permitted in that **zoning district**.

Natural Grade (see Floodplain regulations - §157.412(B), Definitions)

Nature Preserve

An area intended to remain in a predominantly natural or undeveloped state to provide resource protection and passive recreational opportunities.

Navigation Aids (NAVAID) (see Airport Overlay District definitions)

Navigable Airspace (see Airport Overlay District definitions)

Neighborhood Center

A facility operated by a recognized neighborhood association and typically includes administrative office activities for the association as well as low intensity community services. Activities shall not include commercial or **uses** that create land **use** conflicts within a residential neighborhood.

Neighborhood Facility

A facility intended to serve or accommodate the needs of a specific segment of a community or area. Neighborhood facilities shall include, but not be limited to, playgrounds, non-platted subdivision amenities, and similar **uses**.

New Construction (see Floodplain regulations - §157.412(B), Definitions)

New Manufactured Home Park or Subdivision (see Floodplain regulations - §157.412(B), Definitions)

Newspaper Publishing Facility

An enclosed facility for the printing and distribution of newspapers, newsletters, and other similar media that is printed on newsprint-type paper for sale and general circulation.

Nightclub

An establishment dispensing liquor and meals in which music, dancing, or entertainment is provided. Any establishment that meets the definition of **sexually oriented business** is not included under this definition.

FORT WAYNE ZONING ORDINANCE

Swimming Pool

Any constructed or portable **structure** designed or constructed to be filled with water and intended to be used for swimming or similar purposes, which is both over twenty-four (24) inches in depth and over two hundred fifty (250) square feet in size regardless of whether the **structure** currently contains water or is empty.

Synagogue (see “Religious Institution”)

Tavern (see “Bar”)

Television Station

A **building** or portion of a **building** used as a place to stage, record and broadcast music, videos, television, and other related media.

Temple (see “Religious Institution”)

Temporary structure (Public Freshwater Lakes only) (see Floodplain regulations - §157.412(B), Definitions)

Tennis Court

An indoor or outdoor facility designed with courts specifically for the recreational **use** of tennis, squash, handball and/or other similar court games.

Theater

A facility with fixed seats for the viewing of movies or live presentations of musicians or other performing artists.

Tire Sales

An establishment engaged in selling **automobile**, truck, bus, and other tires for **motor vehicles**. **Accessory uses** may include the sales of other automotive accessories and the mounting, balancing, and repair of tires.

Top Roof Line

The principal top edge of the roof of a **building**.

Townhouse Complex (see “Multiple Family Complex”)

~~A grouping of at least two (2) freestanding townhouse structures.~~

~~Townhouse Structure~~

~~A structure containing three (3) or more townhouse dwelling units.~~

Tract

An area, **parcel**, site, piece of land, or property.

Trail, Multi-use

A trail or path, either within a public **right-of-way** or an **easement** on private property, which is physically separated from vehicular traffic by an open space or barrier.

Transition

For purposes of **sign** regulation, a visual effect used on a **changeable copy sign** to change from one message to another.

FACT SHEET

Case #ZORD-2025-0013

Bill # G-25-07-22

Project Start: July 2025

PROPOSAL: Petition ZORD-2025-0013, Amendments to Section 157 of Fort Wayne Code

APPLICANT: Fort Wayne Plan Commission

REQUEST: To adopt an amendment to the Fort Wayne Zoning Ordinance, which amends or repeals and replaces the text of the following Sections:

Section 157.200 (Zoning Districts)

Section 157.300 (Development Processes and Standards)

Section 157.400 (Additional General Standards)

Section 157.500 (Administration)

AFFECTED AREA: Fort Wayne planning jurisdiction

11 August 2025 Public Hearing

- No one spoke in opposition or with concerns.
- Four people spoke in support.
- One letter received in support.
- Paul Sauerteig was absent.

18 August 2025 Business Meeting

Plan Commission Recommendation: DO PASS

A motion was made by Paul Sauerteig and seconded by Ryan Neumeister to return the ordinance with a Do Pass recommendation to Common Council for their final decision.

6-0 MOTION PASSED

- Rick Briley, Rachel Tobin-Smith, and Patrick Zaharako were absent.

Fact Sheet Prepared by:
Karen Couture, Principal Land Use Planner
August 19, 2025

PROJECT SUMMARY

This public hearing is for the next phase of the housing related ordinance amendment project. This amendment has been developed by the Housing Options Review Work Group, which is comprised of staff from the Allen County Department of Planning Services and the Fort Wayne Community Development Division. The primary objective of this work group is to implement housing related policies and action steps in the All In Allen Comprehensive Plan related to encouraging the development of more diverse housing options in Fort Wayne and Allen County. The work group has spent the past two years reviewing existing policies and ordinances, conducting research on other communities, determining policies and standards that may be limiting housing options, developing recommended amendments to those standards, and meeting with contractors, developers, real estate agents, and neighborhood representatives. This Phase Two Housing Amendment for the Fort Wayne Zoning Ordinance is the second phase of the Housing Options Review Work Group's proposed changes.

This set of housing amendments is proposed to:

1. Identify issues and elements of current the zoning ordinances that can be updated to encourage the development of more diverse and innovative housing types; and
2. Implement housing related policies and action steps of the All In Allen Comprehensive Plan.

A summary of the proposed 2025 housing amendments is below; the proposed effective date is November 7, 2025. To maintain alignment with Allen County and Fort Wayne, the Grabill, Huntertown, Monroeville and Woodburn ordinances may also be amended.

PUBLIC HEARING SUMMARY:

Presenter: Dave Schaab, Senior Planner for Special Projects, presented the request as outlined above.

Public Comments:

Karen Bartrom (2514 Barry Knoll Way): Greater Fort Wayne in support; housing variety is essential.

Beth Goldsmith (14818 Gateside Dr.): Volunteer at AARP; full support in housing and in-fill development.

Jeff Bredemeier (2020 E Washington Blvd): Habitat for Humanity; Support; avoids variances; many lots with differences in size and setbacks.

Jim Woodruff (1005 Burgess St): Support; smaller developers don't have the finances for large development.

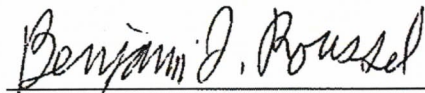
FORT WAYNE PLAN COMMISSION

Findings of Fact • August 2025

PROPOSAL:	Zoning Ordinance Amendment ZORD-2025-0013 – Housing Amendment
APPLICANT:	Fort Wayne Plan Commission
REQUEST:	To adopt an amendment to the Fort Wayne Zoning Ordinance, which amends or repeals and replaces the text of the following Sections: Section 157.200 (Zoning Districts) Section 157.300 (Development Processes and Standards) Section 157.400 (Additional General Standards) Section 157.500 (Administration)
LOCATION:	Fort Wayne Planning Jurisdiction

The Plan Commission recommends that Zoning Ordinance Amendment ZORD-2025-0013 be returned to Council, with a “Do Pass” recommendation.

These findings approved by the Fort Wayne Plan Commission on August 18, 2025.



Benjamin J. Roussel
Executive Director
Secretary to the Commission



GREATER FORT WAYNE INC.

METRO CHAMBER ALLIANCE

August 8, 2025

To members of the Fort Wayne and Allen County Plan Commissions,

On behalf of Greater Fort Wayne (GFW) Inc., I am writing to express support for the proposed housing options zoning ordinance amendment for Zero Lot Line housing types. The proposed amendment is a step toward addressing our community's evolving housing needs and aligning with the strategic goals outlined in the Allen County Together plan.

As the fastest-growing large city in the Midwest, our community continues to attract new residents from across the country. This growth highlights the need to diversify and expand our housing options. The proposed amendment creates more opportunities for efficient land use, support infill development, and encourage innovative housing design solutions.

The Allen County Together plan, our community's 10-year economic development strategy, highlights the importance of housing diversity to meet the needs of our growing population. Updating the zoning ordinance for Zero Lot Line development aligns with this vision by increasing housing supply, enhancing affordability, and optimizing existing infrastructure. These modifications will not only expand availability but also promote creative, community-focused development.

As the local chamber of commerce and economic development organization for Allen County, Greater Fort Wayne Inc. is focused on building a nationally recognized economy. Expanding housing options through thoughtful zoning changes is essential to attracting and retaining workforce and supporting residents across all life stages.

Thank you for your consideration and we encourage you to support the proposed zoning ordinance amendments for Zero Lot Line housing types.

Sincerely,

John Urbahns
President / CE
Greater Fort Wayne Inc.

DRAFT 2025 Allen County and Fort Wayne Zoning Ordinance Housing Amendments Summary

This set of housing amendments is proposed to:

- 1) Identify issues and elements of current the zoning ordinances that can be updated to encourage the development of more diverse and innovative housing types; and
- 2) Implement housing related policies and action steps of the All In Allen Comprehensive Plan.

A summary of the proposed 2025 housing amendments is below; the proposed effective date is November 7, 2025. To maintain alignment with Allen County and Fort Wayne, the Grabill, Hometown, Monroeville and Woodburn ordinances may also be amended.

Draft Summary of Amendments			
No.	Keyword/Reference AC/FW	Issue	Proposed Amendments
PU 1	Permitted Uses FW (17 et al) AC (13 et al)	157.203 (B) et al / 3-2-3-2 et al Primary Uses should be regulated in the Permitted Uses section of the Zoning District. <i>See Comparison Use Tables (pages 7 & 8)</i>	Added, “(including two (2) primary structures)” to the “Single family dwelling (detached)” permitted use in the A1, A3, AR, and R2 zoning districts.
SU 1	Special Uses FW (25) AC (16, 23, 30)	157.206 (C) et al / 3-2-3-3 (a) et al There is confusion concerning the existing Two Family Dwelling special use.	Removed, “(to allow for conforming status for existing nonconforming uses)” in the A1, AR, A3, R1, and MHS zoning districts.
DS 1	Development Standards FW (21 et al) AC (18 et al)	157.203 (E) et al / 3-2-3-5 (a) et al Primary Uses should be regulated in the Permitted Uses section of the Zoning District.	Removed, “Number of buildings on a lot” section of the development standards table in all zoning districts.
PU 2	Permitted Uses FW (25, 31) AC (29, 35)	157.206 (B), 157.207 (B) / 3-2-6-2, 3-2-7-2 Not all types of Single Family Dwellings are permitted in the R1 Single Family <i>See Comparison Use Tables (pages 7 & 8)</i>	Added, “Zero Lot Line Single Family Dwelling (one building of up to two (2) units on individual lots or parcels)” to the Permitted Uses section of the R1
ABSU 1	Accessory Buildings, Structures, and Uses FW (27 et al) AC (31,38,45)	157.206 (D) et al / 3-2-6-4 et al Zero Lot Line Accessory Building is not listed as an accessory use in the Residential Accessory Buildings, Structures, and Uses Table.	Added, “ Zero Lot Line Accessory Building ” to the Residential Accessory Buildings, Structures, and Uses Table in the R1, R2, R3, RP, DE, and UC zoning districts.
DS 2	Development Standards FW (28 et al) AC (33 et al)	157.206 (E) at al / 3-2-6-5 (a) Align and update development standards concerning lot area in R1, R2, R3, RP, MHS	Reduce Lot Area for detached SFR from 6,000 to 4,000, and corner detached SFR from 8,500 to 6,000

Draft Summary of Amendments			
No.	Keyword/Reference AC/FW	Issue	Proposed Amendments
DS 3	Development Standards FW (28 et al) AC (33 et al)	157.206 (E) at al / 3-2-6-5 (a) Align and update development standards concerning lot width in R1, R2, R3, RP, MHS	Reduce Lot Width for detached SFR from 50 to 40, and corner detached SFR from 70 to 60
DS 4	Development Standards FW (28) AC (32)	157.206 (E) / 3-2-6-5 (a) Zero lot line single family dwelling Lot Area and Lot Width is not addressed in the Development Standards Table in R1	Added Zero lot line single family dwelling Lot Area and Lot Width standards to the Development Standards Table in R1. Lot area: Public Sewer (interior) = 2,000 sq ft Public Sewer (corner) = 3,000 sq ft Lot width: Public Sewer (interior) = 20' Public Sewer (corner) = 30'
PU3	Permitted Uses FW (31) AC (37)	157.207 (B) / 3-2-7-2 Language concerning single family dwelling (attached) in R2 needs updated and aligned <i>See Comparison Use Tables (pages 7 & 8)</i>	Replacing “Singe family dwelling (attached) (one building of up to two (2) units) with “Zero Lot Line Single Family Dwelling (one building of up to two (2) units on individual lots or parcels)” in the Permitted Uses section of R2
PU 4	Permitted Uses FW (120) AC (37)	157.207 (B) / 3-2-7-2 Not all types of Two Family Dwellings are permitted in the R2 Two Family Residential Zoning Districts. <i>See Comparison Use Tables (pages 6 & 7)</i>	Added, “Zero lot line two family dwelling (one building of up to two (2) units on individual lots or parcels)” as a Permitted Use of the R2 zoning district.
DS 5	Development Standards FW (34 et al) AC (41 et al)	157.207, 157.208, 157.209 (E) / 3-2-7-4, 3-2-8-5 (a) Align and update development standards and language concerning Detached and Attached Single Family Dwellings to include Zero Lot Line Single Family Dwelling.	Replaced, “Attached Single Family” with “Zero Lot Line.” Changed, “3,000” to “2,000”, “6,000” to “3,000”, “ 25’ ” to “ 20’ ”, and “ 50’ ” to “ 30’ ” in R2, R3, RP
PU 5	Permitted Uses FW (37 et al) AC (45)	157.208 / 157.209 / 157.220 (B) 3-2-8-2 Align and update language concerning Detached and Attached Single Family Dwellings to include Zero Lot Line Single Family Dwelling. <i>See Comparison Use Tables (pages 6 & 7)</i>	Replaced, “Single family dwelling (attached)” with, “Zero lot line single family dwelling (one building with units on individual lots or parcels)” in the Permitted Uses section of the R3, RP, and UC zoning districts.

Draft Summary of Amendments			
No.	Keyword/Reference AC/FW	Issue	Proposed Amendments
PU 6	Permitted Uses FW (38 et al) AC (45)	157.208, 157.209 , 157.220 (B) / 3-2-8-2 Update language concerning Zero Lot Line Two Family Dwelling. <i>See Comparison Use Tables (pages 6 & 7)</i>	Added, “Zero lot line two family dwelling (one building with units on individual lots or parcels)” in the Permitted Uses section of the R3, RP, and UC zoning districts.
DS 6	Development Standards (FW 45 and 50) AC (50)	157.208 and 157.209 (E) (1) / 3-2-8-5 (a) Align and update language concerning Multiple family complex building separations.	Removed existing Multiple family complex building separations, and replaced with, “Side yard separation from the side of another primary building: 10’” and, “Separation from the front or rear of another primary building: 20’”
PU 7	Permitted Uses FW (47)	157.209 (B) Primary Uses should be regulated in the Permitted Uses section of the Zoning District. <i>See Comparison Use Tables (page 6)</i>	Added, “(including multiple primary structures)” to the “Single family dwelling (detached)” permitted use in the RP zoning districts.
PU 8	Permitted Uses (FW 66, 74, 82, 90, 98, 106, 114, 122, 132, 147, 158, 168, and 276) (AC 65 et al)	157.212 (B) et al / 3-2-12-2 et al There is confusion concerning Townhouse Complex.	Removed, “Townhouse complex” from the Permitted Uses Table in C1, C2, NC, SC, C3, C4, DC, DE, UC, I1, I2, I3, RO
PU 9	Permitted Uses FW (122)	157.219 (B) Align and update language concerning Detached and Attached Single Family Dwellings to include Zero Lot Line Single Family Dwelling. <i>See Comparison Use Tables (pages 6 & 7)</i>	Add “Zero lot line single family dwelling (one building of up to ten (10) units on individual lots or parcels)” as a Permitted Use of the DE zoning district.
PU 10	Permitted Uses FW (132)	157.220 (B) There is confusion concerning Townhouse Dwelling.	Removed, “Townhouse dwelling” from the Permitted Uses Table of the UC zoning district.
DP 1	Development Plans FW (171) AC (146)	157.301 (B) (1) / 3-3-1-2 (a) There is confusion concerning when a Development Plan is required.	Added multiple family complex and clarified two primary <u>nonresidential</u> buildings in the “When Required” Development Plan Table.
SPR 1	Site Plan Review FW (179) AC (154)	157.302 (C) / 3-3-2-3 There is confusion concerning when a Site Plan Review is required.	Added single family zero lot line and two family zero lot line to the Site Plan Review Exclusions.

Draft Summary of Amendments			
No.	Keyword/Reference AC/FW	Issue	Proposed Amendments
DDS 1	Development Design Standards FW (215) AC (193)	157.404 (W) (3) / 3-4-4-23 Primary Uses should be regulated in the Permitted Uses section of the Zoning District.	Removed, "Number of buildings on a lot" section from the development design standards section.
DDS 2	Development Design Standards FW (225)	157.404 (X) (4) (p) There is confusion concerning Townhouse Complex.	Added, Dwellings and Townhouse: "Townhouse Dwellings and Townhouse Complexes"
PRO 1	Procedures FW (359) AC (314, 315)	157.503 (D) (1) / 3-5-3-4 (a) Special Use Zoning Districts in the Special Uses Table need to be updated accordingly.	Updated Special Uses Table Accordingly.
DEF 1	Accessory Building, Zero Lot Line FW (383) AC (334)	157.506 / 3-5-6-2 Add a definition for Accessory Building, Zero Lot Line to align language concerning Zero Lot Line Single Family Dwelling.	Added definition, "A building detached from, used with, clearly incidental and subordinate to a primary Zero Lot Line Single Family Dwelling building or Zero Lot Line Two Family Dwelling building. Must be located on the same lot with that primary Zero Lot Line Single Family Dwelling building or Zero Lot Line Two Family Dwelling building along one side lot line and attached to one similar unit."
DEF 2	Duplex FW (401) AC (361)	157.506 / 3-5-6-2 There is confusion concerning why Duplex is not addressed in the Zoning Ordinance.	Added, "Duplex (see "Dwelling, Two Family")"
DEF 3	Dwelling, Single Family (Attached) FW (401) AC (362)	157.506 / 3-5-6-2 Align and update language concerning Detached and Attached Single Family Dwellings to include Zero Lot Line Single Family Dwelling.	Removed Definition and added, "(see "Dwelling, Zero Lot Line Single Family")"
DEF 4	Dwelling, Townhouse FW (401) AC (362)	157.506 / 3-5-6-2 There is confusion concerning Townhouse Dwelling and Zero Lot Line Single Family Dwelling.	Removed Definition and added, "(see "Dwelling, Zero Lot Line Single Family")"
DEF 5	Dwelling, Zero Lot Line Single Family FW (402) AC (362)	157.506 / 3-5-6-2 Provide clarity for Zero Lot Line Single Family Dwelling Use.	Updated to read, "A single family dwelling unit placed on a lot or parcel so that it is positioned along one or more side lot lines and attached to one or more similar units"
DEF 6	Dwelling, Zero Lot Line Two Family FW (402) AC (362)	157.506 / 3-5-6-2 Add a definition for Dwelling, Zero Lot Line Two Family to Provide clarity for Zero Lot Line Two Family Dwelling Use.	Updated to read, "A Two family dwelling unit placed on a lot or parcel so that it is positioned along one or more side lot lines and attached to one or more similar units"
DEF 7	Model Home FW (424) AC (382)	157.506 / 3-5-6-2 Align and update language concerning Detached and Attached Single Family Dwellings to include Zero Lot Line Single Family Dwelling.	Replaced, "Single family (attached)" with, "Zero lot line single family" and added "zero lot line two family" in the model home definition.

Draft Summary of Amendments			
No.	Keyword/Reference AC/FW	Issue	Proposed Amendments
DEF 8	Multiple Family Complex FW (428) AC (344)	157.506 / 3-5-6-2 Align and update multiple family complex definition language with the Development Plan section.	Added, “, parcel, or development site”
DEF 9	Townhouse Complex FW (454) AC (407)	157.506 / 3-5-6-2 There is confusion concerning Townhouse complex and Multiple Family Complex.	Removed Definition and added, “(see “Multiple Family Complex”)”
DEF 10	Townhouse Structure FW (454) AC (407)	157.506 / 3-5-6-2 There is confusion concerning Townhouse Structure	Removed “Townhouse Structure”

Draft Summary of Amendments

Fort Wayne Comparison Use Table

Changes to the Fort Wayne Permitted and Special Use provisions shall be made as shown in the Use Comparison Table below:

Fort Wayne Permitted Uses	AR	R1	R2	R3	RP	MHS	MHP	C1	C2	NC	SC	C3	C4	DC	DE	UC	BTI	I1	I2	I3
Single family dwelling (detached) (including two (2) primary structures)	P		P																	
Single family dwelling (detached) (including multiple primary structures)					P															
Zero lot line single family dwelling (one building of up to two (2) units on individual lots or parcels)		P	P																	
Zero lot line single family dwelling (one building with units on individual lots or parcels)				P	P											P				
Zero lot line two family dwelling (one building of up to two (2) units on individual lots or parcels)			P																	
Zero lot line two family dwelling (one building with units on individual lots or parcels)				P	P											P				
Zero lot line single family dwelling (one building of up to ten (10) units on individual parcels)															P					

P = Permitted Use

S = Special Use

Draft Summary of Amendments

Allen County Comparison Use Table

Changes to the Allen County Permitted and Special Use provisions shall be made as shown in the Use Comparison Table below:

Allen County Permitted Uses	A1	A3	R1	R2	R3	MHS	MHP	C1	C2	NC	SC	C3	C4	BTI	I1	I2	I3
Single family dwelling (detached) (including two (2) primary structures)	P	P		P													
Zero lot line single family dwelling (one building of up to two (2) units on individual lots or parcels)			P	P													
Zero lot line single family dwelling (one building with units on individual lots or parcels)					P												
Zero lot line two family dwelling (one building of up to two (2) units on individual lots or parcels)				P													
Zero lot line two family dwelling (one building with units on individual lots or parcels)					P												

P = Permitted Use

S = Special Use

FORT WAYNE ZONING ORDINANCE

§ 157.203 AR LOW INTENSITY RESIDENTIAL

(A) Purpose

The Low Intensity **Residential district** is intended to create areas for both low intensity residential and **agricultural uses**. The purpose of this **district** is to allow for the continuation of agricultural land **uses** while also allowing low intensity residential **development** and certain additional **uses** where adequate **infrastructure** is available.

(B) Permitted Uses

The following **uses** are permitted as a matter of right in an AR **district**:

- (1) **Accessory building, structure, or use** as set forth in §157.203(D);
- (2) **Agricultural uses and buildings, including:**
 - (a) **agronomic crop production**, along with the operation of any machinery or vehicles necessary for the crop production; **apiculture**; floriculture; forestry and tree farming; horticulture; and viticulture; and
 - (b) **low intensity livestock operation**, on properties of two (2) acres or more in size.
- (3) **Common areas** used for a **clubhouse, neighborhood center, swimming pool, tennis court**, or other similar assembly/**recreation facility or use**, in association with a **minor plat** or an existing single **family** subdivision;
- (4) **Group residential facility (small)**;
- (5) **Model home** (in association with a **minor plat**, permitted for up to two (2) years);
- (6) **Riding stable, residential** (shall be located on a lot with a single family dwelling);
- (7) **Single family dwelling (detached)** (including two (2) primary structures);
- (8) **Universally permitted use**;
- (9) **Wind Energy Conversion System, Micro** (on unplatted parcels); and
- (10) **Wind Energy Conversion System, Standard** (on **parcels** of over five (5) acres not **adjacent** to platted lots or **residential zoning districts**).

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- (32) **Two family dwelling** ~~(to allow conforming status for existing nonconforming uses);~~
- (33) **Utility facility, private** (not otherwise permitted or exempt);
- (34) **Wind energy conversion system, micro** (to allow systems for **single family detached dwellings** on platted land, or to request approval of a greater height); and
- (35) **Wind energy conversion system, standard** (to allow systems on a parcel of less than five (5) acres, or adjacent to platted lots or residential zoning districts).

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(E) Development Standards

- (1) The standards in the following table shall apply in the AR **district**; all are minimum standards unless otherwise noted (the table continues onto the next page).

AR LOW INTENSITY RESIDENTIAL DEVELOPMENT STANDARDS	
Building size (square feet)	
Single family dwelling	700 ⁽¹⁾
Accessory structures	On lots of less than two (2) acres served by an on-site sewage system , new detached accessory building square footage shall be less than the square footage of the primary building
Number of buildings permitted on a lot	
Two freestanding single family dwelling units are permitted: one primary single family detached residential building per lot, plus:	
One freestanding single family dwelling unit	
Multiple primary nonresidential buildings are permitted per lot	
Height (maximum) ⁽²⁾	
Accessory building	25'
Primary building	40'
Lot area (square feet)	
Public sewer	12,000
Private sewage disposal	87,120 (2 acres)
Lot width (at front building line and at front lot line)	
Public sewer	75'
Private sewage disposal	120'
Front yard	
Platted lot	25' (or platted front building line , whichever is greater)
Unplatted lot if adjacent to: Arterial/collector street Local or private street PC-approved easement	115' from the centerline of the street 65' from the centerline of the street 30' from the easement
Flag Lot	30' Flag lots shall have two (2) required front yards (see definition of lot line, front)
Through lot	As noted above, at each end of the lot , based on the street classification/type the yard is adjacent to, except that: • If no access is permitted to the rear of the lot, then a detached accessory structure shall be permitted as set forth below, and a fence shall be permitted with no setback; or • If access is permitted to the rear of the lot, then a detached accessory structure shall be permitted with a 10' setback and a fence shall be permitted with a 5' setback
If there is an existing residence on an adjacent parcel on the same side of the street with a nonconforming front setback , and the existing residence is within 300' of the proposed residence	The minimum front yard shall be the smallest existing nonconforming setback on the adjacent parcel(s)

FORT WAYNE ZONING ORDINANCE

§ 157.206 R1 SINGLE FAMILY RESIDENTIAL

(A) Purpose

The Single **Family Residential district** is intended to create and maintain areas for single **family** residential **uses** on individual **lots** or **tracts** and to provide for a variety of areas for single **family** neighborhoods, along with certain additional **uses**.

(B) Permitted Uses

The following **uses** are permitted as a matter of right in an R1 **district**:

- (1) **Accessory building, structure, or use** as set forth in §157.206(D);
- (2) **Common areas** used for a **clubhouse, neighborhood center, swimming pool, tennis court,** or other similar assembly or **recreation facility**, including **structures** and **uses** typically associated with a single **family** subdivision;
- (3) **Group residential facility (small);**
- (4) **Model home** (permitted for up to two (2) years);
- (5) **Single family dwelling (detached);** ~~and~~
- (6) **Universally permitted use-; and**
- ~~(6)~~(7) **Zero lot line single family dwelling (one building of up to two (2) units on individual lots or parcels).**

(C) Special Uses

The following **uses** may be approved by the **Board of Zoning Appeals** after the filing of a **special use** petition:

- (1) **Accessory dwelling unit** (freestanding);
- (2) **Animal keeping** (outdoor, small animal);
- (3) **Bed and breakfast;**
- (4) **Boarding house;**
- (5) **Class II child care home;**
- (6) **Club, private (transitional use);**
- (7) **Community facility** not otherwise permitted (transitional use);
- (8) **Community garden** that includes a structure;
- (9) **Container home** (see §157.503(D)(3)(h) for additional standards);
- (10) **Country club;**
- (11) **Educational institution** (not otherwise permitted);
- (12) **Educational institution**-associated facilities, **uses**, and areas (on non-contiguous properties);
- (13) **Emergency response facility** (transitional use);
- (14) **Funeral home;**
- (15) **Golf course;**
- (16) **Group residential facility (large);**

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- (17) **Heliport** (private individual or accessory to permitted **nonresidential use**, excluding **hospital uses**);
 - (18) **Home business** (see §157.503(D)(3)(b) for additional standards);
 - (19) **Homeless shelter** (accessory to a **religious institution**, for up to eight (8) individuals);
 - (20) Instruction/training/education (transitional use);
 - (21) Live-work unit (transitional use);
 - (22) **Manufactured home, Type II** (see §157.503(D)(3)(e) for additional standards);
 - (23) Medical office (transitional use);
 - (24) **Model home** (for extension of time or expansion of scope);
 - (25) Museum;
 - (26) Nature preserve (that includes a structure or parking area);
 - (27) Neighborhood facility;
 - (28) **Nonconforming use** (expansion of existing **nonconforming use**, or allow conforming status to existing **use**, excluding **gas station uses**);
 - (29) **Personal service (transitional use**, excluding copy/duplicating service, **health club**/fitness center, or social service agency);
 - (30) **Professional office/business service** (transitional use, excluding bank, credit union, loan office, or savings and loan);
 - (31) Recreation use, outdoor (athletic field, riding stable, swim club, tennis club);
 - (32) Religious institution or non-public school illuminated athletic field(s);
 - (33) Residential facility for a court-ordered re-entry program;
 - (34) **Residential facility for homeless individuals** (for up to eight (8) individuals; the facility shall be located a minimum of 3,000 feet from a small **group residential facility**, a large **group residential facility**, a court-ordered re-entry program **residential facility**, or another **residential facility for homeless individuals**, as measured from the closest property lines of the facilities);
 - (35) **Sign** (temporary **subdivision** direction);
 - (36) **Solar panel (ground mounted)**;
 - (37) **Subdivision clubhouse, meeting hall, neighborhood center**, or swim/tennis facility, if not previously approved as part of the **subdivision**;
 - (38) Studio (transitional use);
 - (39) **Two family dwelling** (~~to allow conforming status for existing **noneconforming uses**~~);
 - (40) **Utility facility, private** (not otherwise permitted or exempt);
 - (41) Wind energy conversion system, micro (for single family detached dwellings on unplatted land); and
 - (42) Wind energy conversion system, standard (for fire/police station, public park/recreation area, religious institution, or school uses; or unplatted residential land over five (5) acres).
- (D) Accessory Buildings, Structures and Uses

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Accessory buildings, structures, and uses shall be permitted, including but not limited to:

UNIVERSALLY PERMITTED ACCESSORY BUILDINGS, STRUCTURES, AND USES		
Accessory dwelling unit (integrated)	Hedge	Satellite dish
Access ramp	Holiday decorations	Sign
Address marker	Landscape elements	Solar panels (building mounted)
Arbor or pergola	Mailbox	Swimming pool
Bird bath/house	Name plate	Swing set
Carport	Newspaper delivery box	Television aerial
Deck	Patio	Trellis
Driveway	Play equipment	Utility fixture
Fence	Pond	Walk
Flagpole	Property boundary marker	Wall
Garage	Radio antenna (amateur)	Yard light
Gazebo	Rain barrel	
Geothermal system	Rain garden	

RESIDENTIAL ACCESSORY BUILDINGS, STRUCTURES, AND USES	RELIGIOUS INSTITUTION ACCESSORY BUILDINGS, STRUCTURES, AND USES
Basketball backboard and goal	Athletic or recreation fields (non-illuminated)
Bath house or cabana	Assembly building, including hall and gymnasium
Class I child care home	Bleachers or similar structures
Day care	Child care ministry
Dog/pet house	Clothing bank
Garage or yard sale	Community garden
Garden (private)	Convent, parsonage, rectory, or similar residence
Greenhouse	Dumpster ⁽¹⁾
Grill or fire pit	Family counseling or education
4H/similar indoor small animal project	Food bank
Home occupation	Maintenance building
Hot tub, Jacuzzi, or spa	Outdoor events (short-term)
Shed	Performances (indoor)
Smoke house/oven (outdoor)	Shop (for sale of religious institution related items)
Tree house	Storage Building ⁽¹⁾
Zero Lot Line Accessory Building	
Notes:	
(1) Also permitted for nonresidential uses	

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(E) Development Standards

- (1) The standards in the following table shall apply in the R1 **district**; all are minimum standards unless otherwise noted (the table continues onto the next page).

R1 SINGLE FAMILY RESIDENTIAL DEVELOPMENT STANDARDS		
Building size (square feet)		
Single family dwelling	700 ⁽¹⁾	
Accessory structures	Total square footage shall be less than the primary building	
Number of buildings permitted on a lot		
One primary residential building per lot		
Multiple primary nonresidential buildings are permitted per lot		
Height (maximum) ⁽²⁾		
Accessory building	25'	
Primary building	40'	
Lot area (square feet)		
	<u>Detached Single Family Dwelling</u>	<u>Zero Lot Line Single Family Dwelling</u>
Public sewer (interior lot)	<u>64,000</u>	<u>2,000</u>
Public sewer (corner lot)	<u>8,5006,000</u>	<u>3,000</u>
Private sewage disposal	87,120 (2 acres)	
Lot width (at front building line and at front lot line unless otherwise stated)		
	<u>Detached Single Family Dwelling</u>	<u>Zero Lot Line Single Family Dwelling</u>
Public sewer (interior lot)	<u>5040'</u> (25' at front lot line)	<u>20'</u>
Public sewer (corner lot)	<u>7060'</u>	<u>30'</u>
Private sewage disposal	120'	
Front yard ⁽³⁾		
Platted lot	25' (or platted building line setback, whichever is greater)	
Unplatted lot if adjacent to: Arterial/collector street Local or private street PC-approved easement	115' from the centerline of the street 25' from the street right-of-way 30' from the easement	
Flag Lot	30' Flag lots shall have two (2) required front yards (see definition of lot line, front)	
Through lot	At each end of the lot , based on the street classification/type the yard is adjacent to, except that: • If no access is permitted to the rear of the lot , then a detached accessory structure shall be permitted as set forth below, and a fence shall be permitted with no setback ; or • If access is permitted to the rear of the lot , then a detached accessory structure shall be permitted with a 10' setback and a fence shall be permitted with a 5' setback	
If there is an existing residence on an adjacent parcel on the same side of the street with a nonconforming front setback , and the existing residence is within 300' of the proposed residence	The minimum front yard shall be the smallest existing nonconforming setback on the adjacent parcel(s)	

FORT WAYNE ZONING ORDINANCE

§ 157.207 R2 TWO FAMILY RESIDENTIAL

(A) Purpose

The Two **Family Residential district** is intended to create areas for medium density residential **uses** on individual **lots** or **tracts** and to provide for a variety of areas for single **family** and two **family** residential **development**, along with certain additional **uses**.

(B) Permitted Uses

The following **uses** are permitted as a matter of right in an R2 **district**:

- (1) **Accessory building, structure, or use** as set forth in §157.207(D);
- ~~(2)~~ Common areas used for a clubhouse, neighborhood center, swimming pool, tennis court, or other similar assembly or recreation facility, including structures and uses typically associated with a single family subdivision;
- ~~(2)(3)~~ **Group residential facility (small);**
- ~~(3)(4)~~ **Model home** (permitted for up to two (2) years);
- ~~(4)~~ **Single family dwelling (attached)** ~~(one building of up to two (2) units);~~
- (5) **Single family dwelling (detached)** (including two (2) primary structures);
- (6) **Two family dwelling; and**
- (7) **Universally permitted use;**
- ~~(8)~~ **Zero lot line single family dwelling** (one building of up to two (2) units on individual lots or parcels); and
- ~~(8)(9)~~ **Zero lot line two family dwelling** (one building of up to two (2) units on individual lots or parcels).

(C) Special Uses

The following **uses** may be approved by the **Board of Zoning Appeals** after the filing of a **special use** petition:

- (1) **Accessory dwelling unit** (freestanding);
- (2) **Animal keeping** (outdoor, small animal);
- (3) **Bed and breakfast;**
- (4) **Boarding house;**
- (5) Class II child care home;
- (6) Club, private (transitional use);
- (7) Community facility not otherwise permitted (transitional use);
- (8) Community garden that includes a structure;
- (9) **Container home** (see §157.503(D)(3)(h) for additional standards);
- (10) Country club;
- (11) **Educational institution** (not otherwise permitted);
- (12) **Educational institution**-associated facilities, **uses**, and areas (on non-contiguous properties);
- (13) Emergency response facility (transitional use);

FORT WAYNE ZONING ORDINANCE

(D) Accessory Buildings, Structures and Uses

The noted **accessory buildings, structures, and uses** shall be permitted as set forth below:

UNIVERSALLY PERMITTED ACCESSORY BUILDINGS, STRUCTURES, AND USES		
Accessory dwelling unit (integrated)	Hedge	Satellite dish
Access ramp	Holiday decorations	Sign
Address marker	Landscape elements	Solar panels (building mounted)
Arbor or pergola	Mailbox	Swimming pool
Bird bath/house	Name plate	Swing set
Carport	Newspaper delivery box	Television aerial
Deck	Patio	Trellis
Driveway	Play equipment	Utility fixture
Fence	Pond	Walk
Flagpole	Property boundary marker	Wall
Garage	Radio antenna (amateur)	Yard light
Gazebo	Rain barrel	
Geothermal system	Rain garden	

RESIDENTIAL ACCESSORY BUILDINGS, STRUCTURES, AND USES	RELIGIOUS INSTITUTION ACCESSORY BUILDINGS, STRUCTURES, AND USES
Basketball backboard and goal	Athletic or recreation fields (non-illuminated)
Bath house or cabana	Assembly building , including hall and gymnasium
Class I child care home	Bleachers or similar structures
Day care	Child care ministry
Dog/pet house	Clothing bank
Garage or yard sale	Community garden
Garden (private)	Convent, parsonage, rectory, or similar residence
Greenhouse	Dumpster ⁽¹⁾
Grill or fire pit	Family counseling or education
4H/similar indoor small animal project	Food bank
Home occupation	Maintenance building
Hot tub, Jacuzzi, or spa	Outdoor events (short-term)
Shed	Performances (indoor)
Smoke house/oven (outdoor)	Shop (for sale of religious institution related items)
Tree house	Storage Building ⁽¹⁾
Zero Lot Line Accessory Building	
Notes:	
(1) Also permitted for nonresidential uses	

FORT WAYNE ZONING ORDINANCE

(E) Development Standards

- (1) The standards in the following table shall apply in the R2 **district**; all standards are minimum standards unless otherwise noted (the table continues onto the next page).

R2 TWO FAMILY RESIDENTIAL DEVELOPMENT STANDARDS		
Building size (square feet)		
Single family dwelling	700 ⁽¹⁾	
Accessory structures	Total square footage shall be less than the primary building	
Number of buildings permitted on a lot		
One primary residential building per lot		
Multiple primary nonresidential buildings are permitted per lot		
Height (maximum) ⁽²⁾		
Accessory building	25'	
Primary building	40'	
Lot area (square feet)		
	Detached Single Family Dwelling	Zero Lot Line Attached Single Family Dwelling
Public sewer (interior lot)	64,000	32,000
Public sewer (corner lot)	8,5006,000	63,000
Private sewage disposal	87,120 (2 acres)	
Lot width (at front building line and at front lot line unless otherwise stated)		
	Detached Single Family Dwelling	Zero Lot Line Attached Single Family Dwelling
Public sewer (interior lot)	5040' (25' at front lot line)	2520'
Public sewer (corner lot)	7060'	5030'
Private sewage disposal	120' at front building line	
Front yard ⁽³⁾		
Platted lot	25' (or platted building line setback , whichever is greater)	
Unplatted lot if adjacent to: Arterial/collector street Local or private street PC-approved easement	115' from the centerline of the street 25' from the street right-of-way 30' from the easement	
Flag Lot	30' Flag lots shall have two (2) required front yards (see definition of lot line, front)	
Through lot	At each end of the lot , based on the street classification/type the yard is adjacent to, except that: • If no access is permitted to the rear of the lot, then a detached accessory structure shall be permitted as set forth below, and a fence shall be permitted with no setback; or • If access is permitted to the rear of the lot, then a detached accessory structure shall be permitted with a 10' setback and a fence shall be permitted with a 5' setback	
If there is an existing residence on an adjacent parcel on the same side of the street with a nonconforming front setback , and the existing residence is within 300' of the proposed residence	The minimum front yard shall be the smallest existing nonconforming setback on the adjacent parcel(s)	

FORT WAYNE ZONING ORDINANCE

§ 157.208 R3 MULTIPLE FAMILY RESIDENTIAL

(A) Purpose

The Multiple **Family Residential district** is intended to create areas for high density multiple **family residential uses**, as well as single and two family **dwelling** units and other compatible **nonresidential uses** where adequate public facilities are available.

(B) Permitted Uses

The following **uses** are permitted as a matter of right in an R3 **district**:

- (1) **Accessory building, structure, or use** as set forth in §157.208(D) (including rental/management office in a **multiple family complex**);
- (2) Assisted living facility;
- (3) Common areas used for a clubhouse, neighborhood center, swimming pool, tennis court, or other similar assembly or recreation facility (including structures and uses typically associated with a single family subdivision);
- (4) Fraternity or sorority house;
- (5) **Group residential facility (small)**;
- (6) **Model home** (permitted for up to two (2) years);
- (7) Multiple family complex;
- (8) Multiple family dwelling;
- (9) Off-site campus housing;
- (10) Retirement facility;
- ~~(11) Single family dwelling (attached);~~
- ~~(12)~~(11) Single family dwelling (detached) (including multiple primary **structures**);
- ~~(13)~~(12) Two family dwelling; ~~and~~
- ~~(13)~~ Universally permitted use-;
- ~~(14)~~ **Zero lot line single family dwelling (one building with units on individual lots or parcels);**
and
- ~~(14)~~(15) **Zero lot line two family dwelling (one building with units on individual lots or parcels).**

FORT WAYNE ZONING ORDINANCE

(D) Accessory Buildings, Structures and Uses

The noted **accessory buildings, structures, and uses** shall be permitted as set forth below:

UNIVERSALLY PERMITTED ACCESSORY BUILDINGS, STRUCTURES, AND USES		
Accessory dwelling unit (integrated)	Hedge	Satellite dish
Access ramp	Holiday decorations	Sign
Address marker	Landscape elements	Solar panels (building mounted)
Arbor or pergola	Mailbox	Swimming pool
Bird bath/house	Name plate	Swing set
Carport	Newspaper delivery box	Television aerial
Deck	Patio	Trellis
Driveway	Play equipment	Utility fixture
Fence	Pond	Walk
Flagpole	Property boundary marker	Wall
Garage	Radio antenna (amateur)	Yard light
Gazebo	Rain barrel	
Geothermal system	Rain garden	

RESIDENTIAL ACCESSORY BUILDINGS, STRUCTURES, AND USES	RELIGIOUS INSTITUTION ACCESSORY BUILDINGS, STRUCTURES, AND USES
Basketball backboard and goal	Athletic or recreation fields (non-illuminated)
Bath house or cabana	Assembly building , including hall and gymnasium
Class I child care home	Bleachers or similar structures
Day care	Child care ministry
Dog/pet house	Clothing bank
Garage or yard sale	Community garden
Garden (private)	Convent, parsonage, rectory, or similar residence
Greenhouse	Dumpster ⁽¹⁾
Grill or fire pit	Family counseling or education
4H/similar indoor small animal project	Food bank
Home occupation	Maintenance building
Hot tub, Jacuzzi, or spa	Outdoor events (short-term)
Shed	Performances (indoor)
Smoke house/oven (outdoor)	Shop (for sale of religious institution related items)
Tree house	Storage Building ⁽¹⁾
Zero Lot Line Accessory Building	
Notes:	
(1) Also permitted for nonresidential uses	

FORT WAYNE ZONING ORDINANCE

(E) Development Standards

- (1) The standards in the following table shall apply in the R3 **district**; all standards are minimum standards unless otherwise noted (the table continues onto the next page).

R3 MULTIPLE FAMILY RESIDENTIAL DEVELOPMENT STANDARDS		
Building size (square feet)		
Single family dwelling	700 ⁽¹⁾	
Accessory structures	Total square footage shall be less than the primary building	
Number of buildings permitted on a lot		
One primary residential building per lot (multiple primary residential buildings shall be permitted if approved by the Plan Commission as part of a Development Plan)		
Multiple primary nonresidential buildings are permitted per lot		
Height (maximum) ⁽²⁾		
Accessory building	25'	
Primary building	60'	
Lot area (square feet)		
	Detached Single Family Dwelling	Zero Lot Line Attached Single Family Dwelling
Public sewer (interior lot)	64,000	32,000
Public sewer (corner lot)	8,5006,000	63,000
Private sewage disposal	87,120 (2 acres)	
Lot width (at front building line and at front lot line unless otherwise stated)		
	Detached Single Family Dwelling	Zero Lot Line Attached Single Family Dwelling
Public sewer (interior lot)	5040' (25' at front lot line)	2520'
Public sewer (corner lot)	7060'	5030'
Private sewage disposal	120'	
Front yard ⁽³⁾		
Platted lot	25' (or platted building line setback, whichever is greater)	
Unplatted lot if adjacent to: Arterial/collector street Local or private street PC-approved easement	115' from the centerline of the street 25' from the street right-of-way 30' from the easement	
Flag Lot	30' Flag lots shall have two (2) required front yards (see definition of lot line, front)	
Through lot	At each end of the lot , based on the street classification/type the yard is adjacent to, except that: • If no access is permitted to the rear of the lot , then a detached accessory structure shall be permitted as set forth below, and a fence shall be permitted with no setback ; or • If access is permitted to the rear of the lot , then a detached accessory structure shall be permitted with a 10' setback and a fence shall be permitted with a 5' setback	
If there is an existing residence on an adjacent parcel on the same side of the street with a nonconforming front setback , and the existing residence is within 300' of the proposed residence	The minimum front yard shall be the smallest existing nonconforming setback on the adjacent parcel(s)	

FORT WAYNE ZONING ORDINANCE

R3 MULTIPLE FAMILY RESIDENTIAL DEVELOPMENT STANDARDS	
Side yard ⁽³⁾	
Interior lot	
Private sewage disposal	15'
Public sewer	5'
Corner lot	The street side yard setback shall be the same as the front yard setback, based on the side lot line street classification, except that: • On corner lots, if there is a platted street side yard building line then an addition to a primary residential structure or an accessory structure shall meet that platted building line. • If there is no platted building line, on a lot of up to 70', a primary residential structure or an accessory structure (except for fences and walls) shall meet a 10' side yard setback; on a lot of over 70', a primary residential structure or an accessory structure shall meet a 25' side yard setback. • For fences and walls, if there is no platted building line, a fence (except for an ornamental fence or a retaining wall of up to 3' in height) shall meet a 5' setback; an ornamental fence or a retaining wall of up to 3' in height shall not have a setback requirement.
Rear yard	
Primary building	25' ⁽⁴⁾ 50' if adjacent to a collector or arterial street
Accessory structure ⁽⁵⁾	3' from a side or rear lot line ⁽⁶⁾
Swimming pool	6' from a side or rear lot line ⁽⁶⁾
Multiple family building and complex perimeter setback	
One story building	25'
Two story building	30'
Three story or above building	40'
Multiple family complex building separation	
<u>Side yard separation from the side of another primary building</u>	<u>10'</u>
<u>Separation from the front or rear of another primary building</u>	<u>20'</u>
<u>Multiple family building</u>	<u>25' (separation from any other primary multiple family building)</u>
<u>Condominium building</u>	<u>10' (side yard separation from the side of another primary single or two family building)</u>
<u>Townhouse building</u>	<u>10' (separation from the side of another primary townhouse building)</u> <u>20' (separation from the front or rear of another primary townhouse building)</u>
Notes: (1) Excluding basement and attached garage area (2) See §157.405(C) (Development Standards Waivers and Exceptions) for exceptions; §157.409 (Signs) for maximum sign heights; and §157.404(O) (Residential Impact Mitigation) and §157.411 (Airport Overlay Districts) for additional restrictions (3) See rear yard information for accessory structure and swimming pool side yard standards (4) A single story addition to an existing single family detached dwelling may encroach up to 10' into the required rear yard, if the addition is 250 square feet or less. (5) Excluding swimming pools (6) If located behind the primary building	

FORT WAYNE ZONING ORDINANCE

§ 157.209 RP PLANNED RESIDENTIAL

(A) Purpose

The Planned **Residential district** is intended to create areas for mixed residential **uses**. The purpose of this **district** is to permit residential and other compatible **nonresidential uses**, where adequate public facilities are available.

(B) Permitted Uses

The following **uses** are permitted as a matter of right in an RP **district**:

- (1) **Accessory building, structure, or use** as set forth in §157.209(D) (including rental/management office in a **multiple family complex**);
- (2) Assisted living facility;
- (3) Common areas used for a clubhouse, neighborhood center, swimming pool, tennis court, or other similar assembly or recreation facility (including structures and uses typically associated with a single family subdivision);
- (4) **Group residential facility (small)**;
- (5) Fraternity or sorority house;
- (6) **Model home** (permitted for up to two (2) years);
- (7) Multiple family complex;
- (8) Multiple family dwelling;
- (9) Off-site campus housing;
- (10) Retirement facility;
- ~~(11) Single family dwelling (attached);~~
- ~~(12)~~(11) Single family dwelling (detached) (including multiple primary structures)
- ~~(13)~~(12) Two family dwelling; ~~and~~
- (13) Universally permitted use;
- (14) Zero lot line single family dwelling (one building with units on individual lots or parcels);
and
- (14)(15) Zero lot line two family dwelling (one building with units on individual lots or parcels).

FORT WAYNE ZONING ORDINANCE

(D) Accessory Buildings, Structures and Uses

Accessory buildings, structures, and uses shall be permitted, including but not limited to:

UNIVERSALLY PERMITTED ACCESSORY BUILDINGS, STRUCTURES, AND USES		
Accessory dwelling unit	Hedge	Satellite dish
Access ramp	Holiday decorations	Sign
Address marker	Landscape elements	Solar panels (building mounted)
Arbor or pergola	Mailbox	Swimming pool
Bird bath/house	Name plate	Swing set
Carport	Newspaper delivery box	Television aerial
Deck	Patio	Trellis
Driveway	Play equipment	Utility fixture
Fence	Pond	Walk
Flagpole	Property boundary marker	Wall
Garage	Radio antenna (amateur)	Yard light
Gazebo	Rain barrel	
Geothermal system	Rain garden	

RESIDENTIAL ACCESSORY BUILDINGS, STRUCTURES, AND USES	RELIGIOUS INSTITUTION ACCESSORY BUILDINGS, STRUCTURES, AND USES
Basketball backboard and goal	Athletic or recreation fields (non-illuminated)
Bath house or cabana	Assembly building , including hall and gymnasium
Class I child care home	Bleachers or similar structures
Day care	Child care ministry
Dog/pet house	Clothing bank
Garage or yard sale	Community garden
Garden (private)	Convent , parsonage, rectory, or similar residence
Greenhouse	Dumpster ⁽¹⁾
Grill or fire pit	Family counseling or education
4H/similar indoor small animal project	Food bank
Home occupation	Maintenance building
Hot tub, Jacuzzi, or spa	Outdoor events (short-term)
Shed	Performances (indoor)
Smoke house/oven (outdoor)	Shop (for sale of religious institution related items)
Tree house	Storage Building ⁽¹⁾
<u>Zero Lot Line Accessory Building</u>	
Notes:	
(1) Also permitted for nonresidential uses	

FORT WAYNE ZONING ORDINANCE

(E) Development Standards

- (1) The standards in the following table shall apply in the RP **district**; all are minimum standards unless otherwise noted (the table continues onto the next page).

RP PLANNED RESIDENTIAL DEVELOPMENT STANDARDS		
Building size (square feet)		
Single family dwelling	700 ⁽¹⁾	
Accessory structures	Total square footage shall be less than the primary building	
Number of buildings permitted on a lot		
One primary residential building per lot (multiple primary residential buildings shall be permitted if approved by the Plan Commission as part of a Development Plan)		
Multiple primary nonresidential buildings are permitted per lot		
Height (maximum) ⁽²⁾		
Accessory building	25'	
Primary building	60'	
Lot area (square feet)		
	Detached Single Family Dwelling	Zero Lot Line Attached Single Family Dwelling
Public sewer (interior lot)	64,000	32,000
Public sewer (corner lot)	8,500 6,000	63,000
Private sewage disposal	87,120 (2 acres)	
Lot width (at front building line and at front lot line unless otherwise stated)		
	Detached Single Family Dwelling	Zero Lot Line Attached Single Family Dwelling
Public sewer (interior lot)	50 40' (25' at front lot line)	25 20'
Public sewer (corner lot)	70 60'	50 30'
Private sewage disposal	120'	
Front yard ⁽³⁾		
Platted lot	25' (or platted building line setback, whichever is greater)	
Unplatted lot if adjacent to: Arterial/collector street Local or private street PC-approved easement	115' from the centerline of the street 25' from the street right-of-way 30' from the easement	
Flag Lot	30' Flag lots shall have two (2) required front yards (see definition of lot line, front)	
Through lot	At each end of the lot , based on the street classification/type the yard is adjacent to, except that: • If no access is permitted to the rear of the lot, then a detached accessory structure shall be permitted as set forth below, and a fence shall be permitted with no setback; or • If access is permitted to the rear of the lot, then a detached accessory structure shall be permitted with a 10' setback and a fence shall be permitted with a 5' setback	
If there is an existing residence on an adjacent parcel on the same side of the street with a nonconforming front	The minimum front yard shall be the smallest existing nonconforming setback on the adjacent parcel(s)	

FORT WAYNE ZONING ORDINANCE

RP PLANNED RESIDENTIAL DEVELOPMENT STANDARDS

setback, and the existing residence is within 300' of the proposed residence

RP PLANNED RESIDENTIAL DEVELOPMENT STANDARDS

Side yard ⁽³⁾

Interior lot	
Private sewage disposal	15'
Public sewer	5'
Corner lot	The street side yard setback shall be the same as the front yard setback, based on the side lot line street classification except that: - On corner lots, if there is a platted street side yard building line then an addition to a primary residential structure or an accessory structure shall meet that platted building line. - If there is no platted building line, on a lot of up to 70', a primary residential structure or an accessory structure (except for fences and walls) shall meet a 10' side yard setback; on a lot of over 70', a primary residential structure or an accessory structure shall meet a 25' side yard setback. - For fences and walls, if there is no platted building line, a fence (except for an ornamental fence or a retaining wall of up to 3' in height) shall meet a 5' setback; an ornamental fence or a retaining wall of up to 3' in height shall not have a setback requirement.

Rear yard

Primary building	25' ⁽⁴⁾
	50' if adjacent to a collector or arterial street
Accessory structure ⁽⁵⁾	3' from a side or rear lot line ⁽⁶⁾
Swimming pool	6' from a side or rear lot line ⁽⁶⁾

Multiple family building and complex perimeter setback

One story building	25'
Two story building	30'
Three story or above building	40'

Multiple family complex building separation

Side yard separation from the side of another primary building	<u>10'</u>
Separation from the front or rear of another primary building	<u>20'</u>
Multiple family building	25' (separation from any other primary multiple family building)
Condominium building	10' (side yard separation from the side of another primary single or two family building)
Townhouse building	10' (separation from the side of another primary townhouse building) 20' (separation from the front or rear of another primary townhouse building)

FORT WAYNE ZONING ORDINANCE

- (17) **Heliport** (private individual or accessory to a permitted **nonresidential use**, excluding **hospital uses**);
- (18) **Home business** (see §157.503(D)(3)(b) for additional standards);
- (19) **Homeless shelter** (accessory to a **religious institution**, for up to eight (8) individuals);
- (20) Instruction/training/education (transitional use);
- (21) Live-work unit (transitional use);
- (22) Medical office (transitional use);
- (23) **Model home** (for extension of time or expansion of scope);
- (24) Museum;
- (25) Nature preserve (that includes a structure or parking area);
- (26) Neighborhood facility;
- (27) **Nonconforming use** (expansion of existing **nonconforming use**, or allow conforming status to existing **use**, excluding **gas station uses**);
- (28) **Personal service** (**transitional use**, excluding copy/duplicating service, **health club**/fitness center, or social service agency);
- (29) **Professional office/business service** (transitional use, excluding bank, credit union, loan office, or savings and loan);
- (30) Recreation use, outdoor (athletic field, riding stable, swim club, tennis club);
- (31) Religious institution or non-public school illuminated athletic field(s);
- (32) Residential facility for a court-ordered re-entry program;
- (33) Residential facility for homeless individuals (for up to eight (8) individuals);
- (34) **Sign** (temporary **subdivision** direction)
- (35) **Solar panel** (ground mounted);
- (36) **Subdivision clubhouse, meeting hall, neighborhood center**, or swim/tennis facility, if not previously approved as part of the **subdivision**;
- (37) Studio (transitional use);
- (38) **Two family dwelling** (~~to allow conforming status for existing **nonconforming uses**~~);
- (39) **Utility facility, private** (not otherwise permitted or exempt);
- (40) Wind energy conversion system, micro (for single family detached dwellings on unplatted land only); and
- (41) Wind energy conversion system, standard (for fire/police station, public park/recreation area, religious institution, or school uses; or unplatted residential land over five (5) acres).

FORT WAYNE ZONING ORDINANCE

(E) Development Standards

- (1) The standards in the following table shall apply in the MHS **district**; all standards are minimum standards unless otherwise noted (the table continues onto the next page).

MHS MANUFACTURED HOME SUBDIVISION DEVELOPMENT STANDARDS	
Building size (square feet)	
Single family dwelling	700 ⁽¹⁾
Accessory structures	Total square footage shall be less than the primary building
Number of buildings permitted on a lot	
One primary residential building per lot	
Multiple primary nonresidential buildings are permitted per lot	
Height (maximum) ⁽²⁾	
Accessory building	25'
Primary building	40'
Lot area (square feet)	
Public sewer (interior lot)	64,000
Public sewer (corner lot)	8,5006,000
Private sewage disposal	87,120 (2 acres)
Lot width (at front building line and at front lot line unless otherwise stated)	
Public sewer (interior lot)	5040' (25' at front lot line)
Public sewer (corner lot)	7060'
Private sewage disposal	120'
Front yard ⁽³⁾	
Platted lot	25' (or platted building line setback , whichever is greater)
Unplatted lot if adjacent to: Arterial/collector street Local or private street PC-approved easement	115' from the centerline of the street 25' from the street right-of-way 30' from the easement
Flag Lot	30' Flag lots shall have two (2) required front yards (see definition of lot line, front)
Through lot	At each end of the lot , based on the street classification/type the yard is adjacent to, except that: • If no access is permitted to the rear of the lot, then a detached accessory structure shall be permitted as set forth below, and a fence shall be permitted with no setback; or • If access is permitted to the rear of the lot, then a detached accessory structure shall be permitted with a 10' setback and a fence shall be permitted with a 5' setback
If there is an existing residence on an adjacent parcel on the same side of the street with a nonconforming front setback , and the existing residence is within 300' of the proposed residence	The minimum front yard shall be the smallest existing nonconforming setback on the adjacent parcel(s)

FORT WAYNE ZONING ORDINANCE

(D) Development Standards

The standards in the following table shall apply in the MHP **district**; all are minimum standards unless otherwise noted.

MHP MANUFACTURED HOME PARK DEVELOPMENT STANDARDS	
Building size (square feet)	
Single family dwelling	700
Accessory structures	Total square footage shall be less than the primary building
Number of buildings permitted on a lot	
One primary residential building per lot	
Height (maximum) ⁽¹⁾	
Accessory building	25'
Primary building	40'
Front yard	
Standard lot	5'
Through lot	5' (minimum yard at both ends of the lot)
Side yard	
Standard lot	5'
Rear yard	
Standard lot	5'
Manufactured home park perimeter setback	
50'	
Manufactured home park building separation	
5' (separation from any other primary building)	
Notes:	
(1) See §157.405(C) (Development Standards Waivers and Exceptions) for exceptions; §157.409 (Signs) for maximum sign heights ; and §157.404(O) (Residential Impact Mitigation) and §157.411 (Airport Overlay Districts) for additional restrictions	

FORT WAYNE ZONING ORDINANCE

C1 PROFESSIONAL OFFICE AND PERSONAL SERVICES SPECIFIC PERMITTED USES	
Health club	Pilates instruction
Homeless shelter ⁽¹⁾	Planetarium
Hospice care center	Planner
Hospital	Podiatrist
Insurance agency	Public transportation facility
Interior design service	Radio station
Internet service	Real estate
Investment service	Recording studio
Laboratory	Residential dwelling unit ⁽³⁾
Land surveyor	Residential facility for homeless individuals (up to 8) ⁽¹⁾
Legal service	Retirement facility
Live-work unit	Savings and loan
Loan office	Sculpture studio
Marketing agency	Security service
Martial arts training	Sleep disorder facility
Massage therapy	Social service agency
Medical training	Sorority house
Model unit	Stained glass studio
Mortgage service	Stock and bond broker
Multiple family complex ⁽⁴⁾	Surgery center
Multiple family dwelling ⁽⁴⁾	Tailor
Museum	Tanning salon
Music instruction	Tax consulting
Music studio	Television station
Nail salon	Title company
Neighborhood facility	Townhouse complex ⁽⁴⁾
Nursing home	Travel agency
Nutrition service	Treatment center
Office, professional	Tutoring service
Ophthalmologist	Universally permitted use ⁽²⁾
Optician	Veterinary clinic (indoor)
Optometrist	Website service
Painting studio	Wedding consultant
Parking area (off-site) ⁽²⁾	Weight loss service
Photography studio	Wind energy conversion system (micro) ⁽¹⁾
Photography training	Yoga instruction
Physical therapy facility	Zoo
Notes: (1) If not adjacent to a residential district (2) See universally permitted use definition for additional standards (3) Above, to the rear of, or attached to a permitted nonresidential use (4) See multiple family building and complex perimeter setback and building separation requirements in R3 district (§157.208(E)(1))	

FORT WAYNE ZONING ORDINANCE

C2 LIMITED COMMERCIAL SPECIFIC PERMITTED USES	
Tattoo establishment	Travel agency
Tavern	Treatment center
Tax consulting	Tutoring service
Taxi service	Universally permitted use ⁽²⁾
Tea room	Variety store
Telephone sales	Veterinary clinic (indoor)
Telephone service	Watch sales
Television station	Website service
Tennis club	Wedding consultant
Theater	Weight loss service
Tire sales	Wind energy conversion system (micro) ⁽¹⁾
Title company	Window sales
Tobacco store	Yoga instruction
Townhouse complex ⁽⁴⁾	Zoo
Toy store	
Notes: (1) If not adjacent to a residential district (2) See universally permitted use definition for additional standards (3) Above, to the rear of, or attached to a permitted nonresidential use (4) See multiple family building and complex perimeter setback and building separation requirements in R3 district (§157.208(E)(1))	

FORT WAYNE ZONING ORDINANCE

NC NEIGHBORHOOD CENTER SPECIFIC PERMITTED USES	
Tobacco store	Watch sales
Townhouse complex ⁽⁴⁾	Website service
Toy store	Wedding consultant
Travel agency	Weight loss service
Treatment center	Wind energy conversion system (micro) ⁽¹⁾
Tutoring service	Window sales
Universally permitted use ⁽²⁾	Yoga instruction
Variety store	Zoo
Veterinary clinic (indoor)	
Notes: (1) If not adjacent to a residential district (2) See universally permitted use definition for additional standards (3) Above, to the rear of, or attached to a permitted nonresidential use (4) See multiple family building and complex perimeter setback and building separation requirements in R3 district (§157.208(E)(1))	

FORT WAYNE ZONING ORDINANCE

SC SHOPPING CENTER SPECIFIC PERMITTED USES	
Telephone service	Universally permitted use ⁽⁴⁾
Television station	Variety store
Tennis club	Veterinary clinic
Theater	Warehouse/storage facility
Tire sales	Watch sales
Title company	Website service
Tobacco store	Wedding consultant
Townhouse complex ⁽³⁾	Weight loss service
Toy store	Wind energy conversion system (micro) ⁽²⁾
Travel agency	Window sales
Treatment center	Yoga instruction
Tutoring service	Zoo
Notes: (1) No gas station canopy shall be located between the primary building and a residential district (2) If not adjacent to a residential district (3) See multiple family building and complex perimeter setback and building separation requirements in R3 district (§157.208(E)(1)) (4) See universally permitted use definition for additional standards (5) Above, to the rear of, or attached to a permitted nonresidential use	

FORT WAYNE ZONING ORDINANCE

C3 GENERAL COMMERCIAL SPECIFIC PERMITTED USES	
Residential facility for homeless individuals (up to 8) ⁽¹⁾	Telephone sales
Restaurant, including drive-through	Telephone service
Retirement facility	Television station
Riding stable	Tennis club
Sandwich shop	Theater
Savings and loan	Tire sales
Sculpture studio	Title company
Seasonal sales	Tobacco store
Security service	Towing service (with no storage yard)
Shoe repair shop	Townhouse complex ⁽³⁾
Shoe store	Toy store
Shooting range (indoor)	Trade show facility
Sign sales store	Travel agency
Skating rink	Treatment center
Sleep disorder facility	Truck fueling station
Social service agency	Truck stop
Sorority house	Tutoring service
Sporting goods sales	Universally permitted use ⁽⁴⁾
Stadium/racetrack ⁽¹⁾	Variety store
Stained glass studio	Veterinary clinic
Stationery store	Warehouse/storage facility
Stock and bond broker	Watch sales
Storage shed sales	Water park ⁽¹⁾
Surgery center	Watercraft sales
Swim club	Website service
Swimming pool sales	Wedding consultant
Tailor	Weight loss service
Tanning salon	Wholesale facility
Tattoo establishment	Wind energy conversion system (micro) ⁽¹⁾
Tavern	Window repair
Tax consulting	Window sales
Taxi service	Yoga instruction
Taxidermist	Zipline
Tea room	Zoo
Notes: (1) If not adjacent to a residential district (2) No gas station canopy shall be located between the primary building and a residential district (3) See multiple family building and complex perimeter setback and building separation requirements in R3 district (§157.208(E)(1)) (4) See universally permitted use definition for additional standards (5) Above, to the rear of, or attached to a permitted nonresidential use	

FORT WAYNE ZONING ORDINANCE

C4 INTENSIVE COMMERCIAL SPECIFIC PERMITTED USES	
Recording studio	Taxi service
Recreation area ⁽¹⁾	Taxidermist
Recreation facility	Tea room
Recreation uses	Telephone sales
Rental store	Telephone service
Residential dwelling unit ⁽⁵⁾	Television station
Residential facility for homeless individuals (up to 8) ⁽¹⁾	Tennis club
Restaurant , including drive-through	Theater
Retirement facility	Tire sales
Riding stable	Title company
Sandwich shop	Tobacco store
Savings and loan	Towing service (with no storage yard)
Sculpture studio	Townhouse complex ⁽³⁾
Seasonal sales	Toy store
Security service	Trade show facility
Sexually oriented business ⁽⁶⁾	Travel agency
Shoe repair shop	Treatment center
Shoe store	Truck fueling station
Shooting range (indoor)	Truck stop
Sign sales store	Tutoring service
Skating rink	Universally permitted use ⁽⁴⁾
Sleep disorder facility	Variety store
Social service agency	Veterinary clinic
Sorority house	Warehouse/storage facility
Sporting goods sales	Watch sales
Stadium/racetrack ⁽¹⁾	Water park ⁽¹⁾
Stained glass studio	Watercraft sales
Stationery store	Website service
Stock and bond broker	Wedding consultant
Storage shed sales	Weight loss service
Surgery center	Wholesale facility
Swim club	Wind energy conversion system (micro) ⁽¹⁾
Swimming pool sales	Window repair
Tailor	Window sales
Tanning salon	Yoga instruction
Tattoo establishment	Zipline
Tavern	Zoo
Tax consulting	
Notes: (1) If not adjacent to a residential district (2) No gas station canopy shall be located between the primary building and a residential district (3) See multiple family building and complex perimeter setback and building separation requirements in R3 district (§157.208(E)(1)) (4) See universally permitted use definition for additional standards (5) Above, to the rear of, or attached to a permitted nonresidential use (6) Subject to the standards in §157.414	

FORT WAYNE ZONING ORDINANCE

DC DOWNTOWN CORE SPECIFIC PERMITTED USES	
Tennis club (indoor)	Variety store
Theater (indoor)	Veterinary clinic (indoor)
Title company	Watch sales
Tobacco store	Water park
Townhouse complex⁽⁺⁾	Website service
Toy store	Wedding consultant
Travel agency	Weight loss service
Treatment center	Window sales
Tutoring service	Yoga instruction
Universally permitted use ⁽²⁾	Zoo
Notes: (1) See multiple family complex building separation requirements in R3 district (§157.208(E)(1)) (2) See universally permitted use definition for additional standards (3) If integrated within the footprint of a new building for a permitted primary use (4) Above, to the rear of, or attached to a permitted nonresidential use	

FORT WAYNE ZONING ORDINANCE

DE DOWNTOWN EDGE SPECIFIC PERMITTED USES	
Music store	Shoe store
Music studio	Sign sales store
Musical instrument store	Skating rink
Nail salon	Sleep disorder facility
Neighborhood facility	Social service agency
Newspaper publishing facility	Sporting goods sales
Nursing home	Stadium
Nutrition service	Stained glass studio
Office, professional	Stationery store
Ophthalmologist	Stock and bond broker
Optician	Surgery center
Optometrist	Swim club (indoor)
Package liquor store	Tailor
Paint store	Tanning salon
Painting studio	Tattoo establishment
Parking area (off-site) ⁽³⁾	Tavern
Parking structure ⁽⁴⁾	Tax consulting
Pet store	Taxi service
Pharmacy	Tea room
Photography studio	Telephone sales
Photography supply store	Telephone service
Photography training	Television station
Physical therapy facility	Tennis club (indoor)
Picture framing facility	Theater (indoor)
Pilates instruction	Title company
Planetarium	Tobacco store
Planner	Townhouse complex ⁽²⁾
Podiatrist	Toy store
Public transportation facility	Travel agency
Radio station	Treatment center
Real estate	Tutoring service
Reception hall	Universally permitted use ⁽³⁾
Recording studio	Variety store
Rental store	Veterinary clinic
Residential dwelling unit ⁽¹⁾	Watch sales
Restaurant	Water park
Retirement facility	Website service
Riding stable	Wedding consultant
Sandwich shop	Weight loss service
Savings and loan	Window sales
Sculpture studio	Yoga instruction
Security service	Zero lot line single family dwelling (one building of up to ten (10) units on individual lots or parcels)
Shoe repair shop	Zoo
Notes: (1) Above, to the rear of, or attached to a permitted nonresidential use (2) See multiple family complex building separation requirements in R3 district (§157.208(E)(1)) (3) See universally permitted use definition for additional standards (4) If integrated within the footprint of a new building for a permitted primary use	

FORT WAYNE ZONING ORDINANCE

(D) **Accessory Buildings, Structures and Uses**

The noted **accessory buildings, structures, and uses** shall be permitted as set forth below:

UNIVERSALLY PERMITTED ACCESSORY BUILDINGS, STRUCTURES, AND USES		
Accessory dwelling unit	Hedge	Satellite dish
Access ramp	Holiday decorations	Sign
Address marker	Landscape elements	Solar panels (building mounted)
Arbor or pergola	Mailbox	Swimming pool
Bird bath/house	Name plate	Swing set
Carport	Newspaper delivery box	Television aerial
Deck	Patio	Trellis
Driveway	Play equipment	Utility fixture
Fence	Pond	Walk
Flagpole	Property boundary marker	Wall
Garage	Radio antenna (amateur)	Yard light
Gazebo	Rain barrel	
Geothermal system	Rain garden	

RESIDENTIAL ACCESSORY BUILDINGS, STRUCTURES, AND USES	RELIGIOUS INSTITUTION ACCESSORY BUILDINGS, STRUCTURES, AND USES
Basketball backboard and goal	Athletic or recreation fields (non-illuminated)
Bath house or cabana	Assembly building , including hall and gymnasium
Class I child care home	Bleachers or similar structures
Day care	Child care ministry
Dog/pet house	Clothing bank
Garage or yard sale	Community garden
Garden (private)	Convent , parsonage, rectory, or similar residence
Greenhouse	Donation site/ recycling collection point ⁽¹⁾
Grill or fire pit	Dumpster ⁽¹⁾
4H/similar indoor small animal project	Family counseling or education
Home occupation	Food bank
Hot tub, Jacuzzi, or spa	Maintenance building
Shed	Outdoor events (short-term)
Smoke house/oven (outdoor)	Performances (indoor)
Tree house	Shop (for sale of religious institution related items)
<u>Zero Lot Line Accessory Building</u>	Storage Building ⁽¹⁾
Note: (1) Also permitted for nonresidential uses	

FORT WAYNE ZONING ORDINANCE

UC URBAN CORRIDOR SPECIFIC PERMITTED USES (drive-through facilities, gas stations and/or gas pumps/canopies shall not be permitted as either a primary or an accessory use)	
Ice cream store	Photography supply store
Insurance agency	Physical therapy facility
Interior decorating store	Picture framing facility
Interior design service	Pilates instruction
Internet service	Planetarium
Investment service	Planner
Jewelry sales	Podiatrist
Laboratory	Public transportation facility
Land surveyor	Radio station
Laundromat	Real estate
Leather goods store	Reception hall
Legal service	Recording studio
Live-work unit	Photography supply store
Loan office	Rental store
Luggage store	Residential dwelling unit
Marketing agency	Restaurant
Martial arts training	Retirement facility
Massage therapy	Riding stable
Meat/fish market	Sandwich shop
Medical training	Savings and loan
Model unit	Sculpture studio
Mortgage service	Security service
Movie rental	Shoe repair shop
Movie sales	Shoe store
Multiple family complex ⁽¹⁾	Sign sales store
Multiple family dwelling ⁽¹⁾	Single family dwelling (attached)
Museum	Single family dwelling (detached)
Music instruction	Skating rink
Music store	Sleep disorder facility
Music studio	Social service agency
Musical instrument store	Sporting goods sales
Nail salon	Stained glass studio
Neighborhood facility	Stationery store
Nursing home	Stock and bond broker
Nutrition service	Surgery center
Office, professional	Swim club (indoor)
Ophthalmologist	Tailor
Optician	Tanning salon
Optometrist	Tattoo establishment ⁽⁴⁾
Package liquor store	Tavern
Paint store	Tax consulting
Painting studio	Taxi service
Parking area (off-site) ⁽²⁾	Tea room
Parking structure ⁽³⁾	Telephone sales
Photography training	Telephone service
Pet store	Television station
Pharmacy	Tennis club (indoor)
Photography studio	Theater (indoor)

FORT WAYNE ZONING ORDINANCE

UC URBAN CORRIDOR SPECIFIC PERMITTED USES (drive-through facilities, gas stations and/or gas pumps/canopies shall not be permitted as either a primary or an accessory use)	
Title company	Veterinary clinic
Tobacco store	Watch sales
Townhouse complex ⁽⁴⁾	Website service
Townhouse dwelling	Wedding consultant
Toy store	Weight loss service
Travel agency	Window sales
Tutoring service	Yoga instruction
Two family dwelling	<u>Zero lot line single family dwelling (one building with units on individual lots or parcels)</u>
Universally permitted use ⁽²⁾	<u>Zero lot line two family dwelling (one building with units on individual lots or parcels)</u>
Variety store	Zoo
Notes: (1) See multiple family complex building separation requirements in R3 district (§157.208(E)(1)) (2) See universally permitted use definition for additional standards (3) If integrated within the footprint of a new building for a permitted primary use (4) New tattoo facilities shall be located a minimum of 500' from any existing facility, as measured from the closest property lines	

(C) Special Uses

- (1) **Accessory dwelling unit** (freestanding);
- (2) **Animal keeping** (outdoor, small animal);
- (3) Child care home (class II);
- (4) Community garden (that includes a structure);
- (5) **Container home** (see §157.503(D)(3)(h) for additional standards);
- (6) **Educational institution-associated uses** (on non-contiguous properties, not otherwise permitted);
- (7) Fraternity house;
- (8) Group residential facility (large);
- (9) Group residential facility (small);
- (10) **Home business** (for single **family detached** dwellings only; see §157.503(D)(3)(b) for additional standards);
- (11) Homeless shelter (accessory to a religious institution);
- (12) **Manufactured home, Type II** (see §157.503(D)(3)(e) for additional standards);
- (13) **Nature preserve** (that includes a structure or **parking area**);
- (14) **Nonconforming use** (expansion of existing **nonconforming use**, or allow conforming status to existing **use**, excluding **gas station uses**);
- (15) **Parking structures** (public or private) if not integrated within the footprint of a new building for a permitted primary use (in addition to the standards in §157.503(D)(2), the Board shall evaluate the request based on the standards and guidelines in §157.404(X)(n)(iv));

FORT WAYNE ZONING ORDINANCE

(D) Accessory Buildings, Structures and Uses

The noted **accessory buildings, structures, and uses** shall be permitted as set forth below:

UNIVERSALLY PERMITTED ACCESSORY BUILDINGS, STRUCTURES, AND USES		
Accessory dwelling unit	Hedge	Satellite dish
Access ramp	Holiday decorations	Sign
Address marker	Landscape elements	Solar panels (building mounted)
Arbor or pergola	Mailbox	Swimming pool
Bird bath/house	Name plate	Swing set
Carport	Newspaper delivery box	Television aerial
Deck	Patio	Trellis
Driveway	Play equipment	Utility fixture
Fence	Pond	Walk
Flagpole	Property boundary marker	Wall
Garage	Radio antenna (amateur)	Yard light
Gazebo	Rain barrel	
Geothermal system	Rain garden	

RESIDENTIAL ACCESSORY BUILDINGS, STRUCTURES, AND USES	RELIGIOUS INSTITUTION ACCESSORY BUILDINGS, STRUCTURES, AND USES
Basketball backboard and goal	Athletic or recreation fields (non-illuminated)
Bath house or cabana	Assembly building , including hall and gymnasium
Class I child care home	Bleachers or similar structures
Day care	Child care ministry
Dog/pet house	Clothing bank
Garage or yard sale	Community garden
Garden (private)	Convent , parsonage, rectory, or similar residence
Greenhouse	Donation site/ recycling collection point ⁽¹⁾
Grill or fire pit	Dumpster ⁽¹⁾
4H/similar indoor small animal project	Family counseling or education
Home occupation	Food bank
Hot tub, Jacuzzi, or spa	Maintenance building
Shed	Outdoor events (short-term)
Smoke house/oven (outdoor)	Performances (indoor)
Tree house	Shop (for sale of religious institution related items)
<u>Zero Lot Line Accessory Building</u>	Storage Building ⁽¹⁾
Note:	
(1) Also permitted for nonresidential uses	

FORT WAYNE ZONING ORDINANCE

II LIMITED INDUSTRIAL SPECIFIC PERMITTED USES	
Townhouse complex ⁽²⁾	Website service
Toy store	Wedding consultant
Travel agency	Weight loss service
Treatment center	Welding service
Tutoring service	Wholesale facility
Universally permitted use ⁽³⁾	Wind energy conversion system (micro) ⁽¹⁾
Utility facility (private)	Wind energy conversion system (standard) ⁽⁵⁾
Variety store	Window sales
Vehicle technology (advanced)	Woodworking
Veterinary clinic (indoor)	Yoga instruction
Warehouse/storage facility	Zoo
Watch sales	
Notes: (1) If not adjacent to a residential district (2) See multiple family building and complex perimeter setback and building separation requirements in R3 district (§157.208(E)(1)) (3) See universally permitted use definition for additional standards (4) Above, to the rear of, or attached to a permitted nonresidential use (5) If on land of over two (2) acres not adjacent to a residential district	

FORT WAYNE ZONING ORDINANCE

12 GENERAL INDUSTRIAL SPECIFIC PERMITTED USES	
Tax consulting	Tutoring service
Taxi service	Universally permitted use ⁽³⁾
Taxidermist	Utility facility (private)
Tea room	Variety store
Telephone sales	Vehicle technology (advanced)
Telephone service	Veterinary clinic
Television station	Warehouse/storage facility
Tennis club	Watch sales
Theater	Watercraft sales
Tire sales	Website service
Title company	Wedding consultant
Tobacco store	Weight loss service
Tool and die facility	Welding service
Towing service	Wholesale facility
Townhouse complex ⁽²⁾	Wind energy conversion system (micro) ⁽¹⁾
Toy store	Wind energy conversion system (standard) ⁽⁵⁾
Trade show facility	Window repair
Travel agency	Window sales
Treatment center	Winery
Tree service	Woodworking
Truck depot/terminal	Yoga instruction
Truck fueling station	Zoo
Truck stop	
Notes: (1) If not adjacent to a residential district (2) See multiple family building and complex perimeter setback and building separation requirements in R3 district (§157.208(E)(1)) (3) See universally permitted use definition for additional standards (4) Above, to the rear of, or attached to a permitted nonresidential use (5) If on land of over two (2) acres not adjacent to a residential district	

FORT WAYNE ZONING ORDINANCE

13 INTENSIVE INDUSTRIAL SPECIFIC PERMITTED USES	
Tanning salon	Truck fueling station
Tattoo establishment	Truck stop
Tavern	Tutoring service
Tax consulting	Universally permitted use ⁽²⁾
Taxi service	Utility facility (private)
Taxidermist	Variety store
Tea room	Vehicle technology (advanced)
Telephone sales	Veterinary clinic
Telephone service	Warehouse/storage facility
Television station	Watch sales
Tennis club	Watercraft sales
Theater	Website service
Tire sales	Wedding consultant
Title company	Weight loss service
Tobacco store	Welding service
Tool and die facility	Wholesale facility
Towing service	Wind energy conversion system (micro) ⁽¹⁾
Townhouse complex ⁽⁶⁾	Wind energy conversion system (standard) ⁽⁴⁾
Toy store	Window repair
Trade show facility	Window sales
Travel agency	Winery
Treatment center	Woodworking
Tree service	Yoga instruction
Truck depot/terminal	Zoo
Notes: (1) If not adjacent to a residential district (2) See universally permitted use definition for additional standards (3) Above, to the rear of, or attached to a permitted nonresidential use (4) If on land of over two acres not adjacent to a residential district (5) No gas station canopy shall be located between the primary building and a residential district (6) See multiple family building and complex perimeter setback and building separation requirements in R3 district (§157.208(E)(1))	

FORT WAYNE ZONING ORDINANCE

DEVELOPMENT PROCESSES AND STANDARDS

§ 157.301 DEVELOPMENT PLANS

(A) Purpose

The Development Plan process is intended to:

- (1) Promote and encourage quality **development** that has a positive impact on surrounding **structures** and land **uses**;
- (2) Allow for public, **Commission** and staff review of and input on the site layout, access and circulation, and **development** quality of certain **development** proposals, the potential impacts of those proposals on surrounding areas, and the ability of Fort Wayne and other governmental or quasi-governmental entities to provide public services required by those **developments**.
- (3) In the DC and DE **districts**, including the **Riverfront Overlay District**, to promote attractive and functional **building** forms; attractive and functional streetscape and public space design; compatibility of design, **use**, character, and pattern; increased **pedestrian oriented** design; and the **use** of high quality, durable materials.

(B) When Required

- (1) A Development Plan application shall be submitted and approved when an applicant is proposing the types of **development** indicated in the following table. If a Secondary Development Plan is not required, an administrative Site Plan Review process will generally be required following the Primary Development Plan approval.

TYPE OF DEVELOPMENT	PRIMARY DEVELOPMENT PLAN REQUIRED	SECONDARY DEVELOPMENT PLAN REQUIRED
Rezoning (when accompanied by a specific development project proposal, for which the applicant is requesting Plan Commission approval)	✓	
<u>Projects proposing a multiple family complex on a single lot, parcel, or development site</u>	✓	✓
Projects proposing more than one new primary nonresidential building on a single lot, parcel, or development site	✓	✓
Projects proposing the phased construction of infrastructure or streets	✓	✓
Projects requesting a waiver from one or more ordinance standards	✓	

- (2) In addition to the provisions above, an applicant or property **owner** may choose to voluntarily submit a project or **development** through the Development Plan process.
- (3) As part of its consideration and approval of a request for a **contingent use, special use, or use variance**, the **Board of Zoning Appeals** may require the submission and approval of a Development Plan.

FORT WAYNE ZONING ORDINANCE

§ 157.302 SITE PLAN REVIEW

(A) Purpose

The purpose of this section is to:

- (1) Provide a process that allows for administrative review of certain projects for compliance with the provisions of this ordinance;
- (2) In the DC and DE **districts**, establish plan documentation and supporting information that must be submitted to allow for the review of a project, including design review; and
- (3) Allow reviewing staff to provide input on proposed projects.

(B) When Required

Except as excluded in §157.302(C), any proposal for a new **building** or **structure** or **addition** to an existing **building** in the following categories that does not require the submission of a Development Plan under the provisions of §157.301, requires submittal, review and approval through the Site Plan Review process:

- (1) New individual **multiple family buildings** of over two (2) units;
- (2) A nonresidential **structure** or **building** (including a single **building** on an individual **lot** or **development site**, an **accessory structure** or **building**, **additions** to an existing **building**, a **gas station canopy** or pumps, and an outdoor eating/drinking/smoking area);
- (3) If the **Commission, Board**, or Hearing Officer determines in the course of application review that the proposal is large, complex, or raises potential unanticipated **development** impacts, the **Commission, Board**, or Hearing Officer may require that the proposed project complete the Site Plan Review process.

(C) Exclusion

The following shall also be exempt from the Site Plan Review process:

- (1) Projects of less than 1,000 square feet that do not have sanitary sewer or water facilities and fire sprinkler systems (including mobile classrooms but excluding **gas station canopies** or outdoor eating/drinking/smoking areas), ~~shall be exempt from the Site Plan Review process.~~
- (2) Temporary construction or temporary sales/leasing facilities that do not have water and sanitary sewer connections ~~shall also be exempt from the Site Plan Review process.~~

~~(1)~~(3) Single family zero lot line and two family zero lot line developments

(D) Pre-Application Meetings

- (1) Prior to the submission of an application for approval of a Site Plan, a pre-application meeting between **DPS** staff and the applicant is recommended. The purpose of the pre-application meeting is to:
 - (a) Acquaint the applicant with the standards, procedures, and requirements of this ordinance and any other applicable standards or requirements;
 - (b) Review the Site Plan Review process procedures and submittal requirements;
 - (c) Acquaint the applicant with any potential issues or problems regarding the specific site or surrounding area, including **significant** cost or permit delay issues; and
 - (d) Provide the applicant with a list of application submittal requirements based on the nature and size of the proposed **development**.

FORT WAYNE ZONING ORDINANCE

(B) Applicability

All Development Plans, Site Plan Reviews and **Subdivisions** shall comply with each of the standards shown in the table below.

DEVELOPMENT DESIGN STANDARD APPLICABILITY					
Standard	Section	DP	SP	MJS	MNS
Access	§157.404(D)	✓	✓	✓	✓
Airport overlay districts	§157.404(E)	✓	✓	✓	✓
Block layout	§157.404(F)			✓	
Easements	§157.404(G)	✓	✓	✓	✓
Floodplain	§157.404(H)	✓	✓	✓	✓
Landscape standards	§157.404(I)	✓	✓		
Lot standards	§157.404(J)			✓	✓
Natural site features	§157.404(K)	✓		✓	✓
Open space and recreation amenities	§157.404(L)			✓	
Parking	§157.404(M)	✓	✓		
Pedestrian circulation	§157.404(N)	✓	✓	✓	
Residential impact mitigation	§157.404(O)	✓	✓		
Sanitary sewer	§157.404(P)	✓	✓	✓	✓
Signs	§157.404(Q)	✓	✓	✓	✓
Site lighting	§157.404(R)	✓	✓		
Storm drainage	§157.404(S)	✓	✓	✓	✓
Street lighting	§157.404(T)	✓	✓	✓	
Vehicle circulation and streets	§157.404(U)	✓	✓	✓	✓
Water	§157.404(V)	✓	✓	✓	✓
Zoning district standards • Building Separation • Building Size • Number of Buildings on a Lot • Height • Lot Area and Width • Yard Requirements • Zoning Overlay Districts	§157.404(W)	✓	✓	✓	✓
Design standards (DC and DE)	§157.404(X)	✓	✓		
Riverfront overlay district (DC and DE)	§157.404(Y)	✓	✓		
KEY					
DP = Development Plan	SP = Site Plan	MJS = Major Subdivision	MNS = Minor Subdivision	✓ = Standard is applicable	

FORT WAYNE ZONING ORDINANCE

(c) Minor Subdivisions

No **Minor Subdivision** may provide an interconnection to more than one other **Minor Subdivision**, and no more than two (2) **Minor Subdivisions** may share a single point of access to a **public street**.

(7) School Bus Access

Each **Major Subdivision** or Development Plan containing over sixty (60) **lots** shall include an internal loop **street** system allowing **school** busses to access the **subdivision**, circulate, and return to an access point to a local, collector, or **arterial street** adjoining the **Major Subdivision** or Development Plan **development site** without turning around or backing up. The **Plan Commission** may permit alternative **street** system provisions allowing for internal bus access if those provisions have been approved by the applicable **school district**. For purposes of this standard, the number of homes in all adjoining phases of a **Major Subdivision** or Development Plan shall be considered together.

(8) Street Names

- (a) The name of any **street**, road, drive, or avenue already in **use** or established by **plat** anywhere in Allen **County** shall not be used in any new **development** except in the case of a direct extension of the existing **street**, road, drive, or avenue of the same name.
- (b) No name of a **street**, road, drive, or avenue shall include the word north, south, east or west, unless it denotes a geographic location.

(V) Water

Public water facilities shall be provided to serve the proposed development.

(W) Zoning District Standards

(1) Building Separation

All **buildings** and **structures** shall comply with the applicable **building** separation standards for the **zoning district** in which they are located, as set forth in §157.208-209.

(2) Building Size

All **residential buildings** shall comply with the applicable **building** size standards for the **zoning district** in which they are located, as set forth in §157.206-211.

~~(3) Number of Buildings on a Lot~~

~~All residential developments shall comply with the applicable building number limitations for the zoning district in which they are located, as set forth in §157.206-211.~~

~~(4)~~(3) Height

- (a) All **buildings** and **structures** shall comply with the height standards for the **zoning district** in which they are located, as set forth in §157.206-224.
- (b) In addition, when **development** other than a single **family** or **two family dwelling** occurs on a **lot** adjoining an AR, R1, R2, R3, RP, MHP, or MHS **zoning district**, the height standards in §157.404(O) shall apply.

~~(5)~~(4) Lot Area and Width

All **development** shall comply with the applicable **lot area** and **lot width** standards for the **zoning district** in which they are located, as set forth in §157.206-211.

FORT WAYNE ZONING ORDINANCE

- (iii) Parking structures shall be exempt from maximum parking requirements.
- (iv) Parking garage openings may remain unenclosed for ventilation.
- (v) Parking structures not integrated within the footprint of a new building for a permitted primary use shall require a Special Use approval. In addition to stand-alone parking structures meeting the requirements set forth in §157.404(X), the Board shall evaluate the request based on the following standards and guidelines:
 - [A] The stand-alone parking structure shall either be screened by architectural features or be compatible with one or more structures surrounding to the parking structure.
 - [B] The parking structure shall meet all applicable primary structure setbacks and height standards based on the underlying zoning district.
 - [C] If the setback is greater than zero, Parking Structure Landscaping Zoning Ordinance Standards are required.
- (o) Site Lighting
 - (i) The use of spotlights, floodlights, and searchlights shall be prohibited except for short-term events of up to seven (7) days.
- (p) Townhouse **Dwellings and Townhouse** Complexes
 - (i) Townhouse units shall only be connected to other units on the sides of the unit (each unit shall have its own exterior front and rear **walls**).
 - (ii) No single **building** shall have more than ten (10) ground floor units.
 - (iii) Units shall not have garage doors facing public streets.
- (Y) Riverfront Overlay District

All development proposals shall also be subject to the applicable provisions of the Riverfront Overlay District as set forth in §157.410.

FORT WAYNE ZONING ORDINANCE

RO Secondary Frontage Ground Floor Permitted Uses (continued from previous page)		
Medical training	Physical therapy facility	Surgery center
Model unit	Picture framing facility	Swim club (indoor)
Mortgage service	Pilates instruction	Tailor
Movie rental	Planetarium	Tanning salon
Movie sales	Planner	Tattoo establishment
Multiple family complex ⁽¹⁾	Podiatrist	Tavern
Multiple family dwelling ⁽¹⁾	Public transportation facility	Tax consulting
Museum	Radio station	Taxi service
Music instruction	Real estate	Tea room
Music store	Reception hall	Telephone sales
Music studio	Recording studio	Telephone service
Musical instrument store	Rental store	Television station
Nail salon	Residential dwelling unit ⁽¹⁾	Tennis club (indoor)
Neighborhood facility	Restaurant	Theater (indoor)
Nursing home	Retirement facility	Title company
Nutrition service	Sandwich shop	Tobacco store
Office, professional	Savings and loan	Townhouse complex
Ophthalmologist	Sculpture studio	Toy store
Optician	Security service	Travel agency
Optometrist	Shoe repair shop	Treatment center
Package liquor store	Shoe store	Tutoring service
Paint store	Sign sales store	Universally permitted use ⁽²⁾
Painting studio	Skating rink	Variety store
Parking area (off-site) ⁽²⁾	Sleep disorder facility	Veterinary clinic
Parking structure ⁽³⁾	Social service agency	Watch sales
Pet store	Sporting goods sales	Website service
Pharmacy	Stadium	Wedding consultant
Photography studio	Stained glass studio	Weight loss service
Photography supply store	Stationery store	Window sales
Photography training	Stock and bond broker	Yoga instruction
Artisan Space		
3D printing	electronic components and accessories	silicone rolling
apparel fabrication and processing	glass blowing	soap making
aquaculture	haberdasher	taffy making/pulling
aquaponics	jewelry making studio	toy making
bakery	milliner	vinyl record making
clock repair shop	modiste	watchmaker
cobbler	pottery making studio	weaver
creamery (micro)	shoemaker	
Notes:		
(1) Above, to the rear of, or attached to a permitted nonresidential use		
(2) See universally permitted use definition for additional standards		
(3) If integrated within the footprint of a new building for a permitted primary use		

FORT WAYNE ZONING ORDINANCE

SPECIAL USES	
Special Use	District(s) Where Allowed
Sheet metal fabrication and/or processing	I1
Shooting range (indoor)	C2 and SC
Shooting range (outdoor)	C4
Sign (temporary subdivision direction)	AR, R1, R2, R3, RP, MHS, C1, C2, NC, SC, C3, C4, BTI, I1, I2 and I3
Single family dwelling (detached)	DE
Solar panel (ground mounted)	AR, R1, R2, R3, RP, MHS, C1, C2, NC, SC, C3, C4, DC, DE, UC, BTI, I1, I2 and I3
Solid waste transfer station ⁽²⁾	I2
Sorority house	DE and UC
Studio (transitional use)	R1, R2, R3, RP and MHS
Subdivision amenity	UC
Subdivision clubhouse, meeting hall, neighborhood center, or swim/tennis facility, if not previously approved as part of the subdivision	R1, R2, R3, RP and MHS
Tattoo establishment	C1
Tree service	C3 and C4
Two family dwelling (to allow conforming status for existing noneconforming uses)	AR, R1, and MHS
Utility facility, private (not otherwise permitted or exempt)	AR, R1, R2, R3, RP, MHS, C1, C2, NC, SC, C3, C4, DC, DE and UC
Wind energy conversion system (micro) ⁽¹⁾	AR, R1, R2, R3, RP, MHS, C1, C2, NC, SC, C3, C4, BTI, I1, I2 and I3
Wind energy conversion system (standard) ⁽¹⁾	AR, R1, R2, R3, RP, MHS, C1, C2, NC, SC, C3, C4, BTI, I1, I2 and I3
Notes: (1) See the individual zoning districts for possible additional use standards (2) See §157.503(D)(3) for additional use standards	

FORT WAYNE ZONING ORDINANCE

§ 157.506 DEFINITIONS

For the purpose of this ordinance, the following rules of usage and definitions shall apply:

(A) Rules of Usage

- (1) Words used in the present tense shall also include the future tense.
- (2) The singular shall include the plural; and the plural shall include the singular.
- (3) The word "shall" is mandatory; the words "may" or "should" are permissive.
- (4) The word "used" or "occupied" as applied to any land or **buildings** shall be construed to include the words "intended, arranged or designed to be used or occupied."

(B) Defined terms

The following terms shall have the following meaning, unless a contrary meaning is required by the context or specifically otherwise prescribed:

Access Ramp

A ramp or similar **structure** that provides wheelchair or similar access to a **building**.

Accessory Building

A **building detached** from a **primary building** or **structure** and customarily used with, and clearly incidental and subordinate to, the **primary building, structure, or use**, and ordinarily located on the same **lot** with that **primary building, structure, or use**.

Accessory Building, Zero Lot Line

A **building detached from, used with, clearly incidental and subordinate to a primary Zero Lot Line Single Family Dwelling building or Zero Lot Line Two Family Dwelling building. Must be located on the same lot with that primary Zero Lot Line Single Family Dwelling building or Zero Lot Line Two Family Dwelling building along one side lot line and attached to one similar unit.**

Accessory Dwelling Unit (ADU)

An additional **dwelling** unit with separate cooking, sleeping, and sanitation (bathroom) facilities. An **accessory dwelling unit** shall be subordinate to a primary residential **structure**. An ADU shall not be subdivided or otherwise separated in ownership from the primary residential structure. Where permitted, only one freestanding or integrated **accessory dwelling unit** shall be allowed per property. The ADU shall be less than 700 square feet of gross floor area, not including attached garage space if applicable. An integrated **accessory dwelling unit** shall include no separate entrance on the front-facing façade of the building. A freestanding accessory dwelling unit may be constructed as a new detached structure or created as part of the renovation of a detached accessory structure. An ADU shall not be constructed of portable storage containers, shipping containers, truck bodies, other abandoned vehicles, or portions of vehicles.

Accessory Living Quarters

Living quarters within an **accessory building** for the sole **use** of **persons** employed on the **lot**; such quarters having no kitchen facilities and not rented or otherwise used as a separate **dwelling**.

Accessory Structure (see Floodplain regulations - §157.412(B), Definitions)

Accessory Structure, Nonresidential

A **structure** or combination of **structures** that:

FORT WAYNE ZONING ORDINANCE

District

A part, zone, or geographic area within the **planning jurisdiction** of the **City** of Fort Wayne, within which certain zoning and/or **development** regulations apply. Also referred to as a “**zoning district**”.

Doctor Office

The private offices of physicians, dentists, or similar professionals, where **persons** are examined or treated on an outpatient basis only. **Laboratory** tests shall be permitted as an **accessory use**.

Domestic Farm Animal

Calves, cattle, emus, goats, horses, llamas, ostriches, poultry (including chickens and quail), sheep, and similar animals (pigeons shall not be considered to be **domestic farm animals**).

Dormitory

A **building** used as group living quarters for a student body or religious order as an **accessory use** for a college, university, boarding **school, convent**, monastery or other similar institutional **use**.

Double Frontage Lot

A **lot** having **frontage** on two separate parallel or approximately parallel dedicated **streets**. Also known as a “**through lot**”.

Downtown Design Manual

A document (the Fort Wayne **Downtown Design Manual**), adopted by the **Plan Commission**, to be used in the review of Development Plans and other **development** proposals in the DC and DE **zoning districts**, including the **Riverfront Overlay District**. If there is a conflict between the language in the **Downtown Design Manual** and the language in the **Zoning ordinance**, the ordinance language shall prevail.

Drive-Through Facility

Building or **structure** used to provide or dispense products or services, through an attendant, a **window** or an automated machine, to **persons** remaining in vehicles in a designated stacking aisle. A **drive-through facility** may be in combination with other **uses**, such as **banks, credit unions**, loan associations, automated teller machines (**ATM's**), dry cleaners, drug stores, pharmacies, **restaurants** or similar **uses**. A **drive-through facility** does not include a car wash, **automobile maintenance** facility (**quick service**), or **gas station**.

Driveway

An unobstructed paved or unpaved strip providing access to a vehicle **parking space**, loading space, or maneuvering facility.

Dry Cleaning Store

An establishment where laundry or dry cleaning is dropped off by customers or picked up by customers but not including any on-site cleaning or dry cleaning activities.

Dry Hydrant (see Floodplain regulations - §157.412(B), Definitions)

Duplex (see “Dwelling, Two Family”)

Dwelling

Any **building** that is wholly or partly used or intended to be used for a residence by human occupants, including but not limited to the **use** of living, sleeping, cooking, and eating.

FORT WAYNE ZONING ORDINANCE

Dwelling, Multiple Family

A **building** or portion of a **building** used for occupancy by three (3) or more **families** living independently of each other. For purposes of this ordinance, a **condominium structure** containing three (3) or more individual **dwelling** units shall be defined as a **multiple family dwelling** unit.

Dwelling, Single Family (Detached)

A **residential building** used for occupancy by one household, including **Type I manufactured homes**, which is not attached to any other **dwelling** unit through shared side or rear **walls**, floors or ceilings, or corner points. Temporary housing such as **bed and breakfasts**, **boarding houses**, **hotels**, **motels**, **nursing homes**, tents, and **recreational vehicles**, shall not be regarded as **single family dwellings**. The dwelling shall have a minimum of 700 square feet of gross floor area, not including attached garage space if applicable.

Dwelling, Single Family (Attached) (see “Dwelling, Zero Lot Line Single Family”)

~~A single residential building consisting of two single family dwellings on two individual lots, attached on a common lot line, intended for occupancy by one household per unit. Each dwelling unit may be attached to no more than one other dwelling unit.~~

Dwelling, Townhouse (see “Dwelling, Zero Lot Line Single Family”)

~~A single family dwelling unit with two (2) or more floors located on a separate lot or development site, with a private entrance and direct ground level access to the outdoors and a totally exposed front and rear wall to be used for access, light, and ventilation, and attached to one or more similar units. Townhouse dwellings are typically part of a structure whose dwelling units are attached in a linear arrangement with no other dwelling or use, or portion of another dwelling or use directly above or below the unit, and separated from adjoining unit(s) by a continuous wall.~~

Dwelling, Two Family

A detached residential **structure**, used for occupancy by two households living independently of each other, including but not limited to **structures** in which the two units are connected to allow assistance in daily living activities between the two households. Each **dwelling** shall have a minimum of 700 square feet of **gross floor area**, not including attached **garage** space if applicable.

Dwelling Unit, Residential

One or more rooms, designed, occupied, or intended for occupancy as separate living quarters, with cooking, sleeping, and sanitary facilities provided within the **dwelling** unit for the exclusive **use** of a single **family** maintaining a household.

Dwelling Unit, Efficiency

A **dwelling** unit consisting of not more than one habitable room together with a kitchen or kitchenette and sanitary facilities.

Dwelling, Zero Lot Line Single Family

A **single family detached dwelling** unit placed on the **lot or parcel** so that it is positioned along one or more side lot lines and attached to one or more similar units.

Dwelling, Zero Lot Line Two Family

A Two family dwelling unit placed on a lot or parcel so that it is positioned along one or more side lot lines and attached to one or more similar units.

FORT WAYNE ZONING ORDINANCE

Model Home

A Zero lot line single family (~~attached~~), single family (detached), zero lot line two family, or two family dwelling unit used for a temporary period of time for display purposes as an example of dwelling units available or to be available for sale or rental in an approved Major or Minor Subdivision or other residential development. Model homes may also include sales or rental offices.

Model Unit

A multiple family (apartment or condominium) dwelling unit used for a temporary period of time for display purposes as an example of dwelling units available or to be available for sale or rental in a multiple family dwelling or complex. Model units may also include sales or rental offices.

Modular Home (see “Manufactured Home, Type I”)

Monument

A permanent marker, used to identify the boundary lines of any lot, parcel, tract, street lines, or survey control points.

Mosque (see “Religious Institution”)

Motel

A building or series of buildings, typically one or two stories, in which sleeping accommodations are offered for compensation, and that is distinguished from a hotel primarily by providing independent exterior access to, and adjoining parking for, each rental unit.

Motor Vehicle

A boat/watercraft, bus, golf cart, lawn mower, lawn implements, truck, tractor, trailers, semi-trailer, recreational vehicle, or similar vehicle drawn or propelled by mechanical power, and farm implements whether self-propelled or designed to be pulled, pushed or carried by another motor vehicle or automobile.

Motor Vehicle, Inoperable

An automobile or motor vehicle which cannot be driven on a public street for reasons including, but not limited to, being abandoned, wrecked, in a state of disrepair, or otherwise incapable of moving under its own power.

Motor Vehicle Repair

A facility that provides general motor vehicle service, rebuilding or reconstruction of engines, transmissions, or other systems, steam cleaning, or minor painting or detailing services for motor vehicles. This definition shall not include any services provided under the definition of “automobile body shop”.

Motor Vehicle Storage Yard

A lot, tract, or development site used for the temporary, short-term (up to 90 days) outdoor storage of automobiles or motor vehicles not used for transportation purposes on an active, regular or continuing basis, whether or not the motor vehicle is titled, licensed, or operable, either as a primary use or accessory use. Junk and salvage yards shall not be included under this definition.

Mounting Height, Light

The mounting height of a light fixture shall be defined as the vertical distance between the adjacent grade and the top of the lighting fixture (luminaire).

FORT WAYNE ZONING ORDINANCE

Multiple Family Complex

A grouping of two (2) or more multiple **family structures**; also, a project with three or more single **family structures**, or two or more two **family structures**, on a single lot, parcel, or development site.

Multiple Family Complex, High Rise

A grouping of two (2) or more multiple **family structures** of five (5) or more stories.

Mural

A work of art, including a hand-painted, hand-tiled, or printed image on an exterior **wall** of a **building** that does not contain a message advertising a business conducted, service rendered, event scheduled, political issue, goods produced or sold, or other commercial message. A display or surface treatment that meets this definition is not a **sign**.

Museum

A facility open to the public, with or without charge, for the collection and display of paintings, sculpture, textiles, antiquities, other works of art, or similar items.

Name Plate

An accessory **sign** containing only the name of the occupant of a **dwelling** and an occupation permitted in that **zoning district**.

Natural Grade (see Floodplain regulations - §157.412(B), Definitions)

Nature Preserve

An area intended to remain in a predominantly natural or undeveloped state to provide resource protection and passive recreational opportunities.

Navigation Aids (NAVAID) (see Airport Overlay District definitions)

Navigable Airspace (see Airport Overlay District definitions)

Neighborhood Center

A facility operated by a recognized neighborhood association and typically includes administrative office activities for the association as well as low intensity community services. Activities shall not include commercial or **uses** that create land **use** conflicts within a residential neighborhood.

Neighborhood Facility

A facility intended to serve or accommodate the needs of a specific segment of a community or area. Neighborhood facilities shall include, but not be limited to, playgrounds, non-platted subdivision amenities, and similar **uses**.

New Construction (see Floodplain regulations - §157.412(B), Definitions)

New Manufactured Home Park or Subdivision (see Floodplain regulations - §157.412(B), Definitions)

Newspaper Publishing Facility

An enclosed facility for the printing and distribution of newspapers, newsletters, and other similar media that is printed on newsprint-type paper for sale and general circulation.

Nightclub

An establishment dispensing liquor and meals in which music, dancing, or entertainment is provided. Any establishment that meets the definition of **sexually oriented business** is not included under this definition.

FORT WAYNE ZONING ORDINANCE

Swimming Pool

Any constructed or portable **structure** designed or constructed to be filled with water and intended to be used for swimming or similar purposes, which is both over twenty-four (24) inches in depth and over two hundred fifty (250) square feet in size regardless of whether the **structure** currently contains water or is empty.

Synagogue (see “Religious Institution”)

Tavern (see “Bar”)

Television Station

A **building** or portion of a **building** used as a place to stage, record and broadcast music, videos, television, and other related media.

Temple (see “Religious Institution”)

Temporary structure (Public Freshwater Lakes only) (see Floodplain regulations - §157.412(B), Definitions)

Tennis Court

An indoor or outdoor facility designed with courts specifically for the recreational **use** of tennis, squash, handball and/or other similar court games.

Theater

A facility with fixed seats for the viewing of movies or live presentations of musicians or other performing artists.

Tire Sales

An establishment engaged in selling **automobile**, truck, bus, and other tires for **motor vehicles**. **Accessory uses** may include the sales of other automotive accessories and the mounting, balancing, and repair of tires.

Top Roof Line

The principal top edge of the roof of a **building**.

Townhouse Complex (see “Multiple Family Complex”)

~~A grouping of at least two (2) freestanding townhouse structures.~~

~~Townhouse Structure~~

~~A structure containing three (3) or more townhouse dwelling units.~~

Tract

An area, **parcel**, site, piece of land, or property.

Trail, Multi-use

A trail or path, either within a public **right-of-way** or an **easement** on private property, which is physically separated from vehicular traffic by an open space or barrier.

Transition

For purposes of **sign** regulation, a visual effect used on a **changeable copy sign** to change from one message to another.

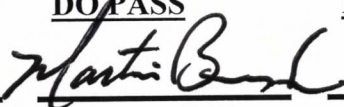
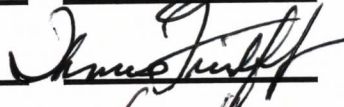
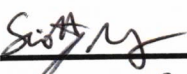
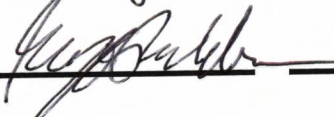
BILL NO. G-25-07-22

REPORT OF COMMITTEE ON REGULATIONS
September 9, 2025

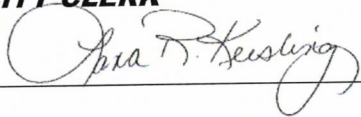
Thomas Freistroffer Chair
Michelle Chambers Co-Chair
All Council Members

An Ordinance amending Chapter 157 of the City of Fort Wayne Municipal Code

COMMITTEE ON REGULATIONS HAVE HAD SAID Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance

<u>COUNCIL MEMBER</u>	<u>DO PASS</u>	<u>DO NOT PASS</u>	<u>ABSTAIN</u>
BENDER			
BOOKER			
CHAMBERS			
ENSLEY			
FREISTROFFER			
HARTMAN			
JEHL			
MYERS			
PADDOCK			

LANA R. KEESLING
CITY CLERK



Public Hearing Date: N/A

Read the first time in full and on motion by Councilperson Freistroffer.

Read the second time by title and referred to the Regulations Committee.

Read the third time in full and on motion by Councilperson Freistroffer, placed on passage by the following vote:

<u>TOTAL VOTES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
BENDER	☒	☐	☐	☐
BOOKER	☒	☐	☐	☐
CHAMBERS	☒	☐	☐	☐
ENSLEY	☒	☐	☐	☐
FREISTROFFER	☒	☐	☐	☐
HARTMAN	☒	☐	☐	☐
JEHL	☐	☐	☒	☐
MYERS	☒	☐	☐	☐
PADDOCK	☒	☐	☐	☐

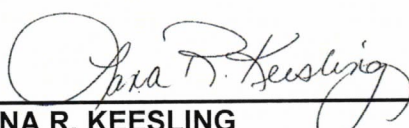
DATED: September 9, 2025

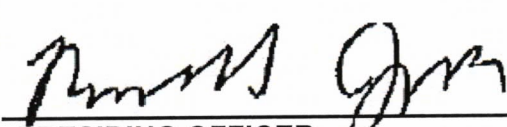

LANA R. KEESLING, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

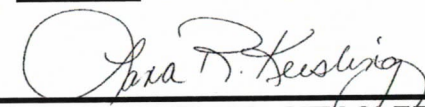
General Ordinance No. G-25-07-22 on the 9th day of September, 2025

ATTEST:

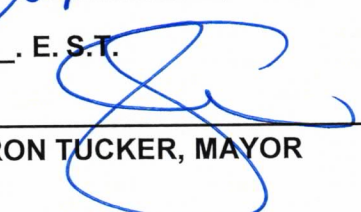

LANA R. KEESLING
CITY CLERK


PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th
of September 2025, at the hour of 9:45 o'clock A.M. E.S.T.


LANA R. KEESLING, CITY CLERK

Approved and signed by me this 10th day of September 2025, at the
hour of 4:13 o'clock p.m. E. S.T.


SHARON TUCKER, MAYOR

