#ZORD-2025-0015

BILL NO. G-26-01-07

ORDINANCE NO. G-3-26

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, Section 157.200 (Zoning Districts); Section 157.400 (Additional General Standards); Section 157.500 (Administration) are hereby amended as follows.

Amendment PU1 - § 157.203 (B) through §157.211

It is unclear what common areas can be used for;
To make it clear what common areas are used for, permitted uses language has been updated to "Common areas used for a clubhouse, neighborhood center, swimming pool, tennis court, indoor recreation or similar assembly" in AR RI, R2, R3, MHS, MHP

Amendment SU3 - § 157.203

Recreation Hall is not a defined term in the ordinance;
Removed recreation hall and updated special use to "Reception hall, meeting hall or clubhouse" in AR

Amendment SU6 - § 157.203 (C) through § 157.224

Recreation terms need updated to align with new terms;
Replaced "Recreation area" with new term "Recreation, outdoor" and replaced "Recreation facility" with new term "Recreation, indoor

Amendment SU7 § 157.206 (C) through § 157.212
The term "Recreation Uses, Outdoor" has been removed;
Removed "Recreation use, outdoor (athletic field, riding stable, swim club, tennis court)" in RI, R2, R3, RP, MHS, CI and listed athletic field, swim club, tennis court individually as special uses.

Amendment DS1 - § 157.206(E) through § 157.211

There was a question about whether the square footage requirement applies to structures or buildings in residential districts.R2;
Updated language for Accessory Structures Building size requirement in RI, R2, R3, RP, MHS and MHP to: "Total detached accessory building square footage shall be less than the square footage of the primary building"

Amendment SU8 - § 157.207 (C) through § 157.210

Recreation use, outdoor has been replaced with Recreation, outdoor which does not include Riding Stable as part of the definition;
Listed Riding Stable, Residential in districts RI, R2, R3, RP, MHS where it had previously been part of "Recreation use, outdoor"

Amendment SU9 - § 157.206 (C) through § 157.210

It is not clear what public park/recreation area means in regard to Wind Energy Conversion system standard;
Removed /recreation area from Wind energy conversion system standard in RI, R2, R3, RP, MHS. Public Park points to the definition of "Park or Recreation Area, Public"

Amendment SU10 - § 157.212 (C) through § 157.219

Manufactured Home Type II should not be a Special Use in Commercial Districts;
Removed MH Type II as a Special Use in CI, C2, NC, SC, C3, C4 and DE

Amendment PU2- § 157.213 (B) through § 157.224

Banquet hall is not a defined term and is listed in the same districts as Reception Hall which is defined;
Removed Banquet Hall from C2,NC, SC, C3, C4, DC, DE, UC, I1, 12,13 permitted use tables.

Amendment PU3- § 157.213 through § 157.410

Movie Rental is an outdated use;
Removed movie rental from permitted uses table throughout the ordinance.

Amendment PU4 § 157.213 (B) through § 157.506

Tavern definition points to Bar definition;
Removed Tavern from permitted uses tables and throughout ordinance.

Amendment PU5 § 157.215 (C) through § 157.224

There is an issue with footnote "No gas station canopy shall be located between the primary building and a residential district" in SC, C3, C4 and 13;
Revised footnote to say, "A gas station canopy shall meet primary building setbacks. "

Amendment PU6 § 157.216 through § 157.224

Recreation terms need updated to align with new terms in the permitted uses tables;
Replaced "Recreation area" with "Recreation, outdoor" and replaced "Recreation facility" with "Recreation, indoor" in C3, C4,I1, I3

Amendment PU7 § 157.216 (B) through § 157.224

"Recreation uses" is not a defined term;
Removed term "recreation uses" from permitted uses table in C3, C4, I1, I2, 13

Amendment PU8 § 157.215 (B) through § 157.410

Entertainment facility definition has been updated to include both indoor and outdoor use;
Removed (including outdoor) from "Entertainment facility" in SC, DC, DE and RO districts permitted use tables.

Amendment PU9 § 157.216 (B) through § 157.224

"Golf Driving Range" is included in the definition of "Recreation, Outdoor";
Removed "Golf Driving Range" from Permitted Uses table in C3, C4, I2 (FW only) and 13.

Amendment PU10 § 157.216 (B) through § 157.224
There is confusion on what type of riding stables are permitted in some commercial districts;
Added "nonresidential" to "Riding Stable" in C3, C4, DC, DE, UC, I2 , 13

Amendment SU10 § 157.216 (C) through § 157.217
Term "Recreation uses, Outdoor" has
been removed;
Replaced "Recreation use, outdoor (amusement park go cart facility... if adjacent to residential" with **"Recreation, outdoor** (if adjacent to a residential district)" and listed amusement park, go-kart facility, stadium/race track, and water park (if adjacent to a residential district) separately as special uses in C3 and C4

Amendment SU11 § 157.212 (B)
Riding stables should not be a Special
Use in CI; Removed Riding stable as a special use by removing "Recreation use"

Amendment SU12 § 157.218 (C)(7)
There is an issue with the special use, "Homeless shelter (accessory to a religious institution)" in the DC district;
Removed "accessory to a religious institution" from "Homeless shelter" special use.

Amendment PU11 § 157.223 (B) through § 157.224
Previous determinations put ammunition assembly or manufacturing it within I2 and or I3;
Added "ammunition" under I2 and 13 as permitted use table under "Assembly facility for/manufacturing of"

Amendment PU12 § 157.216 (B) through § 157.224

To be consistent with how other sales/repair uses are permitted in the ordinance, gun repair should align with where gun sales are permitted; Added "Gun repair" as a permitted use in districts where "Gun Sales" are already permitted; C3, C4, 12, 13

Amendment DS2 § 157.220 (E) (1)

UC Height should revert back to 60-
Feet; Changed height standard for primary and accessory building or structure from 80' to 60'.

Amendment DDS1 § 157.404 (O)(1)(b)

The Residential Impact Mitigation Exception standards don't apply to UC;
Removed UC from Residential Impact Mitigation standards exception.

Amendment DDS2 § 157.404(U)(6)(b)(ii)

There is confusion about when stub streets are required for future access in major subdivisions;
Updated standard to: (ii) Provide stub streets to allow at least one future access to adjoining vacant parcels of land ~~per~~ after 50 lots ~~(or part thereof)~~ in the proposed Major Subdivision…"

Amendment PARK1 § 157.407

New recreation terms need to be added to parking requirements;
Updated Minimum Off-Street Parking Requirements table to reflect changes to recreation terms: Replaced "Recreation/tourism" with **Recreation, indoor** and replaced "Recreation, general" with **Recreation, outdoor**

Amendment LAND1 § 157.408 (e)

There are no landscaping standards for Gas Station Canopies;
Added "**Gas Station Canopy**" to Code A-5 landscaping standards and updated standard to say, "Continuous 6′ high **solid fence**, on the property line may be immediately around the eating/drinking smoking area. (1)

Amendment AO1 § 157.411 (I)

New recreation terms have been added to the ordinance; Updated recreation terms in AO district Special Use Table

Amendment PRO1 § 157.503 (B)(b)

There is confusion about if an ILP can be issued when construction encroaches on a front build line; Removed, "unless the applicant documents that the restrictive covenants for the subdivision allow such an encroachment. This prohibition shall also apply to all non-allowed construction that does not require an Improvement Location Permit."

Amendment PRO2 § 157.503 (D)(1)

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

Amendment PRO4 § 157.503 (2)(d)

Recreation terms with additional Criteria for Approval of Special Use need to be updated;
Removed "Recreation facility or use (not otherwise permitted)" and replaced with new rec terms: (iii)Recreation, indoor (iv) Recreation, outdoor

Amendment DEF1 § 157.506 (B)

"Abut" is used several times in the ordinance when "adjacent" is not appropriate;
Added new term and definition; "Abut: Lots or parcels that have a common lot line with each other. Lots or parcels that have a common lot line with streets, alleys, and rights-of-way."

Amendment DEF2 § 157.506 (B)

Meals should be included as part of
"Bed and Breakfast"; Replaced "with or without" with "and" in the definition of Bed and Breakfast.

Amendment DEF3 § 157.506 (B)

The definition of canopy should not include gas station canopies;
Added, "A gas station canopy is not included in this definition (see "Gas Station")" to the definition of Canopy.

Amendment DEF4 § 157.506 (B)

A definition for Enclosed Area (Enclosure) is only found in the Floodplain Section of the ordinance;
Added a Definition of Enclosed Area (Enclosure) to the overall ordinance. "Enclosed Area (Enclosure): A structure that has two or more exterior walls."

Amendment DEF5 § 157.506 (B)
Including "indoor or outdoor" in the definition limits the facility to being one or the other; Removed

"indoor or outdoor" from

Entertainment Facility definition

Amendment DEF6 § 157.506 (B)

A "gas station canopy" should be included in the definition of Gas Station;
Added, "A gas station canopy is included in this definition" to the definition of Gas Station.

Amendment DEF7 § 157.506 (B)

The use of the term "recreational facility" in the definition of miniature golf course causes confusion; Removed "recreational facility" and replaced with from "area or facility".

Amendment DEF8 § 157.506 (B)

"Recreational facilities" is not defined and does not need to be included in the definition of; Removed "recreational facilities" from Hotel definition.

Amendment DEF9 § 157.506 (B)

Park or Recreation Area (Private) is only found in the Definitions section of the Zoning Ordinance; Removed Park or Recreation Area (Private) definition.

Amendment DEF10 § 157.506 (B)

Recreation Area has been replaced with Recreation, Outdoor; Removed Recreation Area. These uses are now addressed under Recreation, outdoor. Added new term and definition; "Recreation, outdoor: A private outdoor establishment that is maintained or operated for the amusement, patronage, or recreation of the general public, members, or paying customers. Structures are typically required by or are part of the use. Recreation areas shall include athletic fields, boating, campgrounds, canoeing , golf driving range, fishing, golf courses, non-motorized trail riding,_swimming pools, swimming beaches, outdoor games and sports, volleyball or tennis courts, zip lining and similar uses. This use shall not include public parks."

Amendment DEF11 § 157.506 (B)

Recreation Facility has been replaced with Recreation, indoor; Removed "Recreation Facility". These uses are now addressed under Recreation, indoor. Added new term and definition; "Recreation, indoor: A private indoor establishment that is maintained or operated for the amusement, patronage, or recreation of the general public, members, or paying customers, including axe throwing, bowling alleys, ping pong, rock climbing, skating rinks, swimming pools, tennis clubs, trampoline parks and other similar use. This use shall not include public parks."

Amendment DEF12 § 157.506 (B)

Recreation, General is only found in the definition section and minimum parking requirements table;
Removed "Recreation, General" definition from ordinance. These uses are addressed under other terms.

Amendment DEF13 § 157.506 (B)

Recreation/Tourism, Limited is only found in the definition section and minimum parking requirements table;
Removed "Recreation/Tourism, Limited" definition from ordinance. These uses are addressed under new term "Recreation, indoor"

Amendment DEF14 § 157.506 (B)

Recreation Uses, Outdoor has been replaced with Recreation, outdoor;
Removed, "Recreation Uses, Outdoor: Outdoor recreation uses may include athletic fields, riding stables, swimming pools, tennis courts, and similar uses." These uses are addressed in new Recreation, outdoor definition

Amendment DEF15 § 157.506 (B)

The use of the defined term "common areas" in the definition of Retirement Facility is confusing;
Added the word "living" between common and areas.

Amendment DEF16 § 157.506 (B)

"Riding Stable, Nonresidential" and "Riding Stable, Private" do not need separate definitions;
Removed "Riding Stable, Private" definition and added *"as part of a private club or"* to "Riding Stable, Nonresidential"

Amendment DEF17 § 157.506 (B)

Use of the term "park or recreation area" in the definition of Universally Permitted use is confusing;
Replaced "park or recreation area (public county, municipal, state, or township)" with the term **"public park", which points to** the definition of "park of recreation area, public" in the ordinance.

SECTION 2. That this Ordinance, after its passage and approval by the Mayor, shall be in full force and effect starting on March 1, 2026.

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-2025-0015
Bill Number:	G-26-01-07
Council District:	All

Introduction Date:	January 13, 2026
Plan Commission Public Hearing Date:	January 12, 2026 (not heard by Council)
Next Council Action:	Ordinance will return to Council after recommendation by the Plan Commission

Synopsis of Ordinance:	A proposal to amend the Fort Wayne Zoning Ordinance (Chapter 157)
Location:	Fort Wayne Planning Jurisdiction
Applicant:	Department of Planning Services

Related Petitions:	N/A

Effect of Passage:	This set of amendments is proposed to: 1)Clarify language that is not clear based on the use of the ordinances so far; 2)Address issues that have come up since the effective date of the last technical amendment March 26, 2025;
Effect of Non-Passage:	The City of Fort Wayne will not address the issues identified with regard to the zoning ordinance.

Department of Planning Services

Memo

To: Fort Wayne Plan Commission

From: Laura Oberholtzer, Principal Land Use Planner – Special Projects Division

Date: 11/7/2025

Subject: Technical Amendment Initiation

The Department of Planning Services is requesting the Fort Wayne Plan Commission to initiate a set of technical amendments for the Fort Wayne Zoning Ordinance. These proposed technical amendments for the Fort Wayne Zoning Ordinance are to clarify language and address issues that have come up since the effective date of the last technical amendment, March 1, 2025.

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

Same change made in MHP

§ 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**, **indoor** or other similar assembly ~~**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);

(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).

(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 building**, as a **primary building**, on a site of at least five (5) acres;

(2) **Airstrip/heliport** (corporate or multiple **owner use**);

(3) **Accessory dwelling unit** (freestanding);

(4) Bed and breakfast;

(5) Boarding house;

(6) Class II child care home;

(7) Community garden that includes a structure;

(8) **Container home** (see §157.503(D)(3)(h) for additional standards);

(9) Country club;

(10) **Educational institution** (not otherwise permitted);

(11) **Educational institution**-associated facilities, **uses**, and areas (on non-contiguous properties);

(12) Funeral home;

(13) Group residential facility (large);

(14) **Home business** (see §157.503(D)(3)(b) for additional standards);

(15) **Home enterprise** (see §157.503(D)(3)(c) for additional standards);

(16) **Home workshop** (see §157.503(D)(3)(d) for additional standards);

(17) **Homeless shelter** (accessory to a **religious institution**, for up to eight (8) individuals);

(18) **Manufactured home, Type II** (see §157.503(D)(3)(e) for additional standards);

(19) **Model home** (for an extension of time or expansion of scope);

(20) Nature preserve (that includes a structure or parking area);

(21) Neighborhood facility;

(22) **Nonconforming use** (expansion of existing **nonconforming use**, or allow conforming status to existing **use**, excluding **gas station uses**);

(23) **Reception hall**, **meeting hall**, or ~~**recreation hall;**~~ **clubhouse**;

~~(24) Recreation area;~~ **Recreation, outdoor**;

~~(25) Recreation facility;~~ **Recreation, indoor**;

~~(26)~~(24) Religious institution or non-public school illuminated athletic field(s);

~~(27)~~(25) Residential facility for a court-ordered re-entry program;

~~(28)~~(26) Residential facility for homeless individuals (for up to eight (8) individuals);

~~(29)~~(27) **Riding stable, nonresidential** (on a **lot** with no **residential building**; the stable shall be located on a **tract** of at least five (5) acres);

~~(30)~~(28) **Sign** (temporary **subdivision** direction);

~~(31)~~(29) Solar panel (ground-mounted);

§ 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~~ **indoor recreation or other similar assembly** ~~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.

(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);

~~(2)~~(3) **Athletic field;**

~~(3)~~(4) Bed and breakfast;

~~(4)~~(5) Boarding house;

~~(5)~~(6) Class II child care home;

~~(6)~~(7) **Club, private** (**transitional use**);

~~(7)~~(8) Community facility not otherwise permitted (**transitional use**);

~~(8)~~(9) Community garden that includes a structure;

~~(9)~~(10) **Container home** (see §157.503(D)(3)(h) for additional standards);

~~(10)~~(11) Country club;

~~(11)~~(12) **Educational institution** (not otherwise permitted);

~~(12)~~(13) **Educational institution**-associated facilities, **uses**, and areas (on non-contiguous properties);

~~(13)~~(14) Emergency response facility (**transitional use**);

~~(14)~~(15) Funeral home;

~~(15) Golf course;~~

(16) Group residential facility (large);

(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)~~(31) Religious institution or non-public school illuminated athletic field(s);

~~(33)~~(32) Residential facility for a court-ordered re-entry program;

(33) **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);

(34) **Riding stable, residential;**

(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) Swim **club**;

~~(38)~~(40) Tennis **club**;

~~(39)~~(41) **Two family dwelling** (to allow conforming status for existing **nonconforming uses**);

~~(40)~~(42) **Utility facility, private** (not otherwise permitted or exempt);

~~(41)~~(43) **Wind energy conversion system, micro** (for single family detached dwellings on unplatted land); and

(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 **detached accessory building** square footage shall be less than the square footage of 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**)	6,000
Public sewer (**corner lot**)	8,500
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**)	50′ (25′ at front lot line)
Public sewer (**corner lot**)	70′
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)

~~(41)~~(44) **Wind energy conversion system, micro** (for single family detached dwellings on unplatted land only); and

~~(42)~~(45) **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).

(C) Special Uses

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

(1) Animal service, indoor;

~~(1)~~(2) **Athletic field;**

~~(2)~~(3) Automatic teller machine (ATM) (stand-alone);

~~(3)~~(4) Club, private;

~~(4)~~(5) **Commercial communication tower** (see §157.503(D)(3)(a) for additional standards);

~~(5)~~(6) Community garden that includes a structure;

~~(6)~~(7) **Educational institution**-associated **uses** (on non-contiguous properties, not otherwise permitted);

~~(7)~~(8) Group residential facility (large) (if adjacent to a residential district);

~~(8)~~(9) **Home business** (in an existing **single family detached dwelling** only; see §157.503(D)(3)(b) for additional standards);

~~(9)~~(10) Homeless shelter (if adjacent to a residential district, or accessory to a religious institution);

~~(10) **Manufactured home, Type II** (see §157.503(D)(3)(e) for additional standards);~~

(11) **Nonconforming use** (expansion of existing **nonconforming use**, or allow conforming status to existing **use**, excluding **gas station uses**);

(12) **Parking area** (as a **primary use**, a **special use** shall not be required for a universally permitted **off-site parking area**;

~~(13) Recreation use, outdoor (athletic field, riding stable, swim club, tennis club);~~

~~(14)~~(13) Religious institution or non-public school illuminated athletic field(s);

~~(15)~~(14) Residential facility for a court-ordered re-entry program;

~~(16)~~(15) Residential facility for homeless individuals (for up to eight (8) individuals, if adjacent to a residential district);

~~(17)~~(16) Retail: **art gallery**, **bakery** goods, **coffee shop**, candy store, delicatessen, florist, ice cream store, jewelry sales, medical supply sales, musical instrument store, sandwich **shop**, tea room (this **special use** shall only be permitted to allow for the conversion of an existing **building**; allowed up to 2,500 square feet; **drive-through facilities** shall not be permitted as part of this **special use**);

~~(18)~~(17) **Sign** (temporary **subdivision** direction);

(18) **Solar panel (ground mounted)**;

(19) Swim **club;**

~~(19)~~(20) Tennis **club;**

~~(20)~~(21) Tattoo establishment;

~~(21)~~(22) **Utility facility, private** (not otherwise permitted or exempt);

~~(22)~~(23) **Wind energy conversion system, standard** (or more than one (1) micro system); and

§ 157.213 C2 LIMITED COMMERCIAL

(A) Purpose

The Limited Commercial **district** is intended to provide areas for moderate intensity business, community, office, **personal service**, and **limited retail uses**, along with certain residential facilities. Neighborhood-oriented **uses** are encouraged.

(B) Permitted **Uses**

The following **uses** are permitted as a matter of right in a C2 **district**. Unless otherwise noted or defined, all **primary uses** shall be conducted indoors. In C2 **districts**, **outdoor display** shall be permitted within ten (10) feet of the **primary structure** on the front or **street** side(s); or beneath a **gas station canopy**. **Outdoor storage** shall: be located behind the **primary structure**, or on the internal side of a **corner lot**; meet **primary building setback** standards; and be located on a paved or permitted gravel surface.

C2 LIMITED COMMERCIAL SPECIFIC PERMITTED USES	
Accessory building/structure/use	**Automobile sales** (indoor)
Accountant	Bait sales
Adoption service	**Bakery** goods
Adult care center	**Bank**
Advertising	Bankruptcy service
Air conditioning sales	~~Banquet hall~~
Alteration service	**Bar**
Animal grooming (indoor)	**Barber shop**
Animal hospital (indoor)	**Barber/beauty school**
Animal kennel (indoor)	**Beauty shop**
Animal obedience **school** (indoor)	**Bed and breakfast**
Answering service	Bicycle sales and repair **shop**
Antique shop	Billiard or pool hall
Apparel and accessory store	Bingo establishment
Appliance store	Blood bank
Appraiser	Blood or plasma donor facility
Arcade	Boarding house
Architect	Book store
Art gallery	Bookkeeping service
Art **instruction**	Bowling alley
Art studio	**Brewery (micro)**
Art supply store	Broadcast studio
Assisted living facility	Broker
Attorney	Business **training**
Auction service	**Campus housing (off-site)**
Audiologist	Candy store
Audio-visual **studio**	Catalog showroom
Automatic teller machine	Caterer
Automobile accessory store (indoor)	**Child care center**
Automobile rental (indoor)	**Child care home (class I** or **II)**

C2 LIMITED COMMERCIAL SPECIFIC PERMITTED USES	
Interior decorating store	**Parking structure**
Interior design service	**Pet store**
Internet service	Pharmacy
Investment service	Photography studio
Jewelry sales	Photography supply store
Laboratory	Photography training
Land surveyor	Physical therapy facility
Laundromat	Picture framing facility
Leather goods store	Pilates instruction
Legal service	Planetarium
Live-work unit	Planner
Loan office	Podiatrist
Luggage store	Pottery sales
Marketing agency	Public transportation facility
Martial arts **training**	**Radio station**
Massage therapy	Real estate
Meat/fish market	Reception hall
Medical supply sales	Recording studio
Medical **training**	**Recreation, indoor ~~facility~~** [1]
Model unit	**Rental store**
Mortgage service	**Residential dwelling unit** [3]
Motel	**Residential facility for homeless individuals** (up to 8) [1]
~~Movie rental~~	**Restaurant**, including **drive-through**
Movie sales	**Retirement facility**
Multiple family complex [4]	Sandwich shop
Multiple family dwelling [4]	**Savings and loan**
Museum	Sculpture studio
Music **instruction**	Security service
Music store	Shoe repair **shop**
Music **studio**	Shoe store
Musical instrument store	**Sign sales store**
Nail salon	Skating rink
Neighborhood facility	Sleep disorder facility
Nursing home	Social service agency
Nutrition service	**Sorority house**
Office, professional	Sporting goods sales
Ophthalmologist	Stained glass **studio**
Optician	Stationery store
Optometrist	Stock and **bond** broker
Package liquor store	Surgery center
Paint store	Swim **club**
Painting studio	**Swimming pool** sales
Parking area [1]	Tailor
Parking area (off-site) [2]	Tanning salon

(C) Special Uses

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

(1) Automobile maintenance (quick service);

(2) **Commercial communication tower** (see §157.503(D)(3)(a) for additional standards);

(3) **Educational institution**-associated **uses** (on non-contiguous properties, not otherwise permitted);

(4) **Gas station** (except when a **gas station** site is **adjacent** to a **residential district**, or is on a **street** that is directly opposite from a **residential district**);

The **Board** may consider the **gas station** size, **building/canopy** orientation, general **design standards**, and specific **primary building** orientation design requirements set forth for **gas stations** in §157.219(C)(7) (Downtown Edge **district**);

(5) **Greenhouse** (retail);

(6) Group residential facility (large) (if adjacent to a residential district);

(7) **Home business** (in an existing **single family detached dwelling** only; see §157.503(D)(3)(b) for additional standards);

(8) Homeless shelter (if adjacent to a residential district, or accessory to a religious institution);

~~(9) **Manufactured home, Type II** (see §157.503(D)(3)(e) for additional standards);~~

~~(10)~~(9) **Nonconforming use** (expansion of existing **nonconforming use**, or allow conforming status to existing **use**, excluding **gas station uses**);

~~(11)~~(10) Outdoor **use** (in conjunction with a permitted **primary use**);

~~(12)~~(11) Parking area (as a primary use, if adjacent to a residential district); a special use shall not be required for a universally permitted off-site parking area;

(12) Plant nursery;

(13) **Recreation, indoor** (if **adjacent** to a residential district);

~~(13)~~(14) **Recreation, outdoor**;

~~(14) Recreation area (including accessory recreation areas);~~

~~(15) Recreation facility (if adjacent to a residential district);~~

~~(16)~~(15) Religious institution or non-public school illuminated athletic field(s);

~~(17)~~(16) Residential facility for a court-ordered re-entry program;

~~(18)~~(17) Residential facility for homeless individuals (for up to eight (8) individuals, if adjacent to a residential district);

~~(19)~~(18) Shooting range (indoor);

~~(20)~~(19) **Sign** (temporary **subdivision** direction);

~~(21)~~(20) **Solar panel (ground mounted)**;

~~(22)~~(21) **Utility facility, private** (not otherwise permitted or exempt);

~~(23)~~(22) **Wind energy conversion system, standard** (or more than one (1) micro system); and

Same changes made in SC

NC NEIGHBORHOOD CENTER SPECIFIC PERMITTED USES	
Interior decorating store	Physical therapy facility
Interior design service	Picture framing facility
Internet service	Pilates instruction
Investment service	Planetarium
Jewelry sales	Planner
Laboratory	Podiatrist
Land surveyor	Pottery sales
Laundromat	Public transportation facility
Leather goods store	**Radio station**
Legal service	Real estate
Live-work unit	Reception hall
Loan office	Recording studio
Luggage store	**Recreation, indoor ~~facility~~** [1]
Marketing agency	**Rental store**
Martial arts **training**	**Residential dwelling unit** [3]
Massage therapy	**Residential facility for homeless individuals** (up to 8) [1]
Meat/fish market	**Restaurant**, including **drive-through**
Medical supply sales	**Retirement facility**
Medical **training**	Sandwich shop
Model unit	**Savings and loan**
Mortgage service	Sculpture studio
Motel	Security service
~~Movie rental~~	Shoe repair **shop**
Movie sales	Shoe store
Multiple family complex [4]	**Sign sales store**
Multiple family dwelling [4]	Skating rink
Museum	Sleep disorder facility
Music **instruction**	Social service agency
Music store	**Sorority house**
Music **studio**	Sporting goods sales
Musical instrument store	Stained glass **studio**
Nail salon	Stationery store
Neighborhood facility	Stock and **bond** broker
Nursing home	Surgery center
Nutrition service	Swim **club**
Office, professional	**Swimming pool** sales
Ophthalmologist	Tailor
Optician	Tanning salon
Optometrist	Tattoo establishment
Package liquor store	~~**Tavern**~~
Paint store	Tax consulting
Painting studio	Taxi service
Parking area [1]	Tea room
Parking area (off-site) [2]	Telephone sales
Parking structure	Telephone service
Pet store	**Television station**
Pharmacy	Tennis **club**
Photography studio	**Theater**
Photography supply store	**Tire sales**
Photography **training**	Title company

SC SHOPPING CENTER SPECIFIC PERMITTED USES	
Bookkeeping service	Dialysis center
Bowling alley	Diaper service facility
Brewery (micro)	Dinner **theater**
Broadcast studio	**Distillery (micro)**
Broker	Doctor
Business **training**	**Dormitory**
Campus housing (off-site)	Driving **instruction**
Candy store	Drug store
Catalog showroom	**Dry cleaning store**
Caterer	**Educational institution**
Child care center	Embroidery
Child care home (**class I** or **II**)	**Employment agency**
Chiropractor	**Engineer**
Clinic	**Entertainment facility** ~~(including outdoor)~~
Clock sales	Fabric **shop**
Clothing alterations	**Farmers market** (including outdoor sales)
Clothing rental	Finance agency
Clothing store	**Financial planning service**
Club, private	Fireworks sales (indoor)
Coffee shop	Fitness center
Coin **shop**	Flea market (indoor)
Collection agency	Floor covering store
Community garden (including outdoor)	Florist
Computer sales and service	Foundation office
Computer software store	**Fraternity house**
Computer **training**	Fruit/vegetable store (indoor)
Consignment **shop**	**Funeral home**
Consulting service	**Furniture store**
Consumer electronics sales	Furrier
Consumer electronics service	Game rental
Convenience store	Game sales
Copy service	**Gas station** (1)
Correctional services facility	Gift **shop**
Cosmetic store	Glass cutting/glazing **shop**
Costume rental	Graphic design service
Counseling service	**Grocery store or supermarket**
Craft **instruction**	**Group residential facility (large)** (2)
Craft **studio**	**Group residential facility (small)**
Craft supply store	Gymnastics **instruction**
Credit service	Hardware store
Credit union	Haunted house
Customer service facility	**Health club**
Dance **instruction**	Heating sales
Data processing facility	Hobby **shop**
Data storage facility	Home improvement business
Day care	Home improvement store
Day spa	Home repair
Delicatessen	**Homeless shelter** (2)
Dentist	**Hospice care center**
Department store	**Hospital**
Diagnostic center	Hot tub sales

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~~ A **gas station canopy** shall meet **primary building setbacks** ~~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**

Same changes made in C4

C3 GENERAL COMMERCIAL SPECIFIC PERMITTED USES	
Greenhouse (retail)	~~Movie rental~~
Grocery store or supermarket	Movie sales
Group residential facility (large) (1)	**Multiple family complex** (3)
Group residential facility (small)	**Multiple family dwelling** (3)
Gun repair	
Gun sales	**Museum**
Gymnastics **instruction**	Music **instruction**
Hardware store	Music store
Haunted house	Music **studio**
Health club	Musical instrument store
Heating sales	Nail salon
Heating service	**Neighborhood facility**
Hobby **shop**	**Nursing home**
Home improvement business	Nutrition service
Home improvement store	**Office, professional**
Home repair	Ophthalmologist
Homeless shelter (1)	Optician
Hospice care center	Optometrist
Hospital	Package liquor store
Hot tub sales	Paint store
Hotel	Painting studio
Household appliance store	**Parking area** (1)
Ice cream store	**Parking area (off-site)** (4)
Insurance agency	**Parking structure**
Interior decorating store	**Pawn shop**
Interior design service	Pest control
Internet service	**Pet store**
Investment service	Pharmacy
Jewelry sales	Photography studio
Laboratory	Photography supply store
Land surveyor	Photography **training**
Landscape contracting service	Physical therapy facility
Laundromat	Picture framing facility
Leather goods store	Pilates instruction
Legal service	Planetarium
Live-work unit	Planner
Loan office	**Plant nursery**
Luggage store	Plumbing sales
Manufactured home sales	Plumbing service
Marketing agency	Podiatrist
Martial arts **training**	Pottery sales
Massage therapy	Propane sales
Meat/fish market	Public transportation facility
Medical supply sales	**Radio station**
Medical **training**	Real estate
Model unit	Reception hall
Mortgage service	Recording studio
Motel	~~Recreation area~~ **Recreation, outdoor** (1)
Motor vehicle auction	~~Recreation facility~~ **Recreation, indoor**
Motor vehicle rental	~~Recreation uses~~
Motor vehicle repair	**Rental store**
Motor vehicle sales	**Residential dwelling unit** (5)

Same changes made in C4

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, nonresidential	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~~ A **gas station canopy** ~~shall be located between the primary building and a **residential district**~~meet **primary building setbacks**

(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**

(C) Special Uses

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

(1) Amusement park (if **adjacent** to a **residential district**);

~~(1)~~(2) **Commercial communication tower** (see §157.503(D)(3)(a) for additional standards);

(3) **Educational institution**-associated **uses** (on non-contiguous properties, not otherwise permitted);

~~(2)~~(4) Go-kart facility (if **adjacent** to a **residential district**);

~~(3)~~(5) Group residential facility (large) (if adjacent to a residential district);

~~(4)~~(6) **Home business** (in an existing single **family detached** dwelling only; see §157.503(D)(3)(b) for additional standards);

~~(5)~~(7) Homeless shelter (if adjacent to a residential district, or accessory to a religious institution);

~~(6) **Manufactured home, Type II** (see §157.503(D)(3)(e) for additional standards);~~

~~(7)~~(8) **Nonconforming use** (expansion of existing **nonconforming use**, or allow conforming status to existing **use**);

(9) **Parking area** (as a **primary use**, if **adjacent** to a **residential district**); a special use shall not be required for a universally permitted off-site parking area;

~~(8)~~(10) **Recreation, outdoor** (if **adjacent** to a **residential district**);

~~(9) **Recreation use, outdoor** (amusement park, go-cart facility, **stadium/race track**, and water park, only; if **adjacent** to a **residential district**);~~

~~(10)~~(11) Residential facility for a court-ordered re-entry program;

~~(11)~~(12) Residential facility for homeless individuals (for up to eight (8) individuals, if adjacent to a residential district);

~~(12)~~(13) **Sign** (temporary subdivision direction);

(14) **Solar panel (ground mounted)**;

~~(13)~~(15) **Stadium/racetrack** (if **adjacent** to a **residential district**);

~~(14)~~(16) Tree service;

(17) **Utility facility, private** (not otherwise permitted or exempt);

~~(15)~~(18) Water park (if **adjacent** to a **residential district**);

~~(16)~~(19) **Wind energy conversion system, standard** (or more than one (1) micro system); and

~~(17)~~(20) Wind energy conversion system, micro (on land adjacent to a residential district).

DC DOWNTOWN CORE SPECIFIC PERMITTED USES	
Hobby **shop**	Photography **studio**
Hospice care center	Photography supply store
Hospital	Photography **training**
Hotel	Physical therapy facility
Ice cream store	Picture framing facility
Insurance agency	Pilates **instruction**
Interior decorating store	Planetarium
Interior design service	Planner
Internet service	Podiatrist
Investment service	Public transportation facility
Jewelry sales	**Radio station**
Laboratory	Real estate
Land surveyor	Reception hall
Laundromat	Recording studio
Leather goods store	Photography **studio**
Legal service	Photography supply store
Live-work unit	**Rental store**
Loan office	**Residential dwelling unit** (4)
Luggage store	**Restaurant**
Marketing agency	**Retirement facility**
Martial arts **training**	**Riding stable, nonresidential**
Massage therapy	Sandwich shop
Meat/fish market	**Savings and loan**
Medical **training**	Sculpture studio
Model unit	Security service
Mortgage service	**Self-service storage facility** (3)
~~Movie rental~~	Shoe repair shop
Movie sales	Shoe store
Multiple family complex (1)	**Sign sales store**
Multiple family dwelling (1)	Skating rink
Museum	Sleep disorder facility
Music **instruction**	Social service agency
Music store	**Sorority house**
Music **studio**	Sporting goods sales
Musical instrument store	**Stadium**
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
Package liquor store	~~**Tavern**~~
Paint store	Tax consulting
Painting **studio**	Taxi service
Parking area (off-site) (2)	Tea room
Parking structure (3)	Telephone sales
Pet store	Telephone service
Pharmacy	**Television station**

(C) Special Uses

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

(1) **Animal keeping** (outdoor, small animal);

(2) Artisan space (available in the **Riverfront Overlay District** only, to allow for an artisan space **use** not otherwise listed);

(3) Community garden that includes a structure;

(4) Group residential facility (large);

(5) Group residential facility (small);

(6) **Home business** (see §157.503(D)(3)(b) for additional standards);

(7) **Homeless shelter** ~~(accessory to a religious institution)~~;

(8) **Model unit** (for extension of time or expansion of scope);

(9) **Nonconforming use** (expansion of existing **nonconforming use**, or allow conforming status to existing **use**, excluding **gas station uses**);

(10) **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));

(11) Pawn shop;

(12) Religious institution or non-public school illuminated athletic field(s);

(13) Residential facility for a court-ordered re-entry program;

(14) Residential facility for homeless individuals (for up to eight (8) individuals);

(15) **Restaurant** with **drive-through facility** (shall only be permitted to be considered as a **special use** on **lots** which adjoin a principal arterial roadway);

(16) Self-service storage (mini-warehouse) facility (as a primary use);

(17) **Solar panel (ground mounted)**; and

(18) **Utility facility, private** (not otherwise permitted or exempt).

(ii) **Canopy** location and design

Under this design option the **canopy** shall have a varied roofline and **use** similar forms and materials as those used on the **primary building** and utilize decorative designs for the **canopy** columns. Materials used for the **canopy** columns shall consist of brick or stone or other material to achieve a similar decorative affect. Attached **canopies** meeting the standards noted in this section shall be considered a part of the **primary structure** for the purposes of determining **building setbacks**.

(iii) Front and side **wall** design

The front and any side **wall** of the **primary building** that faces a **street** shall have **windows** or the appearance of **windows**;

(11) Group residential facility (large);

(12) Group residential facility (small);

(13) **Home business** (in an existing single **family detached** dwelling only; see §157.503(D)(3)(b) for additional standards);

(14) **Homeless shelter** (accessory to a religious institution);

~~(15) **Manufactured home, Type II** (see §157.503(D)(3)(e) for additional standards);~~

~~(16)~~(15) **Model unit** (for extension of time or expansion of scope);

~~(17)~~(16) **Nature preserve** (that includes a structure or **parking area**);

~~(18)~~(17) **Nonconforming use** (expansion of existing **nonconforming use**, or allow conforming status to existing **use**, excluding **gas station uses**);

~~(19)~~(18) **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));

~~(20)~~(19) Pawn shop;

~~(21)~~(20) Religious institution or non-public school illuminated athletic field(s);

~~(22)~~(21) Residential facility for a court-ordered re-entry program;

~~(23)~~(22) Residential facility for homeless individuals (for up to eight (8) individuals);

~~(24)~~(23) **Restaurant** with **drive-through facility** (shall only be permitted to be considered as a **special use** on **lots** which adjoin a principal arterial roadway);

~~(25)~~(24) Single family dwelling (detached);

~~(26)~~(25) **Solar panel (ground mounted)**;

~~(27)~~(26) Sorority house; and

~~(28)~~(27) **Utility facility, private** (not otherwise permitted or exempt).

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	Variety store
Tobacco store	**Veterinary clinic**
Townhouse complex (1)	Watch sales
Townhouse dwelling	Website service
Toy store	Wedding consultant
Travel agency	Weight loss service
Tutoring service	**Window** sales
Two family dwelling	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) 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));

~~(16) Recreation area (including accessory recreation areas);~~

(16) **Recreation, outdoor;**

(E) Development Standards

(1) The standards in the following table shall apply in the UC **district**; all standards are minimum standards unless otherwise noted (see also the permitted **yard** projections and additional location standards on the following page).

UC URBAN CORRIDOR DEVELOPMENT STANDARDS	
Height (maximum) [1]	
Primary building [2]	~~80~~60′
Accessory building or **structure** [3]	~~80~~60′
Front yard	
Primary buildings and **structures** [4]	0′ minimum 10′ maximum
Side yard [4]	
Accessory and primary buildings and structures – interior **side yard**	0′ minimum
Accessory and primary buildings and structures – **corner lot** side **street**	0′ minimum 20′ maximum
Rear yard	
Primary building	25′
Accessory building or **structure**	25′ [4]

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

(2) New **primary structures** shall be a minimum of 20′. in height have two occupiable stories

(3) **Accessory structures** shall not exceed 25% of the **ground floor area** of the **primary building**

(4) **Accessory buildings or structures** shall be located on the side of or to the rear of the **primary building** (if located on the side of the **building**, the **accessory building** or **structure** shall be located no closer to the **front lot line** than the **primary building**)

I1 LIMITED INDUSTRIAL SPECIFIC PERMITTED USES	
Marketing agency	Product research and **development**
Martial arts **training**	Public transportation facility
Massage therapy	**Radio station**
Meat/fish market	Real estate
Medical device technology	Reception hall
Medical supply sales	Recording studio
Medical **training**	~~**Recreation area**~~ **Recreation, outdoor**
Model unit	~~**Recreation facility**~~ **Recreation, indoor**
Mortgage service	~~Recreation uses~~
Motel	Refurbishing facility (household items)
~~Movie rental~~	Rental store
Movie sales	**Research and development facility**
Multiple family complex [2]	**Residential dwelling unit** [4]
Multiple family dwelling [2]	**Residential facility for homeless individuals** (up to 8) [1]
Museum	**Restaurant**, including **drive-through**
Music **instruction**	**Retirement facility**
Music store	Sandwich shop
Music **studio**	**Savings and loan**
Musical instrument store	Sculpture studio
Nail salon	Security service
Neighborhood facility	Shoe repair shop
Nursing home	Shoe store
Nutrition service	**Sign sales store**
Office, professional	Skating rink
Ophthalmologist	Sleep disorder facility
Optician	Social service agency
Optometrist	**Sorority house**
Package liquor store	Sporting goods sales
Paint store	Stained glass studio
Painting studio	Stationery store
Parking area [1]	Stock and **bond** broker
Parking area (off-site) [3]	Surgery center
Parking structure	Swim **club**
Pet store	Swimming pool sales
Pharmaceutical product compounding	Tailor
Pharmacy	Tanning salon
Photography studio	Tattoo establishment
Photography supply store	~~**Tavern**~~
Photography **training**	Tax consulting
Physical therapy facility	Tea room
Picture framing facility	Telephone sales
Pilates instruction	Telephone service
Planetarium	**Television station**
Planner	Tennis **club**
Podiatrist	**Theater**
Pottery sales	Title company
Printing facility	Tobacco store
Printing press	Tool and die facility

§ 157.223 I2 GENERAL INDUSTRIAL

(A) Purpose

The General Industrial **district** is intended to provide areas for assembly, distribution, fabricating, **manufacturing**, and processing industries where the operation is enclosed within a **building** and conducted in such a manner that no adverse impacts are created or emitted outside of the **building**(s).

(B) Permitted **Uses**

The following **uses** are permitted as a matter of right in an I2 **district**. Except for **automobile**, boat, and similar vehicle sales **uses**, **outdoor display** shall meet the **building setback** standards; display area shall be limited to a maximum of 10% of the **primary structure** or tenant space; **outdoor storage** shall be allowed between the front **façade** of the **building** and the **rear lot line** and shall be screened from **adjacent residential zoning districts** and **public street rights-of-way**.

I2 GENERAL INDUSTRIAL SPECIFIC PERMITTED USES	
Accessory building/structure/use	Art **instruction**
Accountant	**Art studio**
Adoption service	Art supply store
Adult care center	Assembly facility for/manufacturing of:
Advertising	Adhesive/glue
Agricultural equipment sales	Agricultural implements
Agricultural equipment service	Aircraft
	Ammunition
Agricultural supply sales	Animal feed
Air conditioning sales	Appliances
Air conditioning service	**Automobiles**
Air **freight service**	Bicycles
Alteration service	Boats
Animal grooming	Carbon steel pipe and tubing
Animal hospital	Computers
Animal kennel	Concrete and concrete products
Animal obedience **school**	Electronics
Animal **slaughter house** (indoor)	Insulation
Answering service	**Manufactured homes**
Antique shop	Modular **buildings**
Apparel and accessory store	Motorcycles
Apparel fabrication and processing	Motors
Appliance store	Paper/paper products
Appraiser	**Recreational vehicles**
Aquaculture	Spas
Aquaponics	Stainless steel
Arcade	Steel
Architect	Tile
Arena	Tires
Art gallery	Valves

Same changes made in I3

I2 GENERAL INDUSTRIAL SPECIFIC PERMITTED USES	
Gift **shop**	Legal service
Glass cutting/glazing **shop**	**Limited assembly and fabrication** of:
Go-kart facility [1]	Bio-medical/orthopedic products
Golf course, miniature	Communication and computation equipment
~~**Golf driving range**~~	Computers and electronics
Graphic design service	Computer hardware products
Greenhouse (retail)	Industrial controls
Greenhouse (wholesale)	Medical devices
Grocery store or supermarket	Optical instruments
Group residential facility (large) [1]	Orthopedic devices
Group residential facility (small)	Scientific and precision instruments
Growing/processing/raising of natural products	Service industry machines
Gun repair	
Gun sales	Specialty equipment
Gymnastics **instruction**	**Live-work unit**
Hardware store	Loan office
Haunted house	Luggage store
Health club	Machine design facility
Heating sales	**Machine tool shop**
Heating service	Magnet wire facility
Hobby **shop**	Maintenance or repair facility
Home improvement business	**Manufactured home** sales
Home improvement store	Marketing agency
Home repair	Martial arts **training**
Homeless shelter	**Massage therapy**
Hospice care center	Meat/fish market
Hospital	Medical device technology
Hot tub sales	Medical supply sales
Hotel	Medical **training**
Household appliance store	Metal cutting
Hydroponics	Metal extrusion
Ice cream store	Metal fabricating
Information technology	Metal molding
Insurance agency	**Model unit**
Interior decorating store	Mortgage service
Interior design service	**Motel**
Internet applications/products	**Motor vehicle auction**
Internet service	**Motor vehicle** rental
Investment service	**Motor vehicle repair**
Jewelry sales	**Motor vehicle** sales
Junk yard (indoor)	~~Movie rental~~
Laboratory	Movie sales
Laboratory (testing)	**Multiple family complex** [2]
Land surveyor	**Multiple family dwelling** [2]
Landscape contracting service	**Museum**
Lathe/screw machine products	Music **instruction**
Laundromat	Music store
Laundry facility (central)	Music **studio**
Leather goods store	Musical instrument store

I2 GENERAL INDUSTRIAL SPECIFIC PERMITTED USES	
Nail salon	Reception hall
Neighborhood facility	Recording studio
Nursing home	~~Recreation area~~ **Recreation, outdoor**
Nutrition service	~~Recreation facility~~ **Recreation, indoor**
Office, professional	~~Recreation uses~~
Ophthalmologist	**Recycling processing facility**
Optician	Refractory
Optometrist	Refurbishing facility
Package liquor store	**Rental store**
Packaging facility	**Research and development facility**
Paint store	**Residential dwelling unit** (4)
Painting studio	**Residential facility for homeless individuals** (up to 8) (1)
Parking area (1)	**Restaurant**, including **drive-through**
Parking area (off-site) (3)	**Retirement facility**
Parking structure	**Riding stable, nonresidential**
Pawn shop	**Sales yard** for:
Pest control	**Building** materials
Pet store	Lumber
Pharmacy	Sand, gravel, stone
Photography studio	Salvage yard (indoor)
Photography supply store	Sandwich shop
Photography **training**	Savings and loan
Physical therapy facility	Sculpture studio
Picture framing facility	Seasonal sales
Pilates instruction	Security service
Planetarium	Sheet metal fabrication
Planner	Sheet metal processing
Plant nursery	Shoe repair **shop**
Plastic extrusion	Shoe store
Plastic molding	**Shooting range** (indoor)
Plumbing sales	**Sign** fabricating
Plumbing service	**Sign sales store**
Podiatrist	Skating rink
Pottery sales	Sleep disorder facility
Printing facility	Social service agency
Printing press	**Sorority house**
Processing facility for:	Sporting goods sales
Animals (indoor: includes skins, hides, or reduction of animal matter)	**Stadium/racetrack** (1)
Animal products (indoor)	Stained glass studio
Lumber	Stationery store
Metal (anodizing, buffing, galvanizing, plating, polishing)	Stock and **bond** broker
Raw Materials	**Storage shed** sales
Timber	Surgery center
Product **research** and **development**	Swim **club**
Propane facility	Swimming pool sales
Propane sales	Tailor
Public transportation facility	Tanning salon
Radio station	Tattoo establishment
Real estate	~~**Tavern**~~

I3 INTENSIVE INDUSTRIAL SPECIFIC PERMITTED USES	
Music **instruction**	**Radio station**
Music store	Propane facility
Music **studio**	Real estate
Musical instrument store	Reception hall
Nail salon	Recording studio
Neighborhood facility	~~Recreation area~~ **Recreation, outdoor**
Nursing home	~~Recreation facility~~ **Recreation, indoor**
Nutrition service	~~Recreation uses~~
Office, professional	**Recycling processing facility**
Ophthalmologist	Refractory
Optician	Refurbishing facility
Optometrist	**Rental store**
Package liquor store	**Research and development facility**
Packaging facility	**Residential dwelling unit** (3)
Paint store	**Residential facility for homeless individuals** (up to 8) (1)
Painting studio	**Restaurant**, including **drive-through**
Parking area	**Retirement facility**
Parking area (off-site) (2)	**Riding stable, nonresidential**
Parking structure	**Sales yard** for:
Pawn shop	**Building** materials
Pest control	Lumber
Pet store	Sand, gravel, stone
Pharmacy	**Salvage yard**
Photography studio	Sandwich shop
Photography supply store	**Savings and loan**
Photography **training**	Sculpture studio
Physical therapy facility	Seasonal sales
Picture framing facility	Security service
Pilates instruction	Sheet metal fabrication
Planetarium	Sheet metal processing
Planner	Shoe repair shop
Plant nursery	Shoe store
Plastic extrusion	**Shooting range** (indoor)
Plastic molding	**Sign** fabricating
Plumbing sales	**Sign sales store**
Plumbing service	Skating rink
Podiatrist	Sleep disorder facility
Pottery sales	Social service agency
Printing facility	**Solid waste transfer station**
Printing press	**Sorority house**
Processing facility for:	Sporting goods sales
Animals (includes skins, hides, or reduction of animal matter)	**Stadium/racetrack** (1)
Animal products	Stained glass **studio**
Lumber	Stationery store
Metal (anodizing, buffing, galvanizing, plating, polishing)	Stock and **bond** broker
Raw materials	**Storage shed** sales
Timber	Surgery center
Product research and **development**	Swim **club**
Propane sales	Swimming pool sales
Public transportation facility	Tailor

I3 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~~ A **gas station canopy** shall ~~be located between the primary building and a **residential district**~~meet **primary building setbacks**

(6) See multiple family building and complex perimeter setback and building separation requirements in R3 district (§157.208(E)(1))

(ix) Religious institution;

(x) School; and

(xi) **Uses** in the DC/Downtown Core, DE/Downtown Edge, or UC/Urban Corridor **districts**.

MINIMUM OFF-STREET PARKING REQUIREMENTS (see the table below for specific use additional stacking space standards)	
Use	**Parking Standard (spaces per measurement type)**
Animal service	1 per 400 square feet
Assisted living facility	1 per 3 sleeping rooms
Athletic field (indoor)	1 per 6 seats
Athletic field (outdoor)	30 per field
Auditorium	1 per 400 square feet
Automobile service	1 per 400 square feet
Bed and breakfast	1 per sleeping room
Business service	1 per 400 square feet
Campus housing (off-site)	1 per 3 sleeping rooms
Educational institution (**business school**, college, medical **training**, university, or similar post-secondary **use**)	1 per 400 square feet
Golf course	4 per golf hole
Group residential facility	1 per 3 sleeping rooms
Hotel	1 per sleeping room
Industrial	1 per 1,000 square feet, or 1 per employee at largest shift (whichever is less; however, a minimum of 3 spaces shall be provided)
Instruction/training	1 per 400 square feet
Library	1 per 400 square feet
Live-work unit	1 per 400 square feet
Medical office	1 per 400 square feet
Mixed-**use** project (**uses** with different parking requirements)	The greatest number of spaces required by any individual **use**
Motel	1 per sleeping room
Multiple **family**	1 per 1-2 bedroom **dwelling** unit 2 per 3+ bedroom **dwelling** unit 1 per **dwelling** unit (UC **district** only)
Multiple tenant nonresidential building	1 per 400 square feet (regardless of individual **uses**)
Museum	1 per 400 square feet
Nursing home	1 per 3 sleeping rooms
Personal service	1 per 400 square feet
Professional office	1 per 400 square feet
~~**Recreation/tourism, limited**~~	~~1 per 400 square feet~~
~~**Recreation, general**~~	~~1 per 400 square feet, plus~~ ~~1 per 400 square feet of developed outdoor facilities~~
Recreation, indoor	1 per 400 square feet
Recreation, outdoor	1 per 400 square feet, plus 1 per 400 square feet of developed outdoor facilities
Restaurant	1 per 400 square feet
Retail	1 per 400 square feet
Retirement facility	1 per **dwelling** unit
Self-**storage**	1 per 400 square feet of office
Single **family**	1 per **dwelling** unit
Stadium/racetrack	1 per 6 seats
Studio	1 per 400 square feet

(e) The following landscape codes shall be applicable to the noted **building** types and other landscape situations:

LANDSCAPE CODES – BUILDINGS AND OUTDOOR ACTIVITY AREAS			
Building Type		**Landscape Code, if Adjacent To:**	
		Residential districts	**Nonresidential districts**
Office, Personal Service or Other C1 Use Building		B-1	No requirement
Commercial, Retail, Industrial, or Universally Permitted Use Building		B-2	No requirement
Multiple Family Building/Complex, or Manufactured Home Park		B-3	B-4
Nonresidential Outdoor Activity Areas	**Driveway**	A-1	No requirement
	Drive-through	A-2	A-6
	Other activity area	A-3	A-7
	Storage area	A-4	No requirement
	Eating/drinking/smoking area or gas station canopy	A-5	No requirement

(f) The following landscape codes shall be applicable to the noted surface **parking area** situations:

LANDSCAPE CODES – SURFACE PARKING AND OUTDOOR DISPLAY AREAS	
Site Situation	**Landscape Code**
Adjacent to **public street** or private access drive	P-1
Adjacent to **residential district**	P-2
Adjacent to commercial **district**	P-3
Parking areas more than 50 spaces (shall not apply to **outdoor display** areas)	P-4

(g) The following landscape code shall be applicable to the noted parking structure situations:

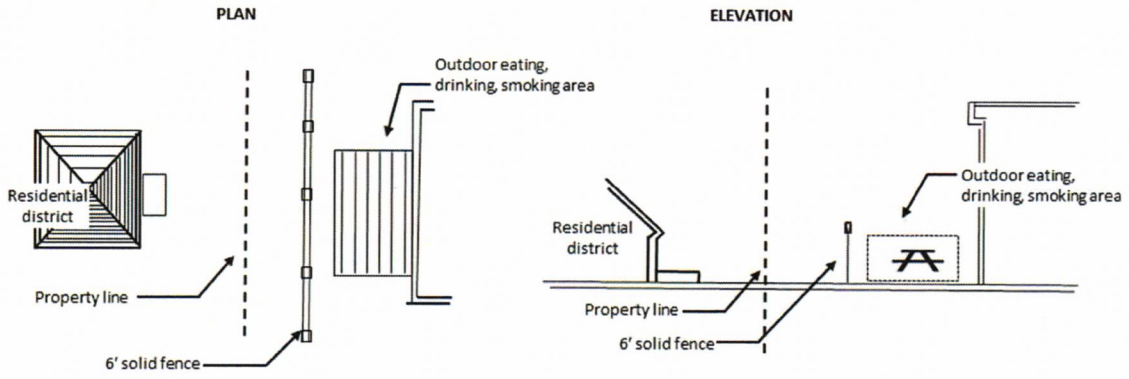
LANDSCAPE CODES –PARKING STRUCTURES – DC AND DE DISTRICTS ONLY	
Site Situation	**Landscape Code**
Adjacent to **public street** or private access drive if setback is greater than zero feet	PS-1

OUTDOOR ACTIVITY AREA BUFFER YARD STANDARDS

Code A-5
Outdoor Eating/Drinking/Smoking Areas or Gas Station Canopy Adjacent to a Residential District

REQUIRED SCREENING

Continuous 6′ high **solid fence**, ~~either~~ on the property line ~~or~~ may be immediately around the eating/drinking smoking area. (1)



(1) A **fence** shall always be required to screen an eating/drinking/smoking area.

RO Primary Frontage Ground Floor Permitted Uses (continues onto next page)		
Accessory building/structure/use	**Coffee shop**	Game sales
Accountant	Coin **shop**	Gift **shop**
Adoption service	**Community garden**	Glass cutting/glazing **shop**
Advertising	Computer sales and service	Graphic design service
Air conditioning sales	Computer software store	**Grocery store or supermarket**
Alteration service	Computer **training**	Gymnastics **instruction**
Answering service	Consignment **shop**	Hardware store
Antique shop	Consulting service	**Health club**
Apparel and accessory store	Consumer electronics sales	Heating sales
Appraiser	Consumer electronics service	Hobby **shop**
Arcade	**Convenience store**	**Hotel**
Architect	Copy service	Ice cream store
Art gallery	Cosmetic store	Insurance agency
Art **instruction**	Costume rental	Interior decorating store
Art studio	Counseling service	Interior design service
Art supply store	Craft **instruction**	Internet service
Attorney	Craft **studio**	Investment service
Audiologist	Craft supply store	**Jewelry sales**
Audio-visual **studio**	Credit service	**Land surveyor**
Automobile accessory store (indoor)	**Credit union**	**Laundromat**
Bait sales	**Customer service facility**	Leather goods store
Bakery goods	Dance **instruction**	Legal service
Bank	**Day spa**	**Live-work unit**
Bankruptcy service	Delicatessen	**Loan office**
~~Banquet hall~~	Dentist	Luggage store
Bar	**Department store**	Marketing agency
Barber shop	Dinner **theater**	Martial arts **training**
Barber/beauty school	**Distillery (micro)**	**Massage therapy**
Beauty shop	Doctor	Meat/fish market
Bed and breakfast	Drug store	Medical **training**
Betting or other gambling facility	**Dry cleaning store**	Mortgage service
Bicycle sales and repair **shop**	**Educational institution**	~~Movie rental~~
Billiard or pool hall	Embroidery	Movie sales
Bingo establishment	**Employment agency**	**Museum**
Book store	**Engineer**	Music **instruction**
Bookkeeping service	**Entertainment facility** ~~(including outdoor)~~	Music store
Botanical conservatory	**Exhibit hall**	Music **studio**
Bowling alley	Fabric **shop**	Musical instrument store
Brewery (micro)	**Farmers market** (with outdoor uses)	Nail salon
Broadcast **studio**	Finance agency	Nutrition service
Broker	**Financial planning service**	**Office, professional**
Business **training**	Fireworks sales (indoor)	Ophthalmologist
Candy store	Fitness center	Optician
Caterer	Flea market (indoor)	Optometrist
Child care center	Floor covering store	Package liquor store
Chiropractor	Florist	Paint store
Clinic	Foundation office	Painting **studio**
Clock sales	Fruit and/or vegetable store	**Parking area (off-site)** [1]
Clothing alterations	**Furniture store**	**Parking structure** [2]
Clothing rental	Furrier	**Pet store**
Clothing store	Game rental	Pharmacy

RO Primary Frontage Ground Floor Permitted Uses (continued from previous page)		
Photography **studio**	Sculpture studio	Tea room
Photography supply store	Security service	Telephone sales
Photography **training**	Shoe repair shop	Telephone service
Physical therapy facility	Shoe store	**Television station**
Picture framing facility	**Sign sales store**	**Theater** (indoor)
Pilates **instruction**	Skating rink	Title company
Planetarium	Sleep disorder facility	Tobacco store
Planner	Social service agency	Toy store
Podiatrist	Sporting goods sales	**Travel** agency
Public transportation facility	Stained glass **studio**	Tutoring service
Radio station	Stationery store	**Universally permitted use** (1)
Real estate	Stock and **bond** broker	Variety store
Reception hall	Tailor	Watch sales
Recording studio	Tanning salon	Website service
Rental store	Tattoo establishment	Wedding consultant
Restaurant	~~Tavern~~	Weight loss service
Sandwich shop	Tax consulting	**Window** sales
Savings and loan	Taxi service	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) See **universally permitted use** definition for additional standards
(2) If integrated within the footprint of a new building for a permitted primary **use**

RO Secondary Frontage Ground Floor Permitted Uses (continues onto next page)		
Accessory building/structure/use	Business **training**	**Employment agency**
Accountant	Candy store	**Engineer**
Adoption service	Catalog showroom	**Entertainment facility** ~~(including outdoor)~~
Adult care center	Caterer	**Exhibit hall**
Advertising	**Child care center**	Fabric **shop**
Air conditioning sales	**Child care home (class I)**	**Farmers market** (with outdoor uses)
Alteration service	Chiropractor	Finance agency
Animal grooming (indoor)	**Clinic**	**Financial planning service**
Animal hospital (indoor)	Clock sales	Fireworks sales (indoor)
Animal kennel (indoor)	Clothing alterations	Fitness center
Animal obedience **school** (indoor)	Clothing rental	Flea market (indoor)
Answering service	Clothing store	Floor covering store
Antique shop	**Club, private**	Florist
Apparel and accessory store	**Coffee shop**	Foundation office
Appraiser	Coin **shop**	Fruit and/or vegetable store
Arcade	Collection agency	**Funeral home**
Architect	**Community garden**	**Furniture store**
Arena	Computer sales and service	Furrier
Art gallery	Computer software store	Game rental
Art **instruction**	Computer **training**	Game sales
Art studio	Consignment **shop**	Gift **shop**
Art supply store	Consulting service	Glass cutting/glazing **shop**
Attorney	Consumer electronics sales	Graphic design service
Audiologist	Consumer electronics service	**Grocery store or supermarket**
Audio-visual **studio**	**Convenience store**	Gymnastics **instruction**
Automobile accessory store (indoor)	Copy service	Hardware store
Automobile rental (indoor)	Cosmetic store	**Health club**
Automobile sales (indoor)	Costume rental	Heating sales
Bait sales	Counseling service	Hobby **shop**
Bakery goods	Craft **instruction**	**Hospice care center**
Bank	Craft **studio**	**Hospital**
Bankruptcy service	Craft supply store	**Hotel**
Banquet hall	Credit service	Ice cream store
Bar	**Credit union**	Insurance agency
Barber shop	**Customer service facility**	Interior decorating store
Barber/beauty school	Dance **instruction**	Interior design service
Beauty shop	**Day care**	Internet service
Bed and breakfast	Day spa	Investment service
Betting or other gambling facility	Delicatessen	**Jewelry sales**
Bicycle sales and repair **shop**	Dentist	**Laboratory**
Billiard or pool hall	**Department store**	**Land surveyor**
Bingo establishment	Diagnostic center	**Laundromat**
Blood bank	Dialysis center	Leather goods store
Blood or plasma donor facility	Dinner **theater**	Legal service
Book store	**Distillery (micro)**	**Live-work unit**
Bookkeeping service	Doctor	**Loan office**
Botanical conservatory	Driving **instruction**	Luggage store
Bowling alley	Drug store	Marketing agency
Brewery (micro)	**Dry cleaning store**	Martial arts **training**
Broadcast **studio**	**Educational institution**	**Massage therapy**
Broker	Embroidery	Meat/fish market

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**

(I) In the Areas established within the **Airport Overlay Districts**, in addition to the **special uses** set forth in §157.503(D), the following **uses** shall require approval of a **special use** from the **Board of Zoning Appeals**, even in cases where the **use** is a permitted **use** in the existing underlying **zoning district**.

TABLE 3 – AIRPORT OVERLAY DISTRICT SPECIAL USES	
Area 1 and Area 2	**Area 3**
Assisted living facility	**Manufactured home park**
Arena	**Recycling collection point**
Batting cages	
Campus housing	**Area 4**
Country club	**Arena**
Day care center	Batting cages
Fireworks sales	Fireworks sales
Fuel **storage** facility	Fuel **storage** facility
Gas station	**Golf course** (including **driving range**)
~~**Golf course** (including driving range)~~	**Hospital**
Group residential facility	**Manufactured home park**
Hospital	Propane/bottled gas facility
Hotel	**Recreation**~~**al uses**~~**, outdoor**
Manufactured home park	**Recycling collection point**
Motel	**Stadium/racetrack**
Multiple family complex	**Subdivision plat**
Multiple family dwelling	Swim **club** (outdoor)
Museum	**Theater** (outdoor)
~~**Park/recreation area**~~ **Park or Recreation Area, Public**	Tennis **club** (outdoor)
Propane/bottled gas facility	
Radio station	
Recreation~~**al uses**~~**, outdoor**	**Area 5**
Recycling collection point	**Manufactured home park**
Religious institution	
Residential facility for the **developmentally disabled**	
Residential facility for the **mentally ill**	
Retirement facility	
Salvage yard	
Single family dwelling (Area 1 only)	
Solid waste transfer station	
Stadium/racetrack	
Subdivision plat	
Swim **club** (outdoor)	
Television station	
Tennis **club** (outdoor)	
Theater (outdoor)	
Truck fueling station	

(B) Improvement Location Permit

(1) General Provisions

An **Improvement Location Permit** shall be required for the construction, reconstruction, enlargement, or relocation of any **building** or **structure** (including a non-temporary **sign**), unless specifically excluded by this ordinance. No **building** or **structure** shall be erected, constructed, reconstructed, enlarged, or moved prior to the issuance of an **Improvement Location Permit**.

(a) No **Improvement Location Permit** shall be issued unless the proposed **development** conforms with the provisions and requirements of this ordinance.

(b) No **Improvement Location Permit** shall be issued for construction that would encroach over a platted front **building** line except for ornamental fences and open decks, open porches, or stoops~~, unless the applicant documents that the restrictive covenants for the **subdivision** allow such an encroachment~~. ~~This prohibition shall also apply to all non-allowed construction that does not require an **Improvement Location Permit**.~~

(c) No **Improvement Location Permit** shall be issued for the construction, reconstruction, enlargement, or relocation of a **building** or **structure**, or any part of a **building** or **structure** (except for **fences** or **signs**), within a utility or surface drainage **easement**, unless the **easement** has been vacated (if the **easement** is a platted **easement**) or otherwise released.

(d) No **Improvement Location Permit** shall be issued for construction that would encroach into a **corner visibility area** as defined herein. This prohibition shall also apply to construction that does not require an **Improvement Location Permit**.

(e) If an application requires the approval of a Development Plan or a Site Plan Review, that approval shall have been granted and all **conditions** of approval satisfied prior to the approval and issuance of any **Improvement Location Permit**(s).

(f) Projects meeting the definition of **major façade renovation** shall be required to be reviewed through the Design Review process as described in §157.404 and the **Commission's** rules prior to the application for an **Improvement Location Permit** application.

(g) Notwithstanding the other **Improvement Location Permit** validity provisions included herein, any application for a non-Site Plan Review **Improvement Location Permit** shall be void if a complete application is not submitted within three (3) months of the submission of an **ILP** incomplete application.

(D) Special Uses

(1) List of Special Uses

The following **special uses** may be permitted by the **Board of Zoning Appeals** in the **zoning districts** shown in the table below, after public hearing pursuant to §157.503(A)(1). To approve a **special use**, the **Board** shall determine that the application meets the criteria in §157.503(D)(2) below and any other requirements stated for the specific **use** in this ordinance. The **Board** may impose reasonable **conditions** as part of its approval.

In addition, as set forth in §157.411(I) of the **Airport Overlay Districts** provisions, certain **uses** shall also require approval of a **special use**, even in cases where the **use** is a permitted **use** in the existing underlying **zoning district**.

SPECIAL USES	
Special Use	**District(s) Where Allowed**
Accessory building, as a **primary building**, on a site of at least five (5) acres	AR
Accessory dwelling unit (freestanding)	AR, R1, R2, R3, RP, MHS, DE, and UC
Airstrip/heliport (for corporate or multiple **owner use**)	AR
Amusement park (if adjacent to a residential district)	C3 and C4
Animal keeping (outdoor, small animal)	R1, R2, R3, RP, MHS, DC, DE and UC
Animal service, indoor	C1
Athletic field	R1, R2, R3, RP, MHS and C1
Automatic teller machine (ATM) (stand-alone)	C1
Automobile maintenance (quick service)	C2, NC, and SC
Automobile Service, General (excluding **gas station uses**)	I1
Bed and breakfast	AR, R1, R2, R3, RP and MHS
Boarding house	AR, R1, R2, R3, RP, MHS and DE
Child care home (class II)	AR, R1, R2, R3, RP, MHS, DE and UC
Club, private (1)	R1, R2, R3, RP, MHS and C1
Commercial communication tower (2)	C1, C2, NC, SC, C3, C4, BTI, I1, I2 and I3
Community facility not otherwise permitted (**transitional use**)	R1, R2, R3, RP and MHS
Community garden that includes a **structure**	AR, R1, R2, R3, RP, MHS, C1, DC, DE and UC
Container home (2)	AR, R1, R2, R3, RP, MHS, DE and UC
Country club	AR, R1, R2, R3, RP and MHS
Educational institution (not otherwise permitted)	AR, R1, R2, R3, RP and MHS (1)
Educational institution associated facilities, **uses**, and areas (on noncontiguous properties)	AR, R1, R2, R3, RP and MHS
Educational institution-associated uses (on non-contiguous properties, not otherwise permitted)	C1, C2, NC, SC, C3, C4, DE, and UC
Emergency response facility (transitional use)	R1, R2, R3, RP and MHS
Flood control improvement project/non-permitted **fill**, private	Any **district**
Fraternity house	DE and UC
Fuel **storage** facility	I2
Funeral home	AR, R1, R2, R3, RP and MHS

SPECIAL USES	
Special Use	**District(s) Where Allowed**
Gas station	C2 and NC (except when a **gas station** site is **adjacent** to a **residential district**, or is on a **street** that is directly opposite from a **residential district**), and DE, I1 and I2
Go-kart facility (if **adjacent** to a residential **district**)	C3 and C4
~~**Golf course**~~	~~R1, R2, R3, RP, and MHS~~
Greenhouse (retail)	C2, NC, and SC
Group residential facility (large) [1]	AR, R1, R2, R3, RP, MHS, DC, DE and UC
Group residential facility (large) (if adjacent to a residential district)	C1, C2, NC, SC, C3, C4, I1, I2 and I3
Group residential facility (small)	DC, DE and UC
Growing/processing/raising of natural products	I1
Heliport (private individual or accessory to permitted nonresidential use, excluding hospital uses)	R1, R2, R3, RP, and MHS
Home business [2]	AR, R1, R2, R3, RP, MHS and DC
Home business (in an existing single family detached dwelling only) [2]	C1, C2, NC, SC, C3, C4, DE, and UC
Home enterprise [2]	AR
Home workshop [2]	AR
Homeless shelter (accessory to a **religious institution**, for up to eight (8) individuals)	AR, R1, R2, R3, RP and MHS
Homeless shelter (accessory to a **religious institution**)	~~DC~~, DE and UC
Homeless shelter (if adjacent to a residential district or accessory to a **religious institution**)	C1, C2, NC, SC, C3 and C4
Illuminated **recreation field** (if **adjacent** to a **residential district**)	BTI, I1, I2 and I3
Instruction/training/education (transitional use)	R1, R2, R3, RP and MHS
Junk yard (outdoor)	I2
Live-work unit (transitional use)	R1, R2, R3, RP and MHS
Manufactured home, Type II [2]	AR, R1, R2, R3, RP, ~~C1, C2, NC, SC, C3, C4, DE and UC~~
Medical office (transitional use)	R1, R2, R3, RP and MHS
Metal and plastic extrusion and molding	I1
Metal cutting facility	I1
Metal fabricating facility	I1
Metal processing facility	I1
Model home (for an extension of time or expansion of scope)	AR, R1, R2, R3, RP and MHS
Model unit (for an extension of time or expansion of scope)	DC and DE
Motor vehicle storage yard	I2
Multiple Family Dwelling (transitional use, up to ten (10) units	R2
Museum	R1, R2, R3, RP and MHS
Nature preserve (that includes a **structure** or **parking area**)	AR, R1, R2, R3, RP, MHS, DE and UC
Neighborhood facility	AR, R1, R2, R3, RP and MHS

SPECIAL USES	
Special Use	**District(s) Where Allowed**
Nonconforming use (expansion of existing **nonconforming use**, or allow conforming status to existing **use**; this **special use** shall not be available for **gas station uses**)	AR, R1, R2, R3, RP, MHS, C1, C2, NC, SC, C3, C4, DC, DE, UC, BTI, I1, I2 and I3
Open use of land (not otherwise permitted)	I3
Outdoor **use** (in conjunction with a permitted **primary use**)	C2 and NC
Parking area (as a primary use), a special use shall not be required for a universally permitted **off-site parking area**	C1
Parking area (as a primary use, if adjacent to a residential district), a special use shall not be required for a universally permitted **off-site parking area**	C2, NC, SC, C3, C4, I1 and I2
Parking or outdoor display area, gravel (not otherwise permitted)	I2 and I3
Parking structures (public or private)	DC, DE and UC
Pawn shop	DC and DE
Personal service (**transitional use**, excluding copy/duplicating service, health club/fitness center, or social service agency)	R1, R2, R3, RP and MHS
Plant nursery	C2, NC and SC
Processing facility (small scale)	I1
Professional office/business service (**transitional use**, excluding bank, credit union, loan office, or savings and loan)	R1, R2, R3, RP and MHS
Reception hall, **meeting hall**, or ~~**recreation** hall;~~ **clubhouse**	AR
Recreation, outdoor ~~**area**~~	AR
Recreation, outdoor ~~**area** (including accessory recreation areas)~~	C2, NC, SC and UC
Recreation, indoor ~~**facility**~~	AR
Recreation, indoor ~~**facility**~~ (if adjacent to a residential district)	C2, NC and SC
~~**Recreation use**, outdoor (amusement park, go-cart facility, stadium/race track, and water park, only; if adjacent to a residential district)~~	~~C3 and C4~~
~~**Recreation use**, outdoor (athletic field, riding stable, swim club, tennis club)~~	~~R1, R2, R3, RP, MHS and C1~~
Religious institution or non-public **school** illuminated **athletic field**(s)	AR, R1, R2, R3, RP, MHS, C1, C2, NC, SC, DC, DE and UC
Residential facility for a court-ordered re-entry program	AR, R1, R2, R3, RP, MHS, C1, C2, NC, SC, C3, C4, DC, DE, UC, I1, I2 and I3
Residential facility for homeless individuals (for up to eight (8) individuals	AR, R1, R2, R3, RP, MHS, DC, DE and UC
Residential facility for homeless individuals (for up to eight (8) individuals, if adjacent to a residential district)	C1, C2, NC, SC, C3, C4, I1, I2 and I3
Retail (**art gallery**, **bakery** goods, **coffee shop**, candy store, delicatessen, florist, ice cream store, jewelry sales, medical supply sales, musical instrument store, sandwich shop, tea room)	C1
Riding stable, nonresidential	AR
Riding stable, residential	R1, R2, R3, MHS
Salvage yard (outdoor)	I2

SPECIAL USES	
Special Use	**District(s) Where Allowed**
Sawmill	I2 and I3
Self-service storage (mini-warehouse) facility (as a primary use)	DC
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
Stadium/racetrack (if **adjacent** to a **residential district**)	C3 and C4
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
Swim **club**	R1, R2, R3, RP, MHS and C1
Tattoo establishment	C1
Tennis **club**	R1, R2, R3, RP, MHS and C1
Tree service	C3 and C4
Two family dwelling (to allow conforming status for existing nonconforming **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
Water park (if **adjacent** to a residential **district**)	C3 and C4
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

(2) Criteria for Approval of **Special Use**

In reviewing an application for any **special use**, the **Board** may consider the location and size of the **use**; the nature and intensity of the operations involved in or conducted in connection with it; and its site layout, including access provisions and parking requirements, and may approve a **special use** if the **Board** determines that:

(a) The proposed **use** will not be unduly detrimental to the **use**, value, pattern of **development**, or growth of the surrounding area;

(b) The location, size, intensity, site design, and operation of the proposed **use** will be compatible with the immediate area;

(c) Adequate storm drainage, water, sanitary disposal, other utility, and transportation **infrastructure** either currently exists or will be provided to serve the proposed **use**; and

(d) If the application is for one of the following listed **uses**, in addition to the criteria above, the **Board** shall also determine that the proposed **use** will not be injurious to the public health, safety, or welfare of the community:

(i) **Airstrip/heliport** (corporate/multiple **owner use**);

(ii) Arena;

(iii) ~~**Recreation facility** or **use** (not otherwise permitted)~~; **Recreation, indoor**

~~(iii)~~(iv) **Recreation, outdoor**;

~~(iv)~~(v) Sanitary landfill;

~~(v)~~(vi) **Shooting range** (indoor or outdoor);

~~(vi)~~(vii) Solid waste transfer station;

~~(vii)~~(viii) Stadium/racetrack;

~~(viii)~~(ix) Utility facility, private.

(3) Additional **Special Use** Standards and Provisions

The following standards shall apply as applicable to applications for the noted **special use** approvals.

(a) Commercial communication tower

(i) A **special use** shall not be required for a wireless support **structure**, as defined in I.C. 8-1-32,3-14, if the proposed wireless support **structure** is located within the **City right-of-way**.

(ii) A **special use** shall not be required for the location of additional cabinets or shelters for an existing tower

(iii) A **special use** shall not be required for the co-location of antennae in any **district** on an existing **building** or **structure**. Antennae shall be permitted to extend up to twenty (20) feet above the existing **building** or **structure**. A **Certificate of Compliance** shall be obtained for all antennae locations and co-locations.

§ 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:

Abut
Lots or **parcels** that have a common **lot line** with each other. **Lots** or **parcels** that have a common **lot line** with **streets, alleys,** and **right-of-ways.**

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 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:

(1) Are located on the same **lot**, **tract**, or **development site** as the primary **nonresidential building** or **use**;

Are clearly incidental to and customarily found in connection with a **primary building** or **use**; and

Board

The Fort Wayne **Board of Zoning Appeals**. This term shall not include the Allen **County Board** of Commissioners or the Fort Wayne **Board of Public Works**. For purposes of granting a **special use**, **use** variance, or variance of **development** standards for a wireless service provider, the **Board** shall be the "permit authority" under I.C. 8-1-32.3, et seq.

Board of Public Works

The Fort Wayne **Board of Public Works**.

Board of Zoning Appeals (BZA) (see "Board")

Boarding House

A **residential building** containing rooms for accommodating, for compensation, three or more **persons**. Lodging may include the serving of meals to the lodgers. Facilities for lodgers may include sleeping or living quarters, or individual bathrooms, but shall not include individual cooking facilities.

Bond

Any form of security, including cash, surety **bond**, or financial instrument of credit, as approved by the appropriate agency, for the purpose of guaranteeing that improvements will be made in a **subdivision** according to the standards as adopted by the **Plan Commission**.

Bottling Facility

A facility where soft drinks, juice, water, milk, alcoholic drinks, or other liquids are placed in bottles or cans for shipment. This **use** may include the combination of liquids or syrups to produce new liquids for placement in bottles or cans, the shipping and receiving of cans and bottles related to the operation, and incidental sales of bottled or canned liquids to the public, but shall not include the fabrication of bottles or cans.

Boundary River (see Floodplain regulations - §157.412(B), Definitions)

Boundary River Floodway (see Floodplain regulations - §157.412(B), Definitions)

Brewery

A facility that brews ales, beers, meads and/or similar beverages on-site.

Brewery (Micro)

An establishment where ale, beer, mead and/or similar beverages are brewed, typically in conjunction with a **bar**~~, tavern~~ or **restaurant use**. Annual production will typically not exceed 15,000 barrels per year. A micro winery or similar use shall also be included under this definition.

Buffer (Airport) (see Airport Overlay District definitions)

Buffer Yard

For the purposes of the landscape standards, an area between a **building**, **structure**, or **use** and an **adjacent** property or **street right-of-way**. The area shall be available for berms/mounding, **fences**, plants, and/or **walls** to provide adequate screening and buffering between **buildings**, **structures**, **parking areas**, **driveways**, and activity areas and **adjacent uses**, **buildings**, **structures**, and **streets**, to promote compatibility between different land uses; conserve energy and moderate the effects of sun and wind; decrease storm water runoff and erosion; conserve or enhance property values; and improve the appearance of individual **developments**. A **buffer yard** may be located within a required front, side, or **rear yard building setback**.

Campus Housing

For purposes of parking requirements, this category includes **campus housing** (off-site), **dormitories** and **fraternity/sorority houses**, and other housing with the primary purpose of housing students of an educational or institutional campus.

Candelas

A unit of luminous intensity, which is the amount of luminous flux (total luminous power emitted from a source and expressed as **lumens**) per unit solid angle in a given direction.

Canopy

A fixed cover that projects from a **wall** of a **building** over a **window** or entrance to provide weather protection and architectural spatial definition. A **canopy** typically projects at a 90-degree (perpendicular) or similar angle. Freestanding **canopies** may also be permitted. A **canopy** may be completely supported by the **building**, or completely or partially supported by columns, poles, posts, or similar supports. A **gas station** canopy is not included in this definition (see "**Gas Station**").

Carport

A **structure** or part of a **structure** used for the parking, **storage**, or keeping of vehicles by the **owner** or tenant of the **lot** as an **accessory use** to a permitted residential **use**, and that does not include a **wall** between the ground and the roof on at least one side that is not a vehicle entryway.

Casino

A structure or facility in which gaming operations are performed by a for-profit or non-profit organization, where permanent tables are present. This definition does not include betting or gambling facility.

Cemetery (Private and Public)

Land used for burial of the dead and dedicated for related purposes, including **crematories**, offices and maintenance facilities, mausoleums and mortuaries when operated in conjunction with and within the boundaries of a **cemetery**.

Certificate of Compliance

A certificate issued by the **Zoning Administrator** stating that the occupancy and **use** of land or a **building** or **structure** referred to in the certificate complies with the provisions of this ordinance and any **conditions** of the **Improvement Location Permit** (if applicable).

Certificate of Occupancy

A certificate issued by the Allen **County Building Department** or successor agency, allowing the occupancy or **use** of a **building** and certifying that the **structure** or **use** has been constructed and will be used in compliance with the applicable codes and ordinances.

Certificate of Use

A certificate issued by the **Zoning Administrator** certifying that a proposed or existing **use** is a permitted **use** in the **zoning district** where the **use** is located.

Change of Use

Any **use** that is a **substantial change** from the previous **use** of a **building**, **structure**, or land.

Easement, Roadway

A roadway, approved by the **Commission** over private property, that permits a specific and limited **use** of that thoroughfare to the grantee of the **easement**.

Easement, Utility and Service

A portion or strip of land that is part of a **lot** or **parcel** but that has been reserved for the specific purpose of utilities and related services.

Educational Institution

Public, non-public, parochial, or other post-secondary **school**, junior college, college or university, other than a **business school**; the **use** may also include recreational **uses**, living quarters, dining rooms, heating plants and other incidental facilities for students, teachers and employees.

Elevation Certificate (see Floodplain regulations - §157.412(B), Definitions)

Emergency Response Facility

A **building** used for police, fire, and/or medical equipment and personnel.

Emergency Shelter

A facility that provides temporary housing without charge for persons:

(1) Whose regular residence has become uninhabitable due to fire, flood, or Act of God, while that residence can be repaired or replaced, or until other permanent housing arrangements can be made, but not to exceed a period of six months, or

(2) Persons who have no regular residence that could be endangered during periods of weather and health events where lack of shelter would create a significant risk to their health.

Employment Agency

An agency that specializes in matching individuals' skill sets to particular jobs or finds jobs for unemployed individuals.

Enclosed Area (Enclosure) ~~**(see Floodplain regulations - §157.412(B), Definitions)**~~

A **structure** that has two or more exterior **walls**.

Engine Repair

A facility used for the repair of small engines or motors.

Engineer (see "Professional Engineer")

Entertainment Facility

A facility that offers ~~indoor or outdoor~~ entertainment **uses**, including performing arts **theaters**, cinemas, concert venues, or circus/festivals, but does not include any **sexually oriented business use**.

Equipment Rental, General

The rental of supplies and large equipment primarily for intended for use by construction, general, landscaping, or industrial contractors, including, including but not limited to hoists, lifts, forklifts, and commercial capacity generators and compressors, but not including car or truck rentals.

Equipment Rental, Limited

The rental of supplies and equipment primarily intended for homeowner **use** and minor residential gardening and construction projects, but not including car or truck rentals. All maintenance of equipment

Furniture Store

An establishment that specializes in the sale of any or all of the following: new, used, finished or unfinished furniture including kitchen cabinets and related items.

Garage (see "Garage, Residential")

Garage, Residential

A detached **accessory structure** or portion of a **primary building** used for personal **storage**, the **storage** of **motor vehicles** and other similar accessory residential **uses**.

Garage Sale (see "Yard Sale")

Garbage

Animal or vegetable waste resulting from the handling, preparation, cooking, and consumption of food; or other business or household waste materials.

Garden Equipment Supply

An establishment that specializes in the retail of nursery plants or related items, which may include: plants that have been grown on the property or imported, nursery products and stock, potting soil, hardware, power equipment and machinery, hoes, rakes, shovels, and other garden and farm variety tools and utensils.

Gas Pump Embellishment

Letters, figures, characters or representatives in irregular forms that used as a supplement to permitted gas pump signage.

Gas Station

A facility where fuel is sold, which may also include a **convenience store**. A **gas station use** shall be considered a **primary use** of a property. A **gas station canopy** is included in this definition.

Gateway

A point along a roadway at which a motorist or pedestrian gains a sense of having entered the **City** or a particular part of the **City**. This impression can be imparted through such things as **signs**, **monuments**, landscaping, a change in **development** character, or a natural feature.

Gazebo

A freestanding, roofed, usually open-sided **structure** providing seating or an area for gathering.

Glacial Stone (see Floodplain regulations - §157.412(B), Definitions)

Glare

A situation created when illumination sources shine with visibly harsh, uncomfortably bright light that: causes discomfort; distracts attention; or leads to reduction or loss of visibility or visual performances (up to and including situations of blinding **glare**, as defined in the Illuminating Engineering Society of North America's current Lighting Handbook). These situations are typically caused by insufficiently shielded light sources, or high luminance (luminance that is sufficiently greater than the luminance to which the eyes are adapted).

Golf Course

A **tract** of land typically laid out for playing the game of golf that may include a **clubhouse**, dining and snack **bars**, pro **shop**, and practice facilities.

Golf Course (Miniature)

An area or ~~recreational~~ facility, typically comprised of small putting greens, each with a "cup" or "hole," where patrons in groups pay a fee to move in consecutive order form the first hole to the last.

Golf Driving Range

A **tract** of land devoted as a practice range for practicing golf shots.

Government Facility

An institution operated by a federal, state, **county**, town, township or **city** government, or by a special purpose **district**.

Greenhouse

An establishment, including a **building**, part of a **building** or open space, for the growth, display and/or sale of plants, trees, and other materials used in indoor or outdoor planting for retail and wholesale sales.

Grocery Store

A retail sales establishment selling primarily food and beverages for off-site preparation and consumption that maintains a sizable inventory of fresh fruits, vegetables, fresh-cut meats, or fresh seafood or specialize in the sale of one type of food item. This **use** may also include sales of personal convenience and small household goods.

Gross Floor Area

The total floor area of all stories of a **building** or **buildings**, measured by taking the outside dimensions of the **building** at each floor level intended for occupancy or **storage** (including basements), but not including any uncovered or unenclosed **porches**, **patios**, or **decks**.

Ground Floor Area

The **gross floor area** of a **building** exclusive of basements and floors above the ground floor.

Group Residential Facility (Large)

A facility providing housing for over eight (8) unrelated individuals, with or without supervisory staff. This definition shall include a **residential facility** for individuals who are **developmentally disabled** or **mentally ill**, or other similar **residential facility** if the facility houses more than eight (8) individuals (excluding supervisory staff, counselors, or resident managers). This definition shall not include a facility that serves individuals under a court-ordered re-entry program or homeless individuals. A large **group residential facility for mentally ill individuals** shall be located at least 3,000 feet from any other **group residential facility for mentally ill individuals**.

Group Residential Facility (Small)

A facility providing housing for up to eight (8) unrelated individuals, with or without supervisory staff. This definition shall include a **residential facility** for individuals who are **developmentally disabled** or **mentally ill** or any **other residential facility** that houses up to eight (8) individuals (excluding supervisory staff, counselors, or resident managers) who are members of a **protected class** as set forth under the federal Fair Housing Act. This definition shall not include a facility that serves individuals under a court-ordered re-entry program or homeless individuals. A **residential facility for mentally ill individuals** shall be located at least 3,000 feet from any **other residential facility for mentally ill individuals**.

Growth (see Airport Overlay District definitions)

Hardship (see Floodplain regulations - §157.412(B), Definitions)

Home Occupation

An **accessory use** of a **dwelling** unit, or a **use** of an attached **structure** accessory to a **dwelling** unit, where business activities are conducted which do not change the residential character of the **structure** or property, or adversely impact **adjacent** properties. Clients or customers shall not come to the home, and on-site retail sales shall not be permitted. No outside employees may be permitted. A **home occupation** shall be permitted in conjunction with a single **family**, two **family**, or **multiple family dwelling** unit where the business **owner** lives, and shall be operated entirely within a primary or attached **accessory structure**.

Home Workshop

A **use** of a single **family** property, where business activities are conducted. **Home workshops** are intended to permit **uses** which are more intensive than a **home business**, including **uses** which produce or repair a product, but which do not adversely impact **adjacent** properties. **Home workshops** may include limited assembly, fabricating, **manufacturing**, processing, or repair activities (excluding **automobile repair**). A **home workshop** shall be permitted in conjunction with a **single family dwelling** unit where the business **owner** lives, and shall be conducted entirely within a primary or **accessory structure**. The **gross floor area** of the workshop shall not exceed two thousand (2,000) square feet. To allow for the mixing of **uses** in rural areas, outside employees shall be permitted to work at the **home workshop**, clients or customers shall be permitted to come to the property, and on-site sales of items either produced or value-added on the property, along with accessory retail sales, shall be permitted.

Homeless Shelter

A supervised private facility that provides temporary living accommodations, and that may provide additional support services, for homeless individuals. A homeless shelter may be a primary or accessory use of a lot.

Hospice Care Center

A facility providing in-patient care for individuals suffering from a terminal illness; overnight patient stays shall be permitted as part of this **use**.

Hospital

An institution providing primary health services and medical or surgical care to **persons**, primarily inpatients, suffering from illness, disease, injury, deformity, and other abnormal physical or mental conditions and including, as an integral part of the institution, related facilities, such as laboratories, outpatient facilities, **training** facilities, **medical offices**, and staff residences. Overnight patient stays shall be permitted as part of this **use**.

Hotel

A **building** providing, for compensation, sleeping accommodations and customary lodging services where guests enter through a main lobby of the **building** to get to each rental unit. Related ancillary **uses** may include but shall not be limited to conference and meeting rooms, **restaurants** and~~,~~ **bars**~~, and recreational facilities~~.. An extended stay **hotel** is included in this definition.

Hydrologic and Hydraulic Engineering Analysis (see Floodplain regulations - §157.412(B), Definitions)

Hydroponics

The cultivation of plants by placing the roots in liquid nutrient solutions rather than in soil, or similar soilless growth of plants.

Parcel

An individual unplatted piece of land, that was either: created by a deed recorded prior to April 3, 2014 in compliance with the **Subdivision** Control Ordinance in effect at the time of recordation; created as an **exempt division of land**/excluded **conveyance** by a deed recorded after September 1, 2007, in compliance with the **Subdivision** Control Ordinance in effect at the time of recording; or created by a **Plan Commission**-approved Development Plan. When a piece of land is titled in the name of the same landowner, but is divided by an improved public **right-of-way**, waters of the United States, or **waters of the State** of Indiana, then that piece of land shall be deemed to be more than one **parcel**.

~~**Park or Recreation Area (Private)**~~

~~A natural, landscaped, or developed area, which may include **buildings, structures**, or **athletic fields**, owned or controlled and used by private or semi-public **persons**, entities, or groups for active and/or passive recreational purposes.~~

Park or Recreation Area, ~~(~~Public~~)~~

A natural, landscaped, or developed area, which may include **buildings**, **structures**, or **athletic fields**, provided by a unit of government to meet the active and/or passive recreational needs of the public.

Parking Area

A public or private area designed and used for the temporary parking of **automobiles** or **motor vehicles**, including parking **lots** and **driveways**.

Parking Area (Off-Site)

A **parking area** for a **religious institution** or **school** which is located directly across an **alley right-of-way** from that **religious institution** or **school** (see "**Universally Permitted Use**").

Parking Space (Off-Street)

A space other than on a **street**, passageway, or **alley** designed for **use** or used for the temporary parking of a **motor vehicle**, including **driveways** and **garages** on private residential property.

Parking Structure

A **structure** designed to accommodate vehicular **parking spaces** that are fully or partially enclosed or located on the **deck** surface of a **building**, including parking **garages** and **deck** parking.

Patio

A slab on grade located in the **front**, **rear**, or **side yard** of a property.

Pawn Shop

A place where money is loaned on security of personal property left in pawn and pledged as collateral for the loan and where that property may be redeemed by the seller in a fixed period of time or sold to the general public.

Pedestrian Friendly (see "Pedestrian Oriented")

Pedestrian Oriented

Areas that accommodate pedestrians in a manner that is safe, functional, and aesthetically pleasing. **Pedestrian oriented** areas generally separate pedestrian and **automobile** traffic, as well as offer designs that are more human-scaled.

~~**Recreation Area**~~

~~Private or non-profit **outdoor recreation uses**. **Structures** are typically required by or are part of the **primary use** of the **use**. **Recreation areas** shall include athletic/recreation fields, **golf courses**, **swimming pools**, swimming beaches, volleyball or **tennis courts**, and similar **uses**. This **use** shall not include **public parks** or **public recreation areas**.~~

~~**Recreation Facility**~~

~~A private or non-profit indoor establishment that is maintained or operated for the amusement, patronage, or **recreation** of the general public, members, or paying customers, including bowling alleys, tennis **clubs**, skating rinks, **swimming pools**, and other similar **uses**.~~

~~**Recreation, General**~~

~~A commercial **use** that provides indoor or outdoor amusement, entertainment, recreation, or sport for consumers, including amusement park, **athletic field**, **arena**, batting cages, betting or other gambling facility, **country club**, **entertainment facility**, **golf course (miniature)**, **golf driving range**, go-kart facility, haunted house, **recreation uses**, **riding stable**, skating rink, **stadium/race track**, swim **club**, tennis **club**, and **theater**.~~

~~**Recreation/Tourism, Limited**~~

~~A commercial **use** that provides indoor amusement, entertainment, recreation, or sport for consumers, including **arcade**, billiard or pool hall, bingo establishment, bowling alley, dinner **theater**, **entertainment facility**, haunted house, **hotel**, **motel**, skating rink, swim **club**, tennis **club**, and **theater**.~~

~~**Recreation Uses, Outdoor**~~

~~**Outdoor recreation uses** may include **athletic fields**, **riding stables**, **swimming pools**, **tennis courts**, and similar **uses**.~~

Recreation, Indoor

A private indoor establishment that is maintained or operated for the amusement, patronage, or recreation of the general public, members, or paying customers, including axe throwing, bowling alleys, ping pong, rock climbing, skating rinks, swimming pools, **tennis clubs**, trampoline parks and other similar use. This use shall not include **public parks**.

Recreation, Outdoor

A private outdoor establishment that is maintained or operated for the amusement, patronage, or recreation of the general public, members, or paying customers. **Structures** are typically required by or are part of the use. Recreation areas shall include **athletic fields**, boating, **campgrounds**, canoeing , **golf driving range**, fishing, **golf courses**, non-motorized trail riding, swimming pools, swimming beaches, outdoor games and sports, volleyball or **tennis courts**, zip lining and similar uses. This use shall not include **public parks**.

Recreational Vehicle (see Floodplain regulations - §157.412(B), Definitions)

Recycling Collection Point

An **accessory use**, **structure,** or enclosed area that serves as a neighborhood drop-off point for **temporary storage** of recyclable materials. A **recycling collection point** may also include a facility for the temporary collection of used clothing and household goods.

Recycling Processing Facility

A recycling facility that receives distinct and recognizable **solid waste** items such as metal, computer, and electronic equipment, newspapers, magazines, books, and other paper products, glass, metal cans, and

Riding Stable, Nonresidential

Any **lot** or portions of a **lot** on which horses or other similar animals are maintained as part of a private club or for the public to ride in return for monetary remuneration or other forms of compensation. Nonresidential stables may be located on a **parcel** with no **primary structure**.

~~**Riding Stable, Private**~~

~~Any **lot** or portions of a **lot**, on which a **private club**, association, or other private organization maintains horses or other similar animals to be ridden exclusively by its membership and guests of the membership.~~

Riding Stable, Residential

An area for riding or housing/boarding horses, used as an **accessory use** and located on a property with a single **family** dwelling.

Right-of-Way

A dedicated strip of land that may be occupied or may be intended to be occupied by transportation facilities, **public utilities**, or other public **uses**.

Riverine (see Floodplain regulations - §157.412(B), Definitions)

Root Parcel of Land

Any separate and distinct quantity of land located within a registered **metes and bounds subdivision** created by virtue of a legally recorded deed. For purposes of determining the duration of existence of a **root parcel**, a quantity of land shall not lose its character as a **root parcel** because of later **conveyances** of land from that **parcel**; provided, however, that any **parcel** legally created from a **root parcel of land** by **conveyance** within a registered nonconforming **metes and bounds subdivision** shall, after the expiration of twelve (12) months from the recordation of the deed evidencing that **conveyance**, be construed as a new **root parcel**.

Runway (see Airport Overlay District definitions)

Runway Protection Zone (RPZ) (see Airport Overlay District definitions)

Sales Yard

An outdoor area for the sale of **building** materials, lumber, sand, gravel, stone, and similar materials used in construction projects.

Salvage Yard

A **lot**, **parcel**, **development site**, **structure**, or business operation that is primarily used for sales of, processing, or dismantling **junk**, **building/infrastructure** construction material, or similar material.

Sanitary Landfill

A **solid waste** disposal facility designed to accommodate and dispose of certain types of **solid waste** as defined and described in 329 IAC 10-2 (excluding **hazardous waste** regulated by 329 IAC 3.1). The facility shall be operated by spreading the waste in layers, compacting to the smallest practical volume, and covering with material at the end of each operating day. The facility shall be operated under permits issued by the appropriate government agencies.

Satellite Dish, Large

A parabolic (dish shaped) **structure** with an antennae or similar apparatus or device designed for the purpose of receiving radio, television or similar communications which is more than two (2) feet in diameter.

Department of Planning Services
Zoning Ordinance Amendment Application

Project Name 2025 Fort Wayne Technical Amendment

Applicant Department of Planning Services

Address 200 E Berry St, STE 150

City Fort Wayne City Council State IN

Telephone 260-449-7607 Zip 46802

Email lauraoberholtzer@allencounty.us

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

☐ Other lauraoberholtzer@allencounty.us

Proposed Effective Date April 8, 2026

Legislative Body Fort Wayne City Council

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

This set of technical amendments is proposed to:
1) Clarify language that is not clear based on the use of the ordinances so far;
2) Address issues that have come up since the effective date of the last technical amendment March 26, 2025;

Laura Oberholtzer — Signature of Applicant

Laura Oberholtzer — Printed Name

12/2/2025 — Date

FACT SHEET

Case # ZORD-2025-0015 Bill # G-26-01-07 Project Start: December 2025

PROPOSAL:	Zoning Ordinance Amendment ZORD-2025-0015 – Fort Wayne Technical Amendment
APPLICANT:	Department of Planning Services
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 157.400 (Additional General Standards) Section 157.500 (Administration)
AFFECTED AREA:	Fort Wayne Planning Jurisdiction
COUNCIL DISTRICT:	All
SPONSOR:	City of Fort Wayne Plan Commission

January 12, 2026 Public Hearing

- No one spoke in support or with concerns.
- Karen Richards and Amos Norman were absent.

January 26, 2026 Business Meeting
Plan Commission Recommendation: DO PASS
A motion was made by Ryan Neumeister and seconded by Rachel Tobin-Smith to return the ordinance with a Do Pass recommendation to Common Council for their final decision.

- Connie Haas Zuber and Patrick Zaharako were absent.

7-0 MOTION PASSED

Fact Sheet Prepared by:
Karen Couture, Principal Land Use Planner
February 3, 2026

PROJECT SUMMARY

This public hearing is for the next phase of the ordinance update and alignment project. This project has been ongoing since April of 2009 with the Joint Land Use Governing Board recommendation to the Plan Commissions that initiated the project. The Joint Permitting Oversight Board provided funding to hire Clarion Associates who began work in January 2012.

The fourth phase of the project involved the completion and adoption of the replacement zoning ordinances. The replacement ordinances were heard by both the Allen County and Fort Wayne Plan Commissions in October of 2013;

During Clarion's work on the ordinances, the consultant consistently brought up the fact that once the ordinances were adopted and used by the community and by staff, there would be issues that would come up with the language.

This set of technical amendments is proposed to:

1. Clarify language that is not clear based on the use of the ordinances so far;
2. Address issues that have come up since the effective date of the last technical amendment, March 26, 2025;

A summary of the proposed 2025 technical amendments is below; the proposed effective date is April 8, 2026. To maintain alignment with the County and Fort Wayne, the Grabill, Huntertown, Monroeville and Woodburn ordinances may also be amended.

PUBLIC HEARING SUMMARY:

Presenter: Laura Oberholtzer, Principal Planner for Special Projects, presented the request as outlined above.

Public Comments: None

FORT WAYNE PLAN COMMISSION
Findings of Fact • January 2026

PROPOSAL:	Petition ZORD-2025-0015, Fort Wayne Technical Amendment
APPLICANT:	Department of Planning Services
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 157.400 (Additional General Standards) Section 157.500 (Administration)
AFFECTED AREA:	Fort Wayne planning jurisdiction

The Plan Commission recommends that Rezoning Petition ZORD-2025-0015 be returned to the Fort Wayne City Council with a "Do Pass" recommendation.

These findings approved by the Fort Wayne Plan Commission on January 26, 2026.

Benjamin J. Roussel
Executive Director
Secretary to the Commission

DRAFT 2025 Fort Wayne Allen County Zoning Ordinance
Amendments Summary

This set of technical amendments is proposed to:

1) Clarify language that is not clear based on the use of the ordinances so far;
2) Address issues that have come up since the effective date of the last technical amendment March 26, 2025;

A summary of the proposed 2025 technical amendments is below; the proposed effective date is March 1, 2026. To maintain alignment with the 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**
PU1	Permitted Uses AC 13 et al FW 17 et al	3-2-3-2 (b) et al/157.203 (B) It is unclear what common areas can be used for	To make it clear what common areas are used for, permitted uses language has been updated to **"Common areas** used for a clubhouse, neighborhood center, swimming pool, tennis court, indoor recreation or similar assembly" in A 1, A3, AR RI, R2, R3, MHS, MHP
SU1	Special Use AC (14)	3-2-3-3 (a) (2) (B) Aquaculture should be permitted as a Special Uses.	Added **Aquaculture** as a special use in Al
SU2	Special Use AC (14)	Aquaponics should be permitted in A1 as Special Uses.	Added **Aquaponics as** special use in Al
SU3	Special Uses AC (17, 23) FW (18)	3-2-32 (a)(38)/3-2-4-3(a)(21) 157.203 (C)(23) Recreation Hall is not a defined term in the ordinance	Removed recreation hall and updated special use to **"Reception hall, meeting hall** or **clubhouse"** in Al, AR and A3
SU4	Special Uses AC (14)	3-2-3-3 (a) (2) (B) Winery is a permitted Special Use in A1; Similarly, Brewery (micro) should also be permitted as Special Uses in A1.	**Added Brewery (micro)** to list of special uses in A1 zoning district.
SU5	Special Uses AC (15)	3-2-3-3 (a) (2) (B) Winery is a permitted Special Use in A1; Similarly, Distillery (micro) should also be permitted as Special Uses in A1.	**Added Distillery (micro)** to list of special uses in A1 zoning district.
SU6	Special Uses AC (16) et al FW (18) et al	3-2-3-3 et al/157.203 (C) Recreation terms need updated to align with new terms.	Replaced **"Recreation area"** with new term **"Recreation, outdoor"** and replaced **"Recreation facility"** with new term **"Recreation, indoor**
SU7	Special Uses AC (30) et al FW (26) et al	3-2-6-3 (a)/157.206 (C) The term "Recreation Uses, Outdoor" has been removed.	Removed "Recreation use, outdoor (athletic field, riding stable, swim club, tennis court)" in RI, R2, R3, RP, MHS, Cl and listed athletic field, swim club, tennis court individually as special uses.
DS1	Development Standards AC (33) et al FW (28) et al	3-2-6-5 (a)/157.206 (E) There was a question about whether the square footage requirement applies to structures or buildings in residential districts.R2,	Updated language for Accessory Structures Building size requirement in RI, R2, R3, RP, MHS and MHP to: "Total detached accessory building square footage shall be less than the square footage of the primary building"

Draft Summary of Amendments			
No.	**Keyword/Reference AC/FW**	**Issue**	**Proposed Amendments**
SU8	Special Uses AC (37) et al FW (32) et al	3-2-6-3 (a) et al 157.207 (C) et al Recreation use, outdoor has been replaced with **Recreation, outdoor** which does not include Riding Stable as part of the definition	Listed **Riding Stable, Residential** in districts RI, R2, R3, RP, MHS where it had previously been part of "Recreation use, **outdoor"**
SU9	Special Uses AC (32) et al FW (26) et al	3-2-6-3 (a) et al 157.206 (C) et al It is not clear what public park/recreation area means in regards to **Wind Energy Conversion system standard....**	Removed /recreation area from **Wind energy conversion system standard** in RI, R2, R3, RP, MHS. Public park points to the definition of "Park or Recreation Area, Public"
SU10	Special Uses AC (65) et al FW (66) et al	3-2-12-3 (a)/157.212(C) Manufactured Home Type II should not be a Special Use in Commercial Districts	Removed MH Type II as a Special Use in Cl, C2, NC, SC, C3, C4 and DE
PU2	Permitted Uses AC (71) et al FW (70) et al	3-2-13-2 et al 157.213 (B) Banquet hall is not a defined term and is listed in the same districts as Reception hall which is defined.	Removed Banquet Hall from C2,NC, SC, C3, C4, DC, DE, UC, I1 (FW only), 12,13 permitted use tables.
PU3	Permitted Uses AC (70) et al FW (72) et al	3-2-12-2 et al/157.213 et al Movie Rental is an outdated use.	Removed movie rental from permitted uses table throughout the ordinance.
PU4	Permitted Uses AC (70) et al FW (73) et al	3-2-13-2 et aU157.213 (B) et al Tavern definition points to Bar definition	Removed **Tavern** from permitted uses tables and throughout ordinance.
PU5	Permitted Uses AC (90) et al FW (87) et al	3-2-15-3/157.215 (C) There is an issue with footnote "No gas station canopy shall be located between the primary building and a residential district" in SC, C3, C4 and 13.	Revised footnote to say, "A **gas station canopy** shall meet **primary building setbacks**. "
PU6	Permitted Uses AC (100) et al	3-2-16-3 (a) et al Recreation terms need updated to align with new terms in the permitted uses tables.	Replaced "Recreation area" with "**Recreation, outdoor**" and replaced "**Recreation facility**" with "**Recreation, indoor**" in C3, C4,I1, I3

Draft Summary of Amendments			
No.	**Keyword/Reference AC/FW**	**Issue**	**Proposed Amendments**
PU7	Permitted Uses AC (98) et al FW (97)	3-2-16-2 157. 216 (B) "Recreation uses" is not a defined term	Removed term "recreation uses" from permitted uses table in C3, C4, I1 & I2 (FW only), 13, RO
PU8	Permitted Uses AC 87 FW (88) et al	3-2-15-2 157.215 (B) Entertainment facility definition has been updated to include both indoor and outdoor use	Removed (including outdoor) from "Entertainment facility" in SC, DC, DE and RO districts permitted use tables.
PU9	Permitted Use AC (97) et al FW (96) et al	3-2-16-2 et al 157.216 (B) et al "Golf Driving Range" is included in the definition of "Recreation, Outdoor".	Removed "Golf Driving Range" from Permitted Uses table in C3, C4, I2 (FW only) and 13.
PU10	Permitted Uses AC (101) et al FW (98) et al	3-2-16-2 et al 157.216 (B) et al There is confusion on what type of riding stables are permitted in some commercial districts	Added "nonresidential" to "Riding Stable" in C3, C4, DC, DE, UC, I2 (FW only), 13
SU10	Special Uses AC (101, 109) FW (100, C4)	3-2-16-3 (a)/157.216 (C) Term "Recreation uses, Outdoor" has been removed.	Replaced "Recreation use, outdoor (amusement park go cart facility... if adjacent to residential" with **"Recreation, outdoor** (if adjacent to a residential district)" and listed amusement park, go-kart facility, stadium/race track, and water park (if adjacent to a residential district) separately as special uses in C3 and C4
SU11	Special Uses AC (64) FW (66)	3-2-12-3 (a)/157.212 (B) Riding stables should not be a Special Use in Cl	Removed Riding stable as a special use by removing "Recreation use"
SU12	Special Uses FW (118)	157.218 (C)(7) There is an issue with the special use, "Homeless shelter (accessory to a religious institution)" in the DC district	Removed "accessory to a religious institution" from "Homeless shelter" special use.
PU11	Permitted Uses AC (128, 138) FW (153, 163)	3-2-23-2/157.224 (B) Previous determinations put ammunition assembly or manufacturing it within I2 and or I3	Added "ammunition" under I2 and 13 as permitted use table under "Assembly facility for/manufacturing of"
PU12	Permitted Uses AC (97) et al FW (97) et al	3-2-16-2/157.216 (B) To be consistent with how other sales/repair uses are permitted in the ordinance, gun repair should align with where gun sales are permitted.	Added "Gun repair" as a permitted use in districts where "Gun Sales" are already permitted; C3, C4, 12 (FW only),13

DS2	Development Standards FW (137)	157.220 (E) (1) UC Height should revert back to 60-feet	Changed height standard for primary and accessory building or structure from 80' to 60'.

Draft Summary of Amendments			
No.	**Keyword/Reference AC/FW**	**Issue**	**Proposed Amendments**
DDS1	Development Design Standards FW (215)	157.404 (O)(1)(b) The Residential Impact Mitigation Exception standards don't apply to UC	Removed UC from Residential Impact Mitigation standards exception.
DDS2	Development Design Standards AC (194) FW (217)	3-4-4-21(g)(2)(B)/ 157.404(U)(6)(b)(ii) There is confusion about when stub streets are required for future access in major subdivisions	Updated standard to: (B)/(ii) Provide stub streets to allow at least one future access to adjoining vacant parcels of land ~~per~~ after 50 lots ~~(or part thereof)~~ in the proposed Major Subdivision….."
PARK1	Parking AC (202) FW (231)	3-4-7-4 (a)(4)/157.407 New recreation terms need to be added to parking requirements	Updated Minimum Off-Street Parking Requirements table to reflect changes to recreation terms: Replaced "Recreation/tourism" with **Recreation, indoor** and replaced "Recreation, general" with **Recreation, outdoor**
LAND1	Landscaping Standards AC (211,216) FW (231)	3-4-8-4(b)(10)/157.408 (e) There are no landscaping standards for Gas Station Canopies	Added "**Gas Station Canopy**" to Code A-5 landscaping standards and updated standard to say, "Continuous 6′ high **solid fence**, on the property line may be immediately around the eating/drinking smoking area. (1)
AO1	Airport Overlay Special Uses AC (253) FW (295)	3-4-11-9/157.411 (I) New recreation terms have been added to the ordinance	Updated recreation terms in AO district Special Use Table
PRO1	Procedures AC (271) FW (347)	3-5-3-2(a)(2)/157.503(B)(b) There is confusion about if an ILP can be issued when construction encroaches on a front build line.	Removed, "unless the applicant documents that the restrictive covenants for the subdivision allow such an encroachment. This prohibition shall also apply to all non-allowed construction that does not require an Improvement Location Permit."
PRO2	Procedures AC (278) FW (355)	3-5-3-4 (a)/157.503 (D)(1) Special Use Zoning Districts in the Special Uses Table need to be updated.	Updated Special Uses Table Accordingly.
PRO3	Procedures AC (283)	3-5-3-4 (b)(4) Aquaculture and Aquaponics should meet additional criteria for approval as special uses.	Added **Aquaculture** and **Aquaponics** to list of uses that must meet additional criteria; not be injurious to the public health, safety, or welfare of the community
PRO4	Procedures AC (283) FW (359)	3-5-3-4 (b)(4)/157.503 (2)(d) Recreation terms with additional Criteria for Approval of Special Use need to be updated.	Removed "Recreation facility or use (not otherwise permitted)" and replaced with new rec terms: (J)/(iii)**Recreation, indoor** (K)/(iv) **Recreation, outdoor**
DEF1	Abut AC (301) FW (384)	3-5-6-2/157.506 (B) "Abut" is used several times in the ordinance when "adjacent" is not appropriate.	Added new term and definition; "**Abut**: **Lots** or **parcels** that have a common **lot line** with each other. **Lots** or **parcels** that have a common **lot line** with **streets, alleys,** and **rights-of-way**."

Draft Summary of Amendments			
No.	**Keyword/Reference AC/FW**	**Issue**	**Proposed Amendments**
DEF2	Bed and Breakfast AC (314) FW (395)	3-5-6-2/157.506 (B) Meals should be included as part of "Bed and Breakfast"	Replaced "with or without" with "and" in the definition of **Bed and Breakfast**.
DEF3	Canopy AC (319) FW (399)	3-5-6-2/157.506 (B) The definition of canopy should not include gas station canopies.	Added, "A **gas station canopy** is not included in this definition (see "**Gas Station**")" to the definition of **Canopy**.
DEF4	Enclosed Area (Enclosure) AC (329) FW (412)	3-5-6-2/157.506 (B) A definition for Enclosed Area (Enclosure) is only found in the Floodplain Section of the ordinance.	Added a Definition of Enclosed Area (Enclosure) to the overall ordinance. "**Enclosed Area (Enclosure):** A **structure** that has two or more exterior walls."
DEF5	Entertainment Facility AC (329) FW (410)	3-5-6-2/157.506 (B) Including "indoor or outdoor" in the definition limits the facility to being one or the other	Removed "indoor or outdoor" from **Entertainment Facility** definition
DEF6	Gas Station AC (335) FW (416)	3-5-6-2/157.506 (B) A "gas station canopy" should be included in the definition of Gas Station.	Added, "A **gas station canopy** is included in this definition" to the definition of **Gas Station**.
DEF7	Golf Course (Miniature) AC (334) FW (418)	3-5-6-2/157.506 (B) The use of the term "recreational facility" in the definition of miniature golf course causes confusion.	Removed "recreational facility" and replaced with from "area or facility".
DEF8	Hotel AC (339) FW (422)	3-5-6-2/157.506 (B) "Recreational facilities" is not defined and does not need to be included in the definition of	Removed "recreational facilities" from Hotel definition.
DEF9	Park or Recreation Area (Private) AC (352) FW (433)	3-5-6-2/157.506 (B) Park or Recreation Area (Private) is only found in the Definitions section of the Zoning Ordinance	**Removed Park or Recreation Area (Private)** definition.
DEF10	Recreation Area Recreation, Outdoor AC (356) FW(437)	3-5-6-2/157.506 (B) Recreation Area has been replaced with Recreation, Outdoor	Removed Recreation Area. These uses are now addressed under **Recreation, outdoor.** Added new term and definition; "**Recreation, outdoor**: A private outdoor establishment that is maintained or operated for the amusement, patronage, or recreation of the general public, members, or paying customers. Structures are typically required by or are part of the use. Recreation areas shall include athletic fields, boating, campgrounds, canoeing , golf driving range, fishing, golf courses, non-motorized trail riding, swimming pools, swimming beaches, outdoor games and sports, volleyball or tennis courts, zip lining and similar uses. This use shall not include public parks."

Draft Summary of Amendments			
No.	**Keyword/Reference AC/FW**	**Issue**	**Proposed Amendments**
DEF11	Recreation Facility Recreation, Indoor AC (356) FW (437)	3-5-6-2 157.506 (B) Recreation Facility has been replaced with Recreation, indoor	Removed "Recreation Facility". These uses are now addressed under **Recreation, indoor**. Added new term and definition; "**Recreation, indoor**: A private indoor establishment that is maintained or operated for the amusement, patronage, or recreation of the general public, members, or paying customers, including axe throwing, bowling alleys, ping pong, rock climbing, skating rinks, swimming pools, tennis clubs, trampoline parks and other similar use. This use shall not include public parks."
DEF12	Recreation, General AC (356) FW (437)	3-5-6-2 /157.506 (B) Recreation, General is only found in the definition section and minimum parking requirements table.	Removed "Recreation, General" definition from ordinance. These uses are addressed under other terms.
DEF13	Recreation/Tourism, Limited AC (356) FW (437)	3-5-6-2/157.506 (B) Recreation/Tourism, Limited is only found in the definition section and minimum parking requirements table.	Removed "Recreation/Tourism, Limited" definition from ordinance. These uses are addressed under new term "Recreation, indoor"
DEF14	Recreation Uses, Outdoor AC (356) FW (437)	3-5-6-2/157.506 (B) Recreation Uses, Outdoor has been replaced with Recreation, outdoor	Removed, "Recreation Uses, Outdoor: Outdoor recreation uses may include athletic fields, riding stables, swimming pools, tennis courts, and similar uses." These uses are addressed in new Recreation, outdoor definition
DEF15	Retirement Facility AC (359) FW (441)	3-5-6-2/157.506 (B) The use of the defined term "common areas" in the definition of Retirement Facility is confusing.	Added the word "living" between common and areas.
DEF16	Riding Stable, Nonresidential & Riding Stable, Private AC (359) FW (440)	3-5-6-2/157.506 (B) "Riding Stable, Nonresidential" and "Riding Stable, Private" do not need separate definitions.	Removed "Riding Stable, Private" definition and added *"as part of a private club or"* to "Riding Stable, Nonresidential"
DEF17	Universally Permitted Use	3-5-6-2/157.506 (B) Use of the term "park or recreation area" in the definition of Universally Permitted use is confusing	Replaced "park or recreation area (public county, municipal, state, or township)" with the term **"public park", which points to** the definition of "park of recreation area, public" in the 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**, **indoor** or other similar assembly ~~**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);

(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).

(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 building**, as a **primary building**, on a site of at least five (5) acres;

(2) **Airstrip/heliport** (corporate or multiple **owner use**);

(3) **Accessory dwelling unit** (freestanding);

(4) Bed and breakfast;

(5) Boarding house;

(6) Class II child care home;

(7) Community garden that includes a structure;

(8) **Container home** (see §157.503(D)(3)(h) for additional standards);

(9) Country club;

(10) **Educational institution** (not otherwise permitted);

(11) **Educational institution**-associated facilities, **uses**, and areas (on non-contiguous properties);

(12) Funeral home;

(13) Group residential facility (large);

(14) **Home business** (see §157.503(D)(3)(b) for additional standards);

(15) **Home enterprise** (see §157.503(D)(3)(c) for additional standards);

(16) **Home workshop** (see §157.503(D)(3)(d) for additional standards);

(17) **Homeless shelter** (accessory to a **religious institution**, for up to eight (8) individuals);

(18) **Manufactured home, Type II** (see §157.503(D)(3)(e) for additional standards);

(19) **Model home** (for an extension of time or expansion of scope);

(20) Nature preserve (that includes a structure or parking area);

(21) Neighborhood facility;

(22) **Nonconforming use** (expansion of existing **nonconforming use**, or allow conforming status to existing **use**, excluding **gas station uses**);

(23) **Reception** hall, **meeting** hall, or ~~recreation hall;~~ **clubhouse**;

~~(24) Recreation area;~~ **Recreation, outdoor**;

~~(25) Recreation facility;~~ **Recreation, indoor**;

~~(26)~~(24) Religious institution or non-public school illuminated athletic field(s);

~~(27)~~(25) Residential facility for a court-ordered re-entry program;

~~(28)~~(26) Residential facility for homeless individuals (for up to eight (8) individuals);

~~(29)~~(27) **Riding stable, nonresidential** (on a **lot** with no **residential building**; the stable shall be located on a **tract** of at least five (5) acres);

~~(30)~~(28) **Sign** (temporary **subdivision** direction);

~~(31)~~(29) Solar panel (ground-mounted);

§ 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~~ **indoor recreation or other similar assembly** ~~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.

(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);

~~(2)~~(3) **Athletic field;**

~~(3)~~(4) Bed and breakfast;

~~(4)~~(5) Boarding house;

~~(5)~~(6) Class II child care home;

~~(6)~~(7) **Club, private** (**transitional use**);

~~(7)~~(8) Community facility not otherwise permitted (**transitional use**);

~~(8)~~(9) Community garden that includes a structure;

~~(9)~~(10) **Container home** (see §157.503(D)(3)(h) for additional standards);

~~(10)~~(11) Country club;

~~(11)~~(12) **Educational institution** (not otherwise permitted);

~~(12)~~(13) **Educational institution**-associated facilities, **uses**, and areas (on non-contiguous properties);

~~(13)~~(14) Emergency response facility (**transitional use**);

~~(14)~~(15) Funeral home;

~~(15) Golf course;~~

(16) Group residential facility (large);

(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)~~(31) Religious institution or non-public school illuminated athletic field(s);

~~(33)~~(32) Residential facility for a court-ordered re-entry program;

(33) **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);

(34) **Riding stable, residential;**

(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) Swim **club;**

~~(38)~~(40) Tennis **club;**

~~(39)~~(41) **Two family dwelling** (to allow conforming status for existing **nonconforming uses**);

~~(40)~~(42) **Utility facility, private** (not otherwise permitted or exempt);

~~(41)~~(43) **Wind energy conversion system, micro** (for single family detached dwellings on unplatted land); and

(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 **detached accessory building** square footage shall be less than the square footage of 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**)	6,000
Public sewer (**corner lot**)	8,500
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**)	50′ (25′ at front lot line)
Public sewer (**corner lot**)	70′
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)

§ 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 **indoor recreation** or other similar assembly ~~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 (attached) (one building of up to two (2) units);

(6) Single family dwelling (detached);

(7) Two family dwelling; and

(8) Universally permitted use.

(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);

~~(2)~~(3) **Athletic field;**

~~(3)~~(4) Bed and breakfast;

~~(4)~~(5) Boarding house;

~~(5)~~(6) Class II child care home;

~~(6)~~(7) Club, private (transitional use);

~~(7)~~(8) Community facility not otherwise permitted (transitional use);

~~(8)~~(9) Community garden that includes a structure;

~~(9)~~(10) **Container home** (see §157.503(D)(3)(h) for additional standards);

~~(10)~~(11) Country club;

~~(11)~~(12) **Educational institution** (not otherwise permitted);

~~(12)~~(13) **Educational institution**-associated facilities, **uses**, and areas (on non-contiguous properties);

~~(13)~~(14) Emergency response facility (transitional use);

~~(14)~~(15) Funeral home;

~~(15)~~(16) ~~Golf course~~;

~~(16)~~(17) Group residential facility (large);

~~(17)~~(18) **Heliport** (private individual or accessory to a permitted **nonresidential use**, excluding **hospital uses**);

~~(18)~~(19) **Home business** (see §157.503(D)(3)(b) for additional standards);

~~(19)~~(20) **Homeless shelter** (accessory to a **religious institution**, for up to eight (8) individuals);

~~(20)~~(21) Instruction/training/education (transitional use);

~~(21)~~(22) **Live-work unit** (transitional use);

~~(22)~~(23) **Manufactured home**, **Type II** (see §157.503(D)(3)(e) for additional standards);

~~(23)~~(24) Medical office (transitional use);

~~(24)~~(25) **Model home** (for extension of time or expansion of scope);

~~(25)~~(26) **Multiple Family Dwelling** (transitional use, up to ten (10) units, see multiple **family building** and complex perimeter **setback** and **building** separation requirements in R3 district (§157.208(E)(1)));

~~(26)~~(27) Museum;

~~(27)~~(28) Nature preserve (that includes a structure or parking area);

~~(28)~~(29) Neighborhood facility;

~~(29)~~(30) **Nonconforming use** (expansion of existing **nonconforming use**, or allow conforming status to existing **use**, excluding **gas station uses**);

~~(30)~~(31) **Personal service** (**transitional use**, excluding copy/duplicating service, **health club**/fitness center, or social service agency);

~~(31)~~(32) **Professional office/business service** (transitional use, excluding bank, credit union, loan office, or savings and loan);

~~(32) Recreation use, outdoor (athletic field, riding stable, swim club, tennis club);~~

(33) Religious institution or non-public school illuminated athletic field(s);

(34) Residential facility for a court-ordered re-entry program;

(35) Residential facility for homeless individuals (for up to eight (8) individuals);

~~(35)~~(36) **Riding Stable, residential**;

~~(36)~~(37) **Sign** (temporary **subdivision** direction);

~~(37)~~(38) **Solar panel (ground mounted)**;

~~(38)~~(39) **Subdivision clubhouse**, **meeting hall**, **neighborhood center**, or swim/tennis facility, if not previously approved as part of the **subdivision**;

(40) Studio (transitional use);

(41) Swim **club**;

~~(39)~~(42) Tennis **club**;

~~(40)~~(43) **Utility facility, private** (not otherwise permitted or exempt);

~~(41)~~(44) **Wind energy conversion system, micro** (for single family detached dwellings on unplatted land only); and

~~(42)~~(45) **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) 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 **detached accessory building** square footage shall be less than the square footage of 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	**Attached Single Family Dwelling**
Public sewer (**interior lot**)	6,000	3,000
Public sewer (**corner lot**)	8,500	6,000
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	**Attached Single Family Dwelling**
Public sewer (**interior lot**)	50′ (25′ at front lot line)	25′
Public sewer (**corner lot**)	70′	50′
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)	

§ 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**, **indoor** or other similar ~~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) Single family dwelling (detached) (including multiple primary structures);

(13) Two family dwelling; and

(14) Universally permitted use.

(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);

~~(2)~~(3) **Athletic field;**

~~(3)~~(4) Bed and breakfast;

~~(4)~~(5) Boarding house;

~~(5)~~(6) Class II child care home;

~~(6)~~(7) Club, private (transitional use);

~~(7)~~(8) Community facility not otherwise permitted (transitional use);

~~(8)~~(9) Community garden that includes a structure;

~~(9)~~(10) **Container home** (see §157.503(D)(3)(h) for additional standards);

~~(10)~~(11) Country club;

~~(11)~~(12) **Educational institution** (not otherwise permitted);

~~(12)~~(13) **Educational institution**-associated facilities, **uses**, and areas (on non-contiguous properties);

~~(13)~~(14) Emergency response facility (transitional use);

~~(14)~~(15) Funeral home;

~~(15)~~(16) ~~Golf course~~;

~~(16)~~(17) Group residential facility (large);

~~(17)~~(18) **Heliport (private** individual or accessory to permitted **nonresidential use**, excluding **hospital uses**);

~~(18)~~(19) **Home business** (see §157.503(D)(3)(b) for additional standards);

~~(19)~~(20) **Homeless shelter** (accessory to a **religious institution**, for up to eight (8) individuals);

~~(20)~~(21) Instruction/training/education (transitional use);

~~(21)~~(22) Live-work unit (transitional use);

~~(22)~~(23) **Manufactured home, Type II** (see §157.503(D)(3)(e) for additional standards);

~~(23)~~(24) Medical office (transitional use);

~~(24)~~(25) **Model home** (for extension of time or expansion of scope);

~~(25)~~(26) Museum;

~~(26)~~(27) Nature preserve (that includes a structure or parking area);

~~(27)~~(28) Neighborhood facility;

~~(28)~~(29) **Nonconforming use** (expansion of existing **nonconforming use**, or allow conforming status to existing **use**, excluding **gas station uses**);

~~(29)~~(30) **Personal service** (**transitional use**, excluding copy/duplicating service, **health club**/fitness center, or social service agency);

~~(30)~~(31) **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);

~~(34)~~(35) **Riding Stable, residential**;

~~(35)~~(36) **Sign** (temporary **subdivision** direction);

~~(36)~~(37) **Solar panel (ground mounted)**;

~~(37)~~(38) **Subdivision clubhouse**, **meeting hall**, **neighborhood center**, or swim/tennis facility, if not previously approved as part of the **subdivision**;

(39) Studio (transitional use);

(40) Swim **club**;

~~(38)~~(41) Tennis **club**;

~~(39)~~(42) **Utility facility, private** (not otherwise permitted or exempt);

~~(40)~~(43) **Wind energy conversion system, micro** (for single family detached dwellings on unplatted land only); and

~~(41)~~(44) **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).

(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 **detached accessory building** square footage shall be less than the square footage of 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	**Attached Single Family Dwelling**
Public sewer (**interior lot**)	6,000	3,000
Public sewer (**corner lot**)	8,500	6,000
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	**Attached Single Family Dwelling**
Public sewer (**interior lot**)	50′ (25′ at **front lot line**)	25′
Public sewer (**corner lot**)	70′	50′
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)	

§ 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~~ **indoor recreation** or other similar assembly ~~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) Single family dwelling (detached);

(13) Two family dwelling; and

(14) Universally permitted use.

(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);

~~(2)~~(3) **Athletic field;**

~~(3)~~(4) Bed and breakfast;

~~(4)~~(5) Boarding house;

~~(5)~~(6) Class II child care home;

~~(6)~~(7) Club, private (transitional use);

~~(7)~~(8) Community facility not otherwise permitted (transitional use);

~~(8)~~(9) Community garden that includes a structure;

~~(9)~~(10) **Container home** (see §157.503(D)(3)(h) for additional standards);

~~(10)~~(11) Country club;

~~(11)~~(12) **Educational institution** (not otherwise permitted);

~~(12)~~(13) **Educational institution**-associated facilities, **uses**, and areas (on non-contiguous properties);

~~(13)~~(14) Emergency response facility (transitional use);

~~(14)~~(15) Funeral home;

~~(15) Golf course;~~

(16) Group residential facility (large);

(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 §157.203(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)~~(31) Religious institution or non-public school illuminated athletic field(s);

~~(33)~~(32) Residential facility for a court-ordered re-entry program;

(33) Residential facility for homeless individuals (for up to eight (8) individuals);

(34) **Riding stable, residential;**

(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) Swim **club**;

~~(38)~~(40) Tennis **club**;

~~(39)~~(41) **Utility facility, private** (not otherwise permitted or exempt);

~~(40)~~(42) **Wind energy conversion system, micro** (for single family detached dwellings on unplatted land only); and

~~(41)~~(43) **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).

(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 **detached accessory building** square footage shall be less than the square footage of 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	**Attached Single Family Dwelling**
Public sewer (**interior lot**)	6,000	3,000
Public sewer (**corner lot**)	8,500	6,000
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	**Attached Single Family Dwelling**
Public sewer (**interior lot**)	50′ (25′ at **front lot line**)	25′
Public sewer (**corner lot**)	70′	50′
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)	

§ 157.210 MHS MANUFACTURED HOME SUBDIVISION

(A) Purpose

The **Manufactured Home Subdivision district** is intended to create areas for the **development** of **Type II manufactured homes** on individual **lots** which will provide for an environment of predominantly single **family development** with certain additional **uses**.

(B) Permitted **Uses**

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

(1) **Accessory building, structure**, or **use** as set forth in §157.210(D);

(2) Common areas used for a clubhouse, neighborhood center, swimming pool, tennis court~~, or other similar assembly or~~ **indoor recreation** or other similar assembly ~~facility, including structures and uses typically associated with a single family subdivision~~;

(3) **Group residential facility (small);**

(4) Manufactured home, Type II;

(5) **Model home** (permitted for up to two (2) years);

(6) Single family dwelling (detached); and

(7) Universally permitted use.

(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);

~~(2)~~(3) **Athletic field;**

~~(3)~~(4) Bed and breakfast;

~~(4)~~(5) Boarding house;

~~(5)~~(6) Class II child care home;

~~(6)~~(7) Club, private (transitional use);

~~(7)~~(8) Community facility not otherwise permitted (transitional use);

~~(8)~~(9) Community garden that includes a structure;

~~(9)~~(10) **Container home** (see §157.503(D)(3)(h) for additional standards);

~~(10)~~(11) Country club;

~~(11)~~(12) **Educational institution** (not otherwise permitted);

~~(12)~~(13) **Educational institution**-associated facilities, **uses**, and areas (on non-contiguous properties);

~~(13)~~(14) Emergency response facility (transitional use);

~~(14)~~(15) Funeral home;

~~(15)~~(16) ~~Golf course~~;

~~(16)~~(17) Group residential facility (large);

~~(17)~~(18) **Heliport (private** individual or accessory to a permitted **nonresidential use**, excluding **hospital uses**);

~~(18)~~(19) **Home business** (see §157.503(D)(3)(b) for additional standards);

~~(19)~~(20) **Homeless shelter** (accessory to a **religious institution**, for up to eight (8) individuals);

~~(20)~~(21) Instruction/training/education (transitional use);

~~(21)~~(22) Live-work unit (transitional use);

~~(22)~~(23) Medical office (transitional use);

~~(23)~~(24) **Model home** (for extension of time or expansion of scope);

~~(24)~~(25) Museum;

~~(25)~~(26) Nature preserve (that includes a structure or parking area);

~~(26)~~(27) Neighborhood facility;

~~(27)~~(28) **Nonconforming use** (expansion of existing **nonconforming use**, or allow conforming status to existing **use**, excluding **gas station uses**);

~~(28)~~(29) **Personal service** (**transitional use,** excluding copy/duplicating service, **health club**/fitness center, or social service agency);

~~(29)~~(30) **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);

~~(33)~~(34) **Riding stable, residential;**

~~(34)~~(35) **Sign** (temporary **subdivision** direction)

~~(35)~~(36) **Solar panel (ground mounted)**;

~~(36)~~(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) Swim **club**;

~~(37)~~(40) Tennis **club**;

~~(38)~~(41) **Two family dwelling** (to allow conforming status for existing **nonconforming uses**);

~~(39)~~(42) **Utility facility, private** (not otherwise permitted or exempt);

~~(40)~~(43) **Wind energy conversion system, micro** (for single family detached dwellings on unplatted land only); and

~~(41)~~(44) **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).

(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 **detached accessory building** square footage shall be less than the square footage of 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**)	6,000
Public sewer (**corner lot**)	8,500
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**)	50′ (25′ at front lot line)
Public sewer (**corner lot**)	70′
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)

§ 157.211 MHP MANUFACTURED HOME PARK

(A) Purpose

The **Manufactured Home Park district** is intended to create areas for the location of multiple **Type III manufactured homes** on leased or rented **lots**. **Manufactured home park developments** shall require the review and approval of a Development Plan (see §157.301).

(B) Permitted **Uses**

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

(1) **Accessory building, structure**, or **use** as set forth in §157.211(C);

(2) Common areas used for a clubhouse, neighborhood center, swimming pool, tennis court, ~~or other similar assembly or~~ **indoor recreation** or other similar assembly~~facility, in association with an approved Development Plan~~;

(3) **Container home**;

(4) **Manufactured home** project under single ownership (including **model home**, but excluding sales or service **lot**);

(5) Manufactured home, Type II;

(6) Manufactured home, Type III; and

(7) Universally permitted use.

(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 **detached accessory building** square footage shall be less than the square footage of 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

(C) Special Uses

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

(1) Animal service, indoor;

~~(1)~~(2) **Athletic field;**

~~(2)~~(3) Automatic teller machine (ATM) (stand-alone);

~~(3)~~(4) Club, private;

~~(4)~~(5) **Commercial communication tower** (see §157.503(D)(3)(a) for additional standards);

~~(5)~~(6) Community garden that includes a structure;

~~(6)~~(7) **Educational institution**-associated **uses** (on non-contiguous properties, not otherwise permitted);

~~(7)~~(8) Group residential facility (large) (if adjacent to a residential district);

~~(8)~~(9) **Home business** (in an existing **single family detached dwelling** only; see §157.503(D)(3)(b) for additional standards);

~~(9)~~(10) Homeless shelter (if adjacent to a residential district, or accessory to a religious institution);

~~(10) **Manufactured home, Type II** (see §157.503(D)(3)(e) for additional standards);~~

(11) **Nonconforming use** (expansion of existing **nonconforming use**, or allow conforming status to existing **use**, excluding **gas station uses**);

(12) **Parking area** (as a **primary use**, a **special use** shall not be required for a universally permitted **off-site parking area**;

~~(13) Recreation use, outdoor (athletic field, riding stable, swim club, tennis club);~~

~~(14)~~(13) Religious institution or non-public school illuminated athletic field(s);

~~(15)~~(14) Residential facility for a court-ordered re-entry program;

~~(16)~~(15) Residential facility for homeless individuals (for up to eight (8) individuals, if adjacent to a residential district);

~~(17)~~(16) Retail: **art gallery**, **bakery** goods, **coffee shop**, candy store, delicatessen, florist, ice cream store, jewelry sales, medical supply sales, musical instrument store, sandwich **shop**, tea room (this **special use** shall only be permitted to allow for the conversion of an existing **building**; allowed up to 2,500 square feet; **drive-through facilities** shall not be permitted as part of this **special use**);

~~(18)~~(17) **Sign** (temporary **subdivision** direction);

(18) **Solar panel (ground mounted)**;

(19) Swim **club;**

~~(19)~~(20) Tennis **club;**

~~(20)~~(21) Tattoo establishment;

~~(21)~~(22) **Utility facility, private** (not otherwise permitted or exempt);

~~(22)~~(23) **Wind energy conversion system, standard** (or more than one (1) micro system); and

§ 157.213 C2 LIMITED COMMERCIAL

(A) Purpose

The Limited Commercial **district** is intended to provide areas for moderate intensity business, community, office, **personal service**, and **limited retail uses**, along with certain residential facilities. Neighborhood-oriented **uses** are encouraged.

(B) Permitted **Uses**

The following **uses** are permitted as a matter of right in a C2 **district**. Unless otherwise noted or defined, all **primary uses** shall be conducted indoors. In C2 **districts**, **outdoor display** shall be permitted within ten (10) feet of the **primary structure** on the front or **street** side(s); or beneath a **gas station canopy**. **Outdoor storage** shall: be located behind the **primary structure**, or on the internal side of a **corner lot**; meet **primary building setback** standards; and be located on a paved or permitted gravel surface.

C2 LIMITED COMMERCIAL SPECIFIC PERMITTED USES	
Accessory building/structure/use	**Automobile sales** (indoor)
Accountant	Bait sales
Adoption service	**Bakery** goods
Adult care center	**Bank**
Advertising	Bankruptcy service
Air conditioning sales	~~Banquet hall~~
Alteration service	**Bar**
Animal grooming (indoor)	**Barber shop**
Animal hospital (indoor)	**Barber/beauty school**
Animal kennel (indoor)	**Beauty shop**
Animal obedience **school** (indoor)	**Bed and breakfast**
Answering service	Bicycle sales and repair **shop**
Antique shop	Billiard or pool hall
Apparel and accessory store	Bingo establishment
Appliance store	Blood bank
Appraiser	Blood or plasma donor facility
Arcade	Boarding house
Architect	Book store
Art gallery	Bookkeeping service
Art **instruction**	Bowling alley
Art studio	**Brewery (micro)**
Art supply store	Broadcast studio
Assisted living facility	Broker
Attorney	Business **training**
Auction service	**Campus housing (off-site)**
Audiologist	Candy store
Audio-visual **studio**	Catalog showroom
Automatic teller machine	Caterer
Automobile accessory store (indoor)	**Child care center**
Automobile rental (indoor)	**Child care home (class I** or **II)**

C2 LIMITED COMMERCIAL SPECIFIC PERMITTED USES	
Interior decorating store	**Parking structure**
Interior design service	**Pet store**
Internet service	Pharmacy
Investment service	Photography studio
Jewelry sales	Photography supply store
Laboratory	Photography training
Land surveyor	Physical therapy facility
Laundromat	Picture framing facility
Leather goods store	Pilates instruction
Legal service	Planetarium
Live-work unit	Planner
Loan office	Podiatrist
Luggage store	Pottery sales
Marketing agency	Public transportation facility
Martial arts **training**	**Radio station**
Massage therapy	Real estate
Meat/fish market	Reception hall
Medical supply sales	Recording studio
Medical **training**	**Recreation, indoor ~~facility~~** (1)
Model unit	**Rental store**
Mortgage service	**Residential dwelling unit** (3)
Motel	**Residential facility for homeless individuals** (up to 8) (1)
~~Movie rental~~	**Restaurant**, including **drive-through**
Movie sales	**Retirement facility**
Multiple family complex (4)	Sandwich shop
Multiple family dwelling (4)	**Savings and loan**
Museum	Sculpture studio
Music **instruction**	Security service
Music store	Shoe repair **shop**
Music **studio**	Shoe store
Musical instrument store	**Sign sales store**
Nail salon	Skating rink
Neighborhood facility	Sleep disorder facility
Nursing home	Social service agency
Nutrition service	**Sorority house**
Office, professional	Sporting goods sales
Ophthalmologist	Stained glass **studio**
Optician	Stationery store
Optometrist	Stock and **bond** broker
Package liquor store	Surgery center
Paint store	Swim **club**
Painting studio	**Swimming pool** sales
Parking area (1)	Tailor
Parking area (off-site) (2)	Tanning salon

(C) Special Uses

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

(1) Automobile maintenance (quick service);

(2) **Commercial communication tower** (see §157.503(D)(3)(a) for additional standards);

(3) **Educational institution**-associated **uses** (on non-contiguous properties, not otherwise permitted);

(4) **Gas station** (except when a **gas station** site is **adjacent** to a **residential district**, or is on a **street** that is directly opposite from a **residential district**);

The **Board** may consider the **gas station** size, **building/canopy** orientation, general **design standards**, and specific **primary building** orientation design requirements set forth for **gas stations** in §157.219(C)(7) (Downtown Edge **district**);

(5) **Greenhouse** (retail);

(6) Group residential facility (large) (if adjacent to a residential district);

(7) **Home business** (in an existing **single family detached dwelling** only; see §157.503(D)(3)(b) for additional standards);

(8) Homeless shelter (if adjacent to a residential district, or accessory to a religious institution);

~~(9) **Manufactured home, Type II** (see §157.503(D)(3)(e) for additional standards);~~

~~(10)~~(9) **Nonconforming use** (expansion of existing **nonconforming use**, or allow conforming status to existing **use**, excluding **gas station uses**);

~~(11)~~(10) Outdoor **use** (in conjunction with a permitted **primary use**);

~~(12)~~(11) Parking area (as a primary use, if adjacent to a residential district); a special use shall not be required for a universally permitted off-site parking area;

(12) Plant nursery;

(13) **Recreation, indoor** (if **adjacent** to a residential district);

~~(13)~~(14) **Recreation, outdoor**;

~~(14) Recreation area (including accessory recreation areas);~~

~~(15) Recreation facility (if adjacent to a residential district);~~

~~(16)~~(15) Religious institution or non-public school illuminated athletic field(s);

~~(17)~~(16) Residential facility for a court-ordered re-entry program;

~~(18)~~(17) Residential facility for homeless individuals (for up to eight (8) individuals, if adjacent to a residential district);

~~(19)~~(18) Shooting range (indoor);

~~(20)~~(19) **Sign** (temporary **subdivision** direction);

~~(21)~~(20) **Solar panel (ground mounted)**;

~~(22)~~(21) **Utility facility, private** (not otherwise permitted or exempt);

~~(23)~~(22) **Wind energy conversion system, standard** (or more than one (1) micro system); and

§ 157.214 NC NEIGHBORHOOD CENTER

(A) Purpose

The **Neighborhood Center district** is intended to provide areas for the day-to-day shopping needs of the surrounding residential neighborhoods. **Uses** typically found within this type of center include moderate intensity business, community, office, **personal service**, and **limited retail uses**, along with certain residential facilities.

(B) Permitted **Uses**

In NC **districts**, **outdoor display** shall be permitted within ten (10) feet of the **primary structure** on the front or **street** side(s); or beneath a **gas station canopy**. **Outdoor storage** shall: be located behind the **primary structure**, or on the internal side of a **corner lot**; meet **primary building setback** standards; and be located on a paved or permitted gravel surface. The following **uses** are permitted as a matter of right in an NC **district**; the permitted **uses** shall include, but not be limited to the following **uses**. Unless otherwise noted or defined, all **primary uses** shall be conducted indoors.

NC NEIGHBORHOOD CENTER SPECIFIC PERMITTED USES	
Accessory building/structure/use	Audiologist
Accountant	Audio-visual **studio**
Adoption service	**Automatic teller machine**
Adult care center	**Automobile** accessory store (indoor)
Advertising	**Automobile rental** (indoor)
Air conditioning sales	**Automobile sales** (indoor)
Alteration service	Bait sales
Animal grooming (indoor)	**Bakery** goods
Animal hospital (indoor)	**Bank**
Animal kennel (indoor)	Bankruptcy service
Animal obedience **school** (indoor)	~~Banquet hall~~
Answering service	**Bar**
Antique shop	**Barber shop**
Apparel and accessory store	**Barber/beauty school**
Appliance store	**Beauty shop**
Appraiser	**Bed and breakfast**
Arcade	Bicycle sales and repair **shop**
Architect	Billiard or pool hall
Art gallery	Bingo establishment
Art **instruction**	Blood bank
Art studio	Blood or plasma donor facility
Art supply store	Boarding house
Assisted living facility	Book store
Attorney	Bookkeeping service
Auction service	Bowling alley

NC NEIGHBORHOOD CENTER SPECIFIC PERMITTED USES	
Interior decorating store	Physical therapy facility
Interior design service	Picture framing facility
Internet service	Pilates instruction
Investment service	Planetarium
Jewelry sales	Planner
Laboratory	Podiatrist
Land surveyor	Pottery sales
Laundromat	Public transportation facility
Leather goods store	**Radio station**
Legal service	Real estate
Live-work unit	Reception hall
Loan office	Recording studio
Luggage store	**Recreation, indoor ~~facility~~** [1]
Marketing agency	**Rental store**
Martial arts **training**	**Residential dwelling unit** [3]
Massage therapy	**Residential facility for homeless individuals** (up to 8) [1]
Meat/fish market	**Restaurant**, including **drive-through**
Medical supply sales	**Retirement facility**
Medical **training**	Sandwich shop
Model unit	**Savings and loan**
Mortgage service	Sculpture studio
Motel	Security service
~~Movie rental~~	Shoe repair **shop**
Movie sales	Shoe store
Multiple family complex [4]	**Sign sales store**
Multiple family dwelling [4]	Skating rink
Museum	Sleep disorder facility
Music **instruction**	Social service agency
Music store	**Sorority house**
Music **studio**	Sporting goods sales
Musical instrument store	Stained glass **studio**
Nail salon	Stationery store
Neighborhood facility	Stock and **bond** broker
Nursing home	Surgery center
Nutrition service	Swim **club**
Office, professional	**Swimming pool** sales
Ophthalmologist	Tailor
Optician	Tanning salon
Optometrist	Tattoo establishment
Package liquor store	~~**Tavern**~~
Paint store	Tax consulting
Painting studio	Taxi service
Parking area [1]	Tea room
Parking area (off-site) [2]	Telephone sales
Parking structure	Telephone service
Pet store	**Television station**
Pharmacy	Tennis **club**
Photography studio	**Theater**
Photography supply store	**Tire sales**
Photography **training**	Title company

(C) Special Uses

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

(1) Automobile maintenance (quick service);

(2) **Commercial communication tower** (see §157.503(D)(3)(a) for additional standards);

(3) **Educational institution**-associated **uses** (on non-contiguous properties, not otherwise permitted);

(4) **Gas station** (except when a **gas station** site is **adjacent** to a **residential district**, or is on a **street** that is directly opposite from a **residential district**);

The **Board** may consider the **gas station** size, **building/canopy** orientation, general **design standards**, and specific **primary building** orientation design requirements set forth for **gas stations** in §157.219(C)(7) (Downtown Edge **district**);

(5) **Greenhouse** (retail);

(6) Group residential facility (large) (if adjacent to a residential district);

(7) **Home business** (in an existing single **family detached** dwelling only; see §157.503(D)(3)(b) for additional standards);

(8) Homeless shelter (if adjacent to a residential district, or accessory to a religious institution);

~~(9) **Manufactured home, Type II** (see §157.503(D)(3)(e) for additional standards);~~

~~(10)~~(9) **Nonconforming use** (expansion of existing **nonconforming use**, or allow conforming status to existing **use**, excluding **gas station uses**);

~~(11)~~(10) Outdoor **use** (in conjunction with a permitted **primary use**);

~~(12)~~(11) **Parking area** (as a primary use, if **adjacent** to a **residential district**); a **special use** shall not be required for a universally permitted **off-site parking area**;

(12) Plant nursery;

(13) **Recreation, indoor** (if **adjacent** to a residential district);

~~(13)~~(14) **Recreation, outdoor**;

~~(14) Recreation area (including accessory recreation areas);~~

~~(15) Recreation facility (if adjacent to a residential district);~~

~~(16)~~(15) Religious institution or non-public school illuminated athletic field(s);

~~(17)~~(16) Residential facility for a court-ordered re-entry program;

~~(18)~~(17) Residential facility for homeless individuals (for up to eight (8) individuals, if adjacent to a residential district);

~~(19)~~(18) **Sign** (temporary **subdivision** direction);

~~(20)~~(19) **Solar panel (ground mounted)**;

~~(21)~~(20) **Utility facility, private** (not otherwise permitted or exempt);

~~(22)~~(21) **Wind energy conversion system, standard** (or more than one (1) micro system); and

~~(23)~~(22) Wind energy conversion system, micro (on land adjacent to a residential district).

§ 157.215 SC SHOPPING CENTER

(A) Purpose

The **Shopping Center districts** are intended to create areas for the provision of adequate commercial facilities at suitable locations and of appropriate design, scale and intensity which will create a functional and compatible relationship with the immediate surroundings and community. It is intended that SC **districts** be composed of multiple, different **uses** that serve the retail needs of the community. **Uses** typically found within this type of center include moderate intensity business, community, office, **personal service**, and **limited retail uses**, along with certain residential facilities.

(B) Permitted **Uses**

In SC **districts**, **outdoor display** shall meet the **building setback** standards; display area shall be limited to a maximum of 10% of the **primary structure** or tenant space. **Outdoor storage** shall: be located behind the **primary structure**, or on the **internal side** of a **corner lot**; meet **primary building setback** standards; and be located on a paved or permitted gravel surface. The following **uses** are permitted as a matter of right in an SC **district**; the permitted **uses** shall include, but not be limited to the following **uses**. Unless otherwise noted or defined, all **primary uses** shall be conducted indoors.

SC SHOPPING CENTER SPECIFIC PERMITTED USES	
Accessory building/structure/use	Auction service
Accountant	Audiologist
Adoption service	Audio-visual **studio**
Adult care center	**Automatic teller machine**
Advertising	**Automobile** accessory store (indoor)
Air conditioning sales	**Automobile rental** (indoor)
Alteration service	**Automobile sales** (indoor)
Animal grooming (indoor)	Bait sales
Animal hospital (indoor)	**Bakery** goods
Animal kennel (indoor)	**Bank**
Animal obedience **school** (indoor)	Bankruptcy service
Answering service	~~Banquet hall~~
Antique shop	**Bar**
Apparel and accessory store	**Barber shop**
Appliance store	**Barber/beauty school**
Appraiser	**Beauty shop**
Arcade	**Bed and breakfast**
Architect	Bicycle sales and repair **shop**
Art gallery	Billiard or pool hall
Art **instruction**	Bingo establishment
Art studio	Blood bank
Art supply store	Blood or plasma donor facility
Assisted living facility	Boarding house
Attorney	Book store

SC SHOPPING CENTER SPECIFIC PERMITTED USES	
Bookkeeping service	Dialysis center
Bowling alley	Diaper service facility
Brewery (micro)	Dinner **theater**
Broadcast studio	**Distillery (micro)**
Broker	Doctor
Business **training**	**Dormitory**
Campus housing (off-site)	Driving **instruction**
Candy store	Drug store
Catalog showroom	**Dry cleaning store**
Caterer	**Educational institution**
Child care center	Embroidery
Child care home (class I or **II)**	**Employment agency**
Chiropractor	**Engineer**
Clinic	**Entertainment facility** ~~(including outdoor)~~
Clock sales	Fabric **shop**
Clothing alterations	**Farmers market** (including outdoor sales)
Clothing rental	Finance agency
Clothing store	**Financial planning service**
Club, private	Fireworks sales (indoor)
Coffee shop	Fitness center
Coin **shop**	Flea market (indoor)
Collection agency	Floor covering store
Community garden (including outdoor)	Florist
Computer sales and service	Foundation office
Computer software store	**Fraternity house**
Computer **training**	Fruit/vegetable store (indoor)
Consignment **shop**	**Funeral home**
Consulting service	**Furniture store**
Consumer electronics sales	Furrier
Consumer electronics service	Game rental
Convenience store	Game sales
Copy service	**Gas station** [1]
Correctional services facility	Gift **shop**
Cosmetic store	Glass cutting/glazing **shop**
Costume rental	Graphic design service
Counseling service	**Grocery store or supermarket**
Craft **instruction**	**Group residential facility (large)** [2]
Craft **studio**	**Group residential facility (small)**
Craft supply store	Gymnastics **instruction**
Credit service	Hardware store
Credit union	Haunted house
Customer service facility	**Health club**
Dance **instruction**	Heating sales
Data processing facility	Hobby **shop**
Data storage facility	Home improvement business
Day care	Home improvement store
Day spa	Home repair
Delicatessen	**Homeless shelter** [2]
Dentist	**Hospice care center**
Department store	**Hospital**
Diagnostic center	Hot tub sales

SC SHOPPING CENTER SPECIFIC PERMITTED USES	
Hotel	**Pet store**
Household appliance store	Pharmacy
Ice cream store	Photography studio
Insurance agency	Photography supply store
Interior decorating store	Photography **training**
Interior design service	Physical therapy facility
Internet service	Picture framing facility
Investment service	Pilates instruction
Jewelry sales	Planetarium
Laboratory	Planner
Land surveyor	Podiatrist
Landscape contracting service	Pottery sales
Laundromat	Public transportation facility
Leather goods store	**Radio station**
Legal service	Real estate
Live-work unit	Reception hall
Loan office	Recording studio
Luggage store	**Recreation, indoor ~~facility~~** (2)
Marketing agency	**Rental store**
Martial arts **training**	**Residential dwelling unit** (5)
Massage therapy	**Residential facility for homeless individuals** (up to 8) (2)
Meat/fish market	**Restaurant**, including **drive-through**
Medical supply sales	**Retirement facility**
Medical **training**	Sandwich shop
Model unit	**Savings and loan**
Mortgage service	Sculpture studio
Motel	Seasonal sales
~~Movie rental~~	Security service
Movie sales	Shoe repair **shop**
Multiple family complex (3)	Shoe store
Multiple family dwelling (3)	**Sign sales store**
Museum	Skating rink
Music **instruction**	Sleep disorder facility
Music store	Social service agency
Music **studio**	**Sorority house**
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**
Ophthalmologist	**Swimming pool** sales
Optician	Tailor
Optometrist	Tanning salon
Package liquor store	Tattoo establishment
Paint store	~~**Tavern**~~
Painting studio	Tax consulting
Parking area (off-site) (4)	Taxi service
Parking area (2)	Tea room
Parking structure	Telephone sales

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~~ A **gas station canopy** shall meet **primary building setbacks** ~~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**

(C) Special Uses

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

(1) Automobile maintenance (quick service);

(2) **Commercial communication tower** (see §157.503(D)(3)(a) for additional standards);

(3) **Educational institution**-associated **uses** (on non-contiguous properties, not otherwise permitted);

(4) **Greenhouse** (retail);

(5) Group residential facility (large) (if adjacent to a residential district);

(6) **Home business** (in an existing single **family detached** dwelling only; see §157.503(D)(3)(b) for additional standards);

(7) Homeless shelter (if adjacent to a residential district, or accessory to a religious institution);

~~(8) **Manufactured home, Type II** (see §157.503(D)(3)(e) for additional standards);~~

~~(9)~~(8) **Nonconforming use** (expansion of existing **nonconforming use**, or allow conforming status to existing **use**);

~~(10)~~(9) Parking area (as a primary use, if adjacent to a residential district; a special use shall not be required for a universally permitted off-site parking area);

(10) Plant nursery;

(11) **Recreation, indoor** (if **adjacent** to a residential **district**);

~~(11)~~(12) **Recreation, outdoor**;

~~(12) Recreation area (including accessory recreation areas);~~

~~(13) Recreation facility (if adjacent to a residential district);~~

~~(14)~~(13) Religious institution or non-public school illuminated athletic field(s);

~~(15)~~(14) Residential facility for a court-ordered re-entry program;

~~(16)~~(15) Residential facility for homeless individuals (for up to eight (8) individuals, if adjacent to a residential district);

~~(17)~~(16) Shooting range (indoor);

~~(18)~~(17) **Sign** (temporary **subdivision** direction);

~~(19)~~(18) **Solar panel (ground mounted)**;

~~(20)~~(19) **Utility facility, private** (not otherwise permitted or exempt);

~~(21)~~(20) **Wind energy conversion system, standard** (or more than one (1) micro system); and

~~(22)~~(21) Wind energy conversion system, micro (on land adjacent to a residential district).

§ 157.216 C3 GENERAL COMMERCIAL

(A) Purpose

The General Commercial **district** is intended to provide areas for a variety of commercial **uses** including certain high intensity **uses** not permitted in C1 and C2 **districts**. **Uses** typically found within this **district** include moderate intensity general business, community, office, **personal service**, and retail **uses**, along with certain residential facilities. Commercial **uses** in this **district** often serve the general public and therefore are usually located along **arterial** or collector roadways.

(B) Permitted **Uses**

The following **uses** are permitted as a matter of right in a C3 **district**; unless otherwise noted, **primary uses** shall be permitted to have outdoor components. In C3 **districts**, except for **automobile**, boat, and similar vehicle sales **uses**, **outdoor display** shall meet the **building setback** standards; display area shall be limited to a maximum of 10% of the **primary structure** or tenant space; **outdoor storage** shall: be located behind the **primary structure**, or on the internal side of a **corner lot**; meet **primary building setback** standards; and be located on a paved or permitted gravel surface.

C3 GENERAL COMMERCIAL SPECIFIC PERMITTED USES	
Accessory building/structure/use	Auction service
Accountant	Audiologist
Adoption service	Audio-visual **studio**
Adult care center	**Automatic teller machine**
Advertising	**Automobile** accessory store
Agricultural equipment sales	**Automobile** auction
Agricultural equipment service	**Automobile body shop**
Agricultural supply sales	**Automobile detailing or trim shop**
Air conditioning sales	**Automobile maintenance (quick service)**
Air conditioning service	**Automobile rental**
Alteration service	**Automobile repair**
Amusement park [(1)]	**Automobile restoration**
Animal grooming	**Automobile** rustproofing
Animal hospital	**Automobile sales**
Animal kennel	**Automobile washing facility**
Animal obedience **school**	Bait sales
Answering service	**Bakery** goods
Antique shop	**Bank**
Apparel and accessory store	Bankruptcy service
Appliance store	~~Banquet hall~~
Appraiser	**Bar**
Arcade	**Barber shop**
Architect	**Barber/beauty school**
Arena	Batting cages
Art gallery	**Beauty shop**
Art **instruction**	**Bed and breakfast**
Art studio	Betting or other gambling facility
Art supply store	Bicycle sales and repair **shop**
Assisted living facility	Billiard or pool hall
Athletic field	Bingo establishment
Attorney	Blood bank
Auction hall	Blood or plasma donor facility

C3 GENERAL COMMERCIAL SPECIFIC PERMITTED USES	
Boarding house	Day spa
Boat sales	Delicatessen
Book store	Dentist
Bookkeeping service	**Department store**
Bowling alley	Diagnostic center
Brewery (micro)	Dialysis center
Broadcast studio	Diaper service facility
Broker	Dinner **theater**
Business **training**	**Distillery (micro)**
Campus housing (off-site)	Doctor
Candy store	**Dormitory**
Catalog showroom	Driving **instruction**
Caterer	Drug store
Check cashing	**Dry cleaning store**
Child care center	**Educational institution**
Child care home (class I or **II)**	Embroidery
Chiropractor	**Employment agency**
Clinic	**Engine repair**
Clock sales	**Engineer**
Clothing alterations	**Entertainment facility**
Clothing rental	**Equipment rental (limited)**
Clothing store	Equipment service
Club, private	**Exhibit hall**
Coffee shop	**Exterminator**
Coin **shop**	Fabric **shop**
Collection agency	**Farmers market**
Community garden (including outdoor)	**Feed store**
Computer sales and service	Finance agency
Computer software store	**Financial planning service**
Computer **training**	Fireworks sales
Consignment **shop**	Fitness center
Consulting service	Flea market
Consumer electronics sales	Floor covering store
Consumer electronics service	Florist
Convenience store	Foundation office
Copy service	**Fraternity house**
Correctional services facility	Fruit/vegetable store
Cosmetic store	**Funeral home**
Costume rental	Furniture refinishing/repair
Counseling service	**Furniture store**
Country club	Furrier
Craft **instruction**	Game rental
Craft **studio**	Game sales
Craft supply store	Garden equipment supply
Credit service	**Gas station** [(2)]
Credit union	Gift **shop**
Customer service facility	Glass cutting/glazing **shop**
Dance **instruction**	Go-kart facility [(1)]
Data processing facility	**Golf course, miniature**
Data storage facility	~~**Golf driving range**~~
Day care	Graphic design service

C3 GENERAL COMMERCIAL SPECIFIC PERMITTED USES	
Greenhouse (retail)	~~Movie rental~~
Grocery store or supermarket	Movie sales
Group residential facility (large) [1]	**Multiple family complex** [3]
Group residential facility (small)	**Multiple family dwelling** [3]
Gun repair	
Gun sales	**Museum**
Gymnastics **instruction**	Music **instruction**
Hardware store	Music store
Haunted house	Music **studio**
Health club	Musical instrument store
Heating sales	Nail salon
Heating service	**Neighborhood facility**
Hobby **shop**	**Nursing home**
Home improvement business	Nutrition service
Home improvement store	**Office, professional**
Home repair	Ophthalmologist
Homeless shelter [1]	Optician
Hospice care center	Optometrist
Hospital	Package liquor store
Hot tub sales	Paint store
Hotel	Painting studio
Household appliance store	**Parking area** [1]
Ice cream store	**Parking area (off-site)** [4]
Insurance agency	**Parking structure**
Interior decorating store	**Pawn shop**
Interior design service	Pest control
Internet service	**Pet store**
Investment service	Pharmacy
Jewelry sales	Photography studio
Laboratory	Photography supply store
Land surveyor	Photography **training**
Landscape contracting service	Physical therapy facility
Laundromat	Picture framing facility
Leather goods store	Pilates instruction
Legal service	Planetarium
Live-work unit	Planner
Loan office	**Plant nursery**
Luggage store	Plumbing sales
Manufactured home sales	Plumbing service
Marketing agency	Podiatrist
Martial arts **training**	Pottery sales
Massage therapy	Propane sales
Meat/fish market	Public transportation facility
Medical supply sales	**Radio station**
Medical **training**	Real estate
Model unit	Reception hall
Mortgage service	Recording studio
Motel	~~**Recreation area**~~ **Recreation, outdoor** [1]
Motor vehicle auction	~~**Recreation facility**~~ **Recreation, indoor**
Motor vehicle rental	~~Recreation uses~~
Motor vehicle repair	**Rental store**
Motor vehicle sales	**Residential dwelling unit** [5]

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, nonresidential	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~~ A **gas station canopy** ~~shall be located between the primary building and a **residential district**~~meet **primary building setbacks**

(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**

(C) Special Uses

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

(1) Amusement park (if **adjacent** to a **residential district**);

~~(1)~~(2) **Commercial communication tower** (see §157.503(D)(3)(a) for additional standards);

(3) **Educational institution**-associated **uses** (on non-contiguous properties, not otherwise permitted);

~~(2)~~(4) Go-kart facility (if **adjacent** to a **residential district**);

~~(3)~~(5) Group residential facility (large) (if adjacent to a residential district);

~~(4)~~(6) **Home business** (in an existing single **family detached** dwelling only; see §157.503(D)(3)(b) for additional standards);

~~(5)~~(7) Homeless shelter (if adjacent to a residential district, or accessory to a religious institution);

~~(6) **Manufactured home, Type II** (see §157.503(D)(3)(e) for additional standards);~~

~~(7)~~(8) **Nonconforming use** (expansion of existing **nonconforming use**, or allow conforming status to existing **use**);

(9) **Parking area** (as a **primary use**, if **adjacent** to a **residential district**); a special use shall not be required for a universally permitted off-site parking area;

~~(8)~~(10) **Recreation, outdoor** (if **adjacent** to a **residential district**);

~~(9) **Recreation use, outdoor** (amusement park, go-cart facility, **stadium/race track**, and water park, only; if **adjacent** to a **residential district**);~~

~~(10)~~(11) Residential facility for a court-ordered re-entry program;

~~(11)~~(12) Residential facility for homeless individuals (for up to eight (8) individuals, if adjacent to a residential district);

~~(12)~~(13) **Sign** (temporary subdivision direction);

(14) **Solar panel (ground mounted)**;

~~(13)~~(15) **Stadium/racetrack** (if **adjacent** to a **residential district**);

~~(14)~~(16) Tree service;

(17) **Utility facility, private** (not otherwise permitted or exempt);

~~(15)~~(18) Water park (if **adjacent** to a **residential district**);

~~(16)~~(19) **Wind energy conversion system, standard** (or more than one (1) micro system); and

~~(17)~~(20) Wind energy conversion system, micro (on land adjacent to a residential district).

§ 157.217 C4 INTENSIVE COMMERCIAL

(A) Purpose

The Intensive Commercial **district** is intended to provide areas for general commercial **uses**, along with higher intensity **uses** not permitted in the C1, C2 or C3 **districts**. Commercial **uses** in this **district** often serve the general public and therefore are usually located along principal arterial and/or collector roadways. It is intended that new C4 **zoning districts** not be created **adjacent** to existing **residential zoning districts**.

(B) Permitted **Uses**

In C4 **districts**, except for **automobile**, boat, and similar vehicle sales **uses**, **outdoor display** shall meet the **building setback** standards; display area shall be limited to a maximum of 10% of the **primary structure** or tenant space; **outdoor storage** shall: be located behind the **primary structure**, or on the **internal side** of a **corner lot**; meet **primary building setback** standards; and be located on a paved or permitted gravel surface. The following **uses** are permitted as a matter of right in a C4 **district**; all **uses** shall be permitted to have outdoor components.

C4 INTENSIVE COMMERCIAL SPECIFIC PERMITTED USES	
Accessory building/structure/use	Attorney
Accountant	**Auction hall**
Adoption service	Auction service
Adult care center	Audiologist
Advertising	Audio-visual **studio**
Agricultural equipment sales	**Automatic teller machine**
Agricultural equipment service	**Automobile** accessory store
Agricultural supply sales	**Automobile** auction
Air conditioning sales	**Automobile body shop**
Air conditioning service	**Automobile detailing or trim shop**
Alteration service	**Automobile maintenance (quick service)**
Amusement park [(1)]	**Automobile rental**
Animal grooming	**Automobile repair**
Animal hospital	**Automobile restoration**
Animal kennel	**Automobile** rustproofing
Animal obedience **school**	**Automobile sales**
Answering service	**Automobile washing facility**
Antique shop	Bait sales
Apparel and accessory store	**Bakery** goods
Appliance store	**Bank**
Appraiser	Bankruptcy service
Arcade	~~Banquet hall~~
Architect	**Bar**
Arena	**Barber shop**
Art gallery	**Barber/beauty school**
Art **instruction**	Batting cages
Art studio	**Beauty shop**
Art supply store	**Bed and breakfast**
Assisted living facility	Betting or other gambling facility
Athletic field	Bicycle sales and repair **shop**

C4 INTENSIVE COMMERCIAL SPECIFIC PERMITTED USES	
Gift **shop**	Mortgage service
Glass cutting/glazing **shop**	**Motel**
Go-kart facility [1]	**Motor vehicle** auction
Golf course, miniature	**Motor vehicle** rental
~~**Golf driving range**~~	**Motor vehicle** repair
Graphic design service	**Motor vehicle** sales
Greenhouse (retail)	~~Movie rental~~
Grocery store or supermarket	Movie sales
Group residential facility (large) [1]	**Multiple family complex** [3]
Group residential facility (small)	**Multiple family dwelling** [3]
Gun repair	
Gun sales	**Museum**
Gymnastics **instruction**	Music **instruction**
Hardware store	Music store
Haunted house	Music **studio**
Health club	Musical instrument store
Heating sales	Nail salon
Heating service	**Neighborhood facility**
Hobby **shop**	**Nursing home**
Home improvement business	Nutrition service
Home improvement store	**Office, professional**
Home repair	Ophthalmologist
Homeless shelter [1]	Optician
Hospice care center	Optometrist
Hospital	Package liquor store
Hot tub sales	Paint store
Hotel	Painting studio
Household appliance store	**Parking area** [1]
Ice cream store	**Parking area (off-site)** [4]
Insurance agency	**Parking structure**
Interior decorating store	**Pawn shop**
Interior design service	Pest control
Internet service	**Pet store**
Investment service	Pharmacy
Jewelry sales	Photography studio
Laboratory	Photography supply store
Land surveyor	Photography **training**
Landscape contracting service	Physical therapy facility
Laundromat	Picture framing facility
Leather goods store	Pilates instruction
Legal service	Planetarium
Live-work unit	Planner
Loan office	**Plant nursery**
Luggage store	Plumbing sales
Manufactured home sales	Plumbing service
Marketing agency	Podiatrist
Martial arts **training**	Pottery sales
Massage therapy	Propane sales
Meat/fish market	Public transportation facility
Medical supply sales	**Radio station**
Medical **training**	Real estate
Model unit	Reception hall

C4 INTENSIVE COMMERCIAL SPECIFIC PERMITTED USES	
Recording studio	Taxi service
~~**Recreation area**~~ **Recreation, outdoor** (1)	Taxidermist
~~**Recreation facility**~~ **Recreation, indoor**	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, nonresidential	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~~ A **gas station canopy** shall ~~be located between the primary building and a **residential district**~~meet **primary building setbacks**

(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

(C) Special Uses

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

(1) Amusement park (if **adjacent** to a **residential district**);

~~(1)~~(2) **Commercial communication tower** (see §157.503(D)(3)(a) for additional standards);

(3) **Educational institution**-associated **uses** (on non-contiguous properties, not otherwise permitted);

~~(2)~~(4) Go-kart facility (if **adjacent** to a **residential district**);

~~(3)~~(5) Group residential facility (large) (if adjacent to a residential district);

~~(4)~~(6) **Home business** (in an existing **single family detached dwelling** only; see §157.503(D)(3)(b) for additional standards);

~~(5)~~(7) Homeless shelter (if adjacent to a residential district, or accessory to a religious institution);

~~(6) **Manufactured home, Type II** (see §157.503(D)(3)(e) for additional standards);~~

~~(7)~~(8) **Nonconforming use** (expansion of existing **nonconforming use**, or allow conforming status to existing **use**);

(9) **Parking area** (as a **primary use**, if **adjacent** to a **residential district**; a special use shall not be required for a universally permitted off-site parking area);

~~(8)~~(10) **Recreation, outdoor** (if **adjacent** to a **residential district**);

~~(9) **Recreation use, outdoor** (amusement park, go-cart facility, **stadium/race track**, and water park, only; if **adjacent** to a **residential district**);~~

~~(10)~~(11) Residential facility for a court-ordered re-entry program;

~~(11)~~(12) Residential facility for homeless individuals (for up to eight (8) individuals, if adjacent to a residential district);

~~(12)~~(13) Shooting range (outdoor);

~~(13)~~(14) **Sign** (temporary **subdivision** direction);

(15) **Solar panel (ground mounted)**;

~~(14)~~(16) **Stadium/race track** (if **adjacent** to a **residential district**);

~~(15)~~(17) Tree service;

(18) **Utility facility, private** (not otherwise permitted or exempt);

~~(16)~~(19) Water park (if **adjacent** to a **residential district**);

~~(17)~~(20) **Wind energy conversion system, standard** (or more than one (1) micro system); and

~~(18)~~(21) Wind energy conversion system, micro (on land adjacent to a residential district).

§ 157.218 DC DOWNTOWN CORE

(A) Purpose

(1) The Downtown Core **district** is intended to recognize downtown Fort Wayne as the heart of the **City** and the regional economic and cultural hub for Northeast Indiana. This area should also serve as a hub for different forms of mass transit. This **district** is intended to be the **City's** highest density **district** consisting of multiple **story buildings** with mid- to high-rise **buildings** being common. The **district** is intended to provide for a **pedestrian oriented** mixture of cultural, entertainment, governmental, institutional, office, **personal service**, recreational, residential, retail, **restaurant**, and similar **uses** along with the provision of **public parks** and other gathering spaces. **Development** following the recommendations of the Fort Wayne Downtown **Design Standards** and other adopted plans for the downtown area should be encouraged. The **development** pattern in the **district** should serve to promote an active, attractive and **pedestrian friendly** environment while maintaining the unique and historic character of the downtown. In order to promote and maintain a dense urban **development** pattern, certain characteristics typically associated with less dense **development** such as minimum **building setbacks** and single **story buildings** should be discouraged. Parking is not intended to be provided for each **use** on-site, but rather is to be provided through on-**street** parking and parking **garages** that serve multiple **buildings**.

(2) Properties in the **Riverfront Overlay District** are subject to additional standards (see §157.410).

(B) Permitted **Uses**

The **uses** listed below are permitted as a matter of right in the DC **district**.

DC DOWNTOWN CORE SPECIFIC PERMITTED USES	
Accessory building/structure/use	**Art studio**
Accountant	Art supply store
Adoption service	**Assisted living facility**
Adult care center	Attorney
Advertising	Audiologist
Air conditioning sales	Audio-visual **studio**
Alteration service	**Automobile** accessory store (indoor)
Animal grooming (indoor)	**Automobile rental** (indoor)
Animal hospital (indoor)	**Automobile sales** (indoor)
Animal kennel (indoor)	Bait sales
Animal obedience **school** (indoor)	**Bakery** goods
Answering service	**Bank**
Antique shop	Bankruptcy service
Apparel and accessory store	~~Banquet hall~~
Appraiser	**Bar**
Arcade	**Barber shop**
Architect	**Barber/beauty school**
Arena	**Beauty shop**
Art gallery	**Bed and breakfast**
Art **instruction**	Betting or other gambling facility

DC DOWNTOWN CORE SPECIFIC PERMITTED USES	
Bicycle sales and repair **shop**	Dance **instruction**
Billiard or pool hall	Data processing facility
Bingo establishment	Data storage facility
Blood bank	**Day care**
Blood or plasma donor facility	Day spa
Boarding house	Delicatessen
Book store	Dentist
Bookkeeping service	**Department store**
Botanical conservatory	Diagnostic center
Bowling alley	Dialysis center
Brewery (micro)	Diaper service facility
Broadcast **studio**	Dinner **theater**
Broker	**Distillery (micro)**
Business **training**	Doctor
Candy store	**Dormitory**
Catalog showroom	Driving **instruction**
Caterer	Drug store
Child care center	**Dry cleaning store**
Child care home (class I or **II)**	**Educational institution**
Chiropractor	Embroidery
Clinic	**Employment agency**
Clock sales	**Engineer**
Clothing alterations	**Entertainment facility** ~~(including outdoor)~~
Clothing rental	**Exhibit hall**
Clothing store	Fabric **shop**
Club, private	**Farmers market** (w/outdoor uses)
Coffee shop	Finance agency
Coin **shop**	**Financial planning service**
Collection agency	Fireworks sales (indoor)
Community garden	Fitness center
Computer sales and service	Flea market (indoor)
Computer software store	Floor covering store
Computer **training**	Florist
Consignment **shop**	Foundation office
Consulting service	**Fraternity house**
Consumer electronics sales	Fruit and/or vegetable store
Consumer electronics service	**Funeral home**
Convenience store	**Furniture store**
Copy service	Furrier
Correctional services facility	Game rental
Cosmetic store	Game sales
Costume rental	Gift **shop**
Counseling service	Glass cutting/glazing **shop**
Craft **instruction**	Graphic design service
Craft **studio**	**Grocery store or supermarket**
Craft supply store	Gymnastics **instruction**
Credit service	**Hardware store**
Credit union	**Health club**
Customer service facility	Heating sales

DC DOWNTOWN CORE SPECIFIC PERMITTED USES	
Hobby **shop**	Photography **studio**
Hospice care center	Photography supply store
Hospital	Photography **training**
Hotel	Physical therapy facility
Ice cream store	Picture framing facility
Insurance agency	Pilates **instruction**
Interior decorating store	Planetarium
Interior design service	Planner
Internet service	Podiatrist
Investment service	Public transportation facility
Jewelry sales	**Radio station**
Laboratory	Real estate
Land surveyor	Reception hall
Laundromat	Recording studio
Leather goods store	Photography **studio**
Legal service	Photography supply store
Live-work unit	**Rental store**
Loan office	**Residential dwelling unit** (4)
Luggage store	**Restaurant**
Marketing agency	**Retirement facility**
Martial arts **training**	**Riding stable, nonresidential**
Massage therapy	Sandwich shop
Meat/fish market	**Savings and loan**
Medical **training**	Sculpture studio
Model unit	Security service
Mortgage service	**Self-service storage facility** (3)
~~Movie rental~~	Shoe repair shop
Movie sales	Shoe store
Multiple family complex (1)	**Sign sales store**
Multiple family dwelling (1)	Skating rink
Museum	Sleep disorder facility
Music **instruction**	Social service agency
Music store	**Sorority house**
Music **studio**	Sporting goods sales
Musical instrument store	**Stadium**
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
Package liquor store	~~**Tavern**~~
Paint store	Tax consulting
Painting **studio**	Taxi service
Parking area (off-site) (2)	Tea room
Parking structure (3)	Telephone sales
Pet store	Telephone service
Pharmacy	**Television station**

(C) Special Uses

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

(1) **Animal keeping** (outdoor, small animal);

(2) Artisan space (available in the **Riverfront Overlay District** only, to allow for an artisan space **use** not otherwise listed);

(3) Community garden that includes a structure;

(4) Group residential facility (large);

(5) Group residential facility (small);

(6) **Home business** (see §157.503(D)(3)(b) for additional standards);

(7) **Homeless shelter** ~~(accessory to a religious institution)~~;

(8) **Model unit** (for extension of time or expansion of scope);

(9) **Nonconforming use** (expansion of existing **nonconforming use**, or allow conforming status to existing **use**, excluding **gas station uses**);

(10) **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));

(11) Pawn shop;

(12) Religious institution or non-public school illuminated athletic field(s);

(13) Residential facility for a court-ordered re-entry program;

(14) Residential facility for homeless individuals (for up to eight (8) individuals);

(15) **Restaurant** with **drive-through facility** (shall only be permitted to be considered as a **special use** on **lots** which adjoin a principal arterial roadway);

(16) Self-service storage (mini-warehouse) facility (as a primary use);

(17) **Solar panel (ground mounted)**; and

(18) **Utility facility, private** (not otherwise permitted or exempt).

DE DOWNTOWN EDGE SPECIFIC PERMITTED USES	
Accessory building/structure/use	~~Banquet hall~~
Accountant	**Bar**
Adoption service	**Barber shop**
Adult care center	**Barber/beauty school**
Advertising	**Beauty shop**
Air conditioning sales	**Bed and breakfast**
Alteration service	Betting or other gambling facility
Animal grooming (indoor)	Bicycle sales and repair **shop**
Animal hospital (indoor)	Billiard or pool hall
Animal kennel (indoor)	Bingo establishment
Animal obedience **school** (indoor)	Blood bank
Answering service	Blood or plasma donor facility
Antique shop	Book store
Apparel and accessory store	Bookkeeping service
Appraiser	Botanical conservatory
Arcade	Bowling alley
Architect	**Brewery (micro)**
Arena	Broadcast **studio**
Art gallery	Broker
Art **instruction**	Business **training**
Art studio	Candy store
Art supply store	Catalog showroom
Assisted living facility	Caterer
Attorney	**Child care center**
Audiologist	**Child care home (class I)**
Audio-visual **studio**	Chiropractor
Automobile accessory store (indoor)	**Clinic**
Automobile rental (indoor)	Clock sales
Automobile sales (indoor)	Clothing alterations
Bait sales	Clothing rental
Bakery goods	Clothing store
Bank	**Club, private**
Bankruptcy service	**Coffee shop**

DE DOWNTOWN EDGE SPECIFIC PERMITTED USES	
Coin **shop**	Fitness center
Collection agency	Flea market (indoor)
Community garden	Floor covering store
Computer sales and service	Florist
Computer software store	Foundation office
Computer **training**	Fruit and/or vegetable store
Consignment **shop**	**Funeral home**
Consulting service	**Furniture store**
Consumer electronics sales	Furrier
Consumer electronics service	Game rental
Convenience store	Game sales
Copy service	Gift **shop**
Correctional services facility	Glass cutting/glazing **shop**
Cosmetic store	Graphic design service
Costume rental	**Grocery store or supermarket**
Counseling service	Gymnastics **instruction**
Craft **instruction**	Hardware store
Craft **studio**	**Health club**
Craft supply store	Heating sales
Credit service	Hobby **shop**
Credit union	**Hospice care center**
Customer service facility	**Hospital**
Dance **instruction**	**Hotel**
Data processing facility	Ice cream store
Data storage facility	Insurance agency
Day care	Interior decorating store
Day spa	Interior design service
Delicatessen	Internet service
Dentist	Investment service
Department store	**Jewelry sales**
Diagnostic center	**Laboratory**
Dialysis center	**Land surveyor**
Diaper service facility	**Laundromat**
Dinner **theater**	Leather goods store
Distillery (micro)	Legal service
Doctor	**Live-work unit**
Dormitory	**Loan office**
Driving **instruction**	Luggage store
Drug store	Marketing agency
Dry cleaning store	Martial arts **training**
Dwelling, two family [1]	**Massage therapy**
Educational institution	Meat/fish market
Embroidery	Medical **training**
Employment agency	**Model unit**
Engineer	Mortgage service
Entertainment facility ~~(including outdoor)~~	~~Movie rental~~
Exhibit hall	Movie sales
Fabric **shop**	**Multiple family complex** [2]
Farmers market (with outdoor uses)	**Multiple family dwelling** [2]
Finance agency	**Museum**
Fireworks sales (indoor)	Music **instruction**

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, nonresidential	Wedding consultant
Sandwich shop	Weight loss service
Savings and loan	**Window** sales
Sculpture studio	Yoga **instruction**
Security service	**Zoo**
Shoe repair shop	

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**

(ii) **Canopy** location and design

Under this design option the **canopy** shall have a varied roofline and **use** similar forms and materials as those used on the **primary building** and utilize decorative designs for the **canopy** columns. Materials used for the **canopy** columns shall consist of brick or stone or other material to achieve a similar decorative affect. Attached **canopies** meeting the standards noted in this section shall be considered a part of the **primary structure** for the purposes of determining **building setbacks**.

(iii) Front and side **wall** design

The front and any side **wall** of the **primary building** that faces a **street** shall have **windows** or the appearance of **windows**;

(11) Group residential facility (large);

(12) Group residential facility (small);

(13) **Home business** (in an existing single **family detached** dwelling only; see §157.503(D)(3)(b) for additional standards);

(14) **Homeless shelter** (accessory to a religious institution);

~~(15) **Manufactured home, Type II** (see §157.503(D)(3)(e) for additional standards);~~

~~(16)~~(15) **Model unit** (for extension of time or expansion of scope);

~~(17)~~(16) **Nature preserve** (that includes a structure or **parking area**);

~~(18)~~(17) **Nonconforming use** (expansion of existing **nonconforming use**, or allow conforming status to existing **use**, excluding **gas station uses**);

~~(19)~~(18) **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));

~~(20)~~(19) Pawn shop;

~~(21)~~(20) Religious institution or non-public school illuminated athletic field(s);

~~(22)~~(21) Residential facility for a court-ordered re-entry program;

~~(23)~~(22) Residential facility for homeless individuals (for up to eight (8) individuals);

~~(24)~~(23) **Restaurant** with **drive-through facility** (shall only be permitted to be considered as a **special use** on **lots** which adjoin a principal arterial roadway);

~~(25)~~(24) Single family dwelling (detached);

~~(26)~~(25) **Solar panel (ground mounted)**;

~~(27)~~(26) Sorority house; and

~~(28)~~(27) **Utility facility, private** (not otherwise permitted or exempt).

§ 157.220 UC URBAN CORRIDOR

(A) Purpose

The Urban Corridor **district** is intended to recognize that certain commercial corridors have special importance to the community because of their collective, cohesive identity, historic character, urban **development** patterns, relationship to the surrounding neighborhood, **pedestrian oriented** streetscapes, and distinct urban architecture and form. In keeping with this intent, the UC **district** should allow for and encourage mixed **uses** with a focus on neighborhood oriented commercial and **personal service uses** at the **street** level. New **development** is encouraged to be compatible with the existing historic **development** patterns by locating **buildings** close to the **street** in order to enhance pedestrian activity along the corridor. New residential **development** is encouraged to locate on the upper floors of new and existing commercial **structures**. Parking standards in these areas should accommodate historic **development** patterns which typically allow for on-street parking, the **use** of **alleys** to access **parking areas** behind **buildings** as well as access to public transit routes and alternative transportation modes. Urban Corridor **districts** should generally be located along **arterial streets** in neighborhoods surrounding the core of the **City**. Examples of these **streets** would include, but not be limited to, portions of Broadway, Calhoun **Street**, West Main **Street**, Pontiac **Street**, East State **Street**, and Wells **Street**.

(B) Permitted **Uses**

The **uses** listed below are permitted as a matter of right in the UC **districts**; **drive-through facilities**, **gas stations** and/or gas pumps/**canopies** shall not be permitted as either a primary or an **accessory use** in this **district**.

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)	
Accessory building/structure/use	Art supply store
Accountant	**Assisted living facility**
Adoption service	Attorney
Adult care center	Audiologist
Advertising	Audio-visual **studio**
Air conditioning sales	**Automobile** accessory store (indoor)
Alteration service	**Automobile rental** (indoor)
Animal grooming (indoor)	**Automobile sales** (indoor)
Animal hospital (indoor)	Bait sales
Animal kennel (indoor)	**Bakery** goods
Animal obedience **school** (indoor)	**Bank**
Answering service	Bankruptcy service
Antique shop	~~Banquet hall~~
Apparel and accessory store	**Bar**
Appraiser	**Barber shop**
Arcade	**Barber/beauty school**
Architect	**Beauty shop**
Art gallery	**Bed and breakfast**
Art **instruction**	Bicycle sales and repair **shop**
Art studio	Billiard or pool hall

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, nonresidential**
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)

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	Variety store
Tobacco store	**Veterinary clinic**
Townhouse complex (1)	Watch sales
Townhouse dwelling	Website service
Toy store	Wedding consultant
Travel agency	Weight loss service
Tutoring service	**Window** sales
Two family dwelling	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) 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));

~~(16) Recreation area (including accessory recreation areas);~~

(16) **Recreation, outdoor;**

(E) Development Standards

(1) The standards in the following table shall apply in the UC **district**; all standards are minimum standards unless otherwise noted (see also the permitted **yard** projections and additional location standards on the following page).

UC URBAN CORRIDOR DEVELOPMENT STANDARDS	
Height (maximum) [1]	
Primary building [2]	~~80~~60′
Accessory building or **structure** [3]	~~80~~60′
Front yard	
Primary buildings and **structures** [4]	0′ minimum 10′ maximum
Side yard [4]	
Accessory and primary buildings and structures – interior **side yard**	0′ minimum
Accessory and primary buildings and structures – **corner lot** side **street**	0′ minimum 20′ maximum
Rear yard	
Primary building	25′
Accessory building or **structure**	25′ [4]

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

(2) New **primary structures** shall be a minimum of 20′. in height have two occupiable stories

(3) **Accessory structures** shall not exceed 25% of the **ground floor area** of the **primary building**

(4) **Accessory buildings or structures** shall be located on the side of or to the rear of the **primary building** (if located on the side of the **building**, the **accessory building** or **structure** shall be located no closer to the **front lot line** than the **primary building**)

§ 157.222 I1 LIMITED INDUSTRIAL

(A) Purpose

The Limited Industrial **district** is intended to provide areas in which goods are produced for direct consumption by consumers. Limited industrial **uses** typically involve final assembly of goods produced from prepared materials, finished products or parts; distribution of finished goods; low intensity industrial or **manufacturing** operations; or wholesale and/or **storage** activities. The I1 **district** may serve as a buffer between heavier industrial **districts** and business or **residential districts**.

(B) Permitted **Uses**

A limited industrial **use** creates minimal impacts outside of the **buildings** and includes limited **outdoor storage**. The following **uses** are permitted as a matter of right in an I1 **district**. **Outdoor display** area shall be limited to a maximum of 10% of the **primary structure** or tenant space. **Outdoor storage** shall only be permitted between the rear of the **building** and the **rear lot line**, up to the square footage of the **primary structure**, and shall be screened from **adjacent** residential zoning and **public street rights-of-way**.

I1 LIMITED INDUSTRIAL SPECIFIC PERMITTED USES	
Accessory building/structure/use	**Assisted living facility**
Accountant	Attorney
Adoption service	Auction service
Adult care center	Audiologist
Advertising	Audio-visual **studio**
Air conditioning sales	**Automatic teller machine**
Air **freight service**	**Automobile** accessory store (indoor)
Alteration service	**Automobile rental** (indoor)
Animal grooming (indoor)	**Automobile sales** (indoor)
Animal hospital (indoor)	Bait sales
Animal kennel (indoor)	**Bakery**
Animal obedience **school** (indoor)	**Bakery** goods
Answering service	**Bank**
Antique shop	Bankruptcy service
Apparel and accessory store	~~Banquet hall~~
Apparel fabrication and processing	**Bar**
Appliance store	**Barber shop**
Appraiser	**Barber/beauty school**
Aquaculture	**Beauty shop**
Aquaponics	Bicycle sales and repair **shop**
Arcade	Billiard or pool hall
Architect	Bingo establishment
Art gallery	Bioscience **development**, research, or testing
Art **instruction**	Blood bank
Art studio	Blood or plasma donor facility
Art supply store	Boarding house

I1 LIMITED INDUSTRIAL SPECIFIC PERMITTED USES	
Marketing agency	Product research and **development**
Martial arts **training**	Public transportation facility
Massage therapy	**Radio station**
Meat/fish market	Real estate
Medical device technology	Reception hall
Medical supply sales	Recording studio
Medical **training**	~~**Recreation area**~~ **Recreation, outdoor**
Model unit	~~**Recreation facility**~~ **Recreation, indoor**
Mortgage service	~~Recreation uses~~
Motel	Refurbishing facility (household items)
~~Movie rental~~	Rental store
Movie sales	**Research and development facility**
Multiple family complex [2]	**Residential dwelling unit** [4]
Multiple family dwelling [2]	**Residential facility for homeless individuals** (up to 8) [1]
Museum	**Restaurant**, including **drive-through**
Music **instruction**	**Retirement facility**
Music store	Sandwich shop
Music **studio**	**Savings and loan**
Musical instrument store	Sculpture studio
Nail salon	Security service
Neighborhood facility	Shoe repair shop
Nursing home	Shoe store
Nutrition service	**Sign sales store**
Office, professional	Skating rink
Ophthalmologist	Sleep disorder facility
Optician	Social service agency
Optometrist	**Sorority house**
Package liquor store	Sporting goods sales
Paint store	Stained glass studio
Painting studio	Stationery store
Parking area [1]	Stock and **bond** broker
Parking area (off-site) [3]	Surgery center
Parking structure	Swim **club**
Pet store	Swimming pool sales
Pharmaceutical product compounding	Tailor
Pharmacy	Tanning salon
Photography studio	Tattoo establishment
Photography supply store	~~**Tavern**~~
Photography **training**	Tax consulting
Physical therapy facility	Tea room
Picture framing facility	Telephone sales
Pilates instruction	Telephone service
Planetarium	**Television station**
Planner	Tennis **club**
Podiatrist	**Theater**
Pottery sales	Title company
Printing facility	Tobacco store
Printing press	Tool and die facility

§ 157.223 I2 GENERAL INDUSTRIAL

(A) Purpose

The General Industrial **district** is intended to provide areas for assembly, distribution, fabricating, **manufacturing**, and processing industries where the operation is enclosed within a **building** and conducted in such a manner that no adverse impacts are created or emitted outside of the **building**(s).

(B) Permitted **Uses**

The following **uses** are permitted as a matter of right in an I2 **district**. Except for **automobile**, boat, and similar vehicle sales **uses**, **outdoor display** shall meet the **building setback** standards; display area shall be limited to a maximum of 10% of the **primary structure** or tenant space; **outdoor storage** shall be allowed between the front **façade** of the **building** and the **rear lot line** and shall be screened from **adjacent residential zoning districts** and **public street rights-of-way**.

I2 GENERAL INDUSTRIAL SPECIFIC PERMITTED USES	
Accessory building/structure/use	Art **instruction**
Accountant	**Art studio**
Adoption service	Art supply store
Adult care center	Assembly facility for/manufacturing of:
Advertising	Adhesive/glue
Agricultural equipment sales	Agricultural implements
Agricultural equipment service	Aircraft
	Ammunition
Agricultural supply sales	Animal feed
Air conditioning sales	Appliances
Air conditioning service	**Automobiles**
Air **freight service**	Bicycles
Alteration service	Boats
Animal grooming	Carbon steel pipe and tubing
Animal hospital	Computers
Animal kennel	Concrete and concrete products
Animal obedience **school**	Electronics
Animal **slaughter house** (indoor)	Insulation
Answering service	**Manufactured homes**
Antique shop	Modular **buildings**
Apparel and accessory store	Motorcycles
Apparel fabrication and processing	Motors
Appliance store	Paper/paper products
Appraiser	**Recreational vehicles**
Aquaculture	Spas
Aquaponics	Stainless steel
Arcade	Steel
Architect	Tile
Arena	Tires
Art gallery	Valves

I2 GENERAL INDUSTRIAL SPECIFIC PERMITTED USES	
Assembly of finished products	Broadcast **studio**
Assisted living facility	Broker
Athletic field	Business incubation office or **laboratory**
Attorney	Business **training**
Auction hall	Campus housing (off-site)
Auction service	Candy store
Audiologist	Canvas product fabrication
Audio-visual **studio**	Catalog showroom
Automatic teller machine	Caterer
Automobile accessory store	Ceramic product fabrication
Automobile auction	**Check cashing**
Automobile body shop	**Child care center**
Automobile detailing or trim shop	**Child care home (class I or II)**
Automobile maintenance (quick service)	Chiropractor
Automobile rental	**Clinic**
Automobile repair	Clock sales
Automobile restoration	Clothing alterations
Automobile rustproofing	Clothing rental
Automobile sales	Clothing store
Automobile washing facility	**Club, private**
Bait sales	**Coffee shop**
Bakery	Coin **shop**
Bakery goods	Collection agency
Bank	**Community garden** (including outdoor)
Bankruptcy service	Compounding of:
~~Banquet hall~~	Chemicals
Bar	Cleaning supplies
Barber shop	Cosmetics
Barber/beauty school	Pharmaceuticals
Batting cages	Computer sales and service
Beauty shop	Computer software
Betting or other gambling facility	Computer software store
Bicycle sales and repair **shop**	Computer **training**
Billiard or pool hall	Consignment **shop**
Bingo establishment	Consulting service
Bio-medical/orthopedic equipment	Consumer electronics sales
Bioscience **development**, **research**, or testing	Consumer electronics service
Blood bank	Contractor (construction, excavation, landscape)
Blood or plasma donor facility	**Convenience store**
Boarding house	Copy service
Boat dry dock facility	**Correctional services facility**
Boat sales	Cosmetic store
Book store	Costume rental
Bookkeeping service	Counseling service
Bottling facility	**Country club**
Bowling alley	Craft **instruction**
Brewery	Craft **studio**
Brewery (micro)	Craft supply store

I2 GENERAL INDUSTRIAL SPECIFIC PERMITTED USES	
Gift **shop**	Legal service
Glass cutting/glazing **shop**	**Limited assembly and fabrication** of:
Go-kart facility [1]	Bio-medical/orthopedic products
Golf course, miniature	Communication and computation equipment
~~**Golf driving range**~~	Computers and electronics
Graphic design service	Computer hardware products
Greenhouse (retail)	Industrial controls
Greenhouse (wholesale)	Medical devices
Grocery store or supermarket	Optical instruments
Group residential facility (large) [1]	Orthopedic devices
Group residential facility (small)	Scientific and precision instruments
Growing/processing/raising of natural products	Service industry machines
Gun repair	
Gun sales	Specialty equipment
Gymnastics **instruction**	**Live-work unit**
Hardware store	Loan office
Haunted house	Luggage store
Health club	Machine design facility
Heating sales	**Machine tool shop**
Heating service	Magnet wire facility
Hobby **shop**	Maintenance or repair facility
Home improvement business	**Manufactured home** sales
Home improvement store	Marketing agency
Home repair	Martial arts **training**
Homeless shelter	**Massage therapy**
Hospice care center	Meat/fish market
Hospital	Medical device technology
Hot tub sales	Medical supply sales
Hotel	Medical **training**
Household appliance store	Metal cutting
Hydroponics	Metal extrusion
Ice cream store	Metal fabricating
Information technology	Metal molding
Insurance agency	**Model unit**
Interior decorating store	Mortgage service
Interior design service	**Motel**
Internet applications/products	**Motor vehicle auction**
Internet service	**Motor vehicle** rental
Investment service	**Motor vehicle repair**
Jewelry sales	**Motor vehicle** sales
Junk yard (indoor)	~~Movie rental~~
Laboratory	Movie sales
Laboratory (testing)	**Multiple family complex** [2]
Land surveyor	**Multiple family dwelling** [2]
Landscape contracting service	**Museum**
Lathe/screw machine products	Music **instruction**
Laundromat	Music store
Laundry facility (central)	Music **studio**
Leather goods store	Musical instrument store

I2 GENERAL INDUSTRIAL SPECIFIC PERMITTED USES	
Nail salon	Reception hall
Neighborhood facility	Recording studio
Nursing home	~~Recreation area~~ **Recreation, outdoor**
Nutrition service	~~Recreation facility~~ **Recreation, indoor**
Office, professional	~~Recreation uses~~
Ophthalmologist	**Recycling processing facility**
Optician	Refractory
Optometrist	Refurbishing facility
Package liquor store	**Rental store**
Packaging facility	**Research and development facility**
Paint store	**Residential dwelling unit** (4)
Painting studio	**Residential facility for homeless individuals** (up to 8) (1)
Parking area (1)	**Restaurant**, including **drive-through**
Parking area (off-site) (3)	**Retirement facility**
Parking structure	**Riding stable, nonresidential**
Pawn shop	**Sales yard** for:
Pest control	**Building** materials
Pet store	Lumber
Pharmacy	Sand, gravel, stone
Photography studio	Salvage yard (indoor)
Photography supply store	Sandwich shop
Photography **training**	Savings and loan
Physical therapy facility	Sculpture studio
Picture framing facility	Seasonal sales
Pilates instruction	Security service
Planetarium	Sheet metal fabrication
Planner	Sheet metal processing
Plant nursery	Shoe repair **shop**
Plastic extrusion	Shoe store
Plastic molding	**Shooting range** (indoor)
Plumbing sales	**Sign** fabricating
Plumbing service	**Sign sales store**
Podiatrist	Skating rink
Pottery sales	Sleep disorder facility
Printing facility	Social service agency
Printing press	**Sorority house**
Processing facility for:	Sporting goods sales
Animals (indoor: includes skins, hides, or reduction of animal matter)	**Stadium/racetrack** (1)
Animal products (indoor)	Stained glass studio
Lumber	Stationery store
Metal (anodizing, buffing, galvanizing, plating, polishing)	Stock and **bond** broker
Raw Materials	**Storage shed** sales
Timber	Surgery center
Product **research** and **development**	Swim **club**
Propane facility	Swimming pool sales
Propane sales	Tailor
Public transportation facility	Tanning salon
Radio station	Tattoo establishment
Real estate	~~**Tavern**~~

§ 157.224 I3 INTENSIVE INDUSTRIAL

(A) Purpose

The Intensive Industrial **district** is intended to provide areas for intense industrial **uses** such as fabricating, **manufacturing**, processing, extraction, heavy repair and dismantling industries where outside operations and **storage** areas may be required. Due to the nature of these industries, **districts** are typically located away from residential areas and **districts**. I3 **districts** should be buffered by less intensive industrial or commercial **districts** to minimize adverse impacts on surrounding land **uses**.

(B) Permitted **Uses**

The following **uses** are permitted as a matter of right in an I3 **district**. Except for **automobile**, boat, and similar vehicle sales **uses**, **outdoor display** shall meet the **building setback** standards; display area shall be limited to a maximum of 10% of the **primary structure** or tenant space; **outdoor storage** shall be allowed between the required front **setback** line and the **rear lot line** and shall be screened from **adjacent residential zoning districts** and **public street rights-of-way**.

I3 INTENSIVE INDUSTRIAL SPECIFIC PERMITTED USES	
Accessory building/structure/use	Art **instruction**
Accountant	**Art studio**
Adoption service	Art supply store
Adult care center	**Asphalt plant**
Advertising	**Assembly facility** for/**manufacturing** of:
Agricultural equipment sales	Adhesive/glue
Agricultural equipment service	Agricultural implements
Agricultural supply sales	Aircraft
	Ammunition
Air conditioning sales	Animal feed
Air conditioning service	Appliances
Air **freight service**	**Automobiles**
Alteration service	Bicycles
Amusement park	Boats
Animal grooming	Carbon steel pipe and tubing
Animal hospital	Computers
Animal kennel	Concrete and concrete products
Animal obedience **school**	Electronics
Animal **slaughter house**	Insulation
Answering service	**Manufactured homes**
Antique shop	Modular **buildings**
Apparel and accessory store	Motorcycles
Apparel fabrication and processing	Motors
Appliance store	Paper/paper products
Appraiser	**Recreational vehicles**
Aquaculture	Spas
Aquaponics	Stainless steel
Arcade	Steel
Architect	Tile
Arena	Tires
Art gallery	Valves

I3 INTENSIVE INDUSTRIAL SPECIFIC PERMITTED USES	
Assembly of finished products	Business incubation office or **laboratory**
Assisted living facility	Business **training**
Athletic field	**Campus housing** (off-site)
Attorney	Candy store
Auction hall	Canvas product fabrication
Auction service	Catalog showroom
Audiologist	Caterer
Audio-visual **studio**	Ceramic product fabrication
Automatic teller machine	**Check cashing**
Automobile accessory store	**Child care center**
Automobile auction	**Child care home** (**class I** or **II**)
Automobile body shop	Chiropractor
Automobile detailing or trim shop	**Clinic**
Automobile maintenance (quick service)	Clock sales
Automobile rental	Clothing alterations
Automobile repair	Clothing rental
Automobile restoration	Clothing store
Automobile rustproofing	**Club, private**
Automobile sales	**Coffee shop**
Automobile washing facility	Coin **shop**
Bait sales	Collection agency
Bakery	**Community garden** (including outdoor)
Bakery goods	Compounding of:
Bank	Chemicals
Bankruptcy service	Cleaning supplies
~~Banquet hall~~	Cosmetics
Bar	Pharmaceuticals
Barber shop	Computer sales and service
Barber/beauty school	Computer software
Batting cages	Computer software store
Beauty shop	Computer **training**
Betting or other gambling facility	**Concrete plant**
Bicycle sales and repair **shop**	Consignment **shop**
Billiard or pool hall	Consulting service
Bingo establishment	Consumer electronics sales
Bio-medical/orthopedic equipment	Consumer electronics service
Bioscience **development**, **research**, or testing	Contractor (construction, excavation, landscape)
Blood bank	**Convenience store**
Blood or plasma donor facility	Copy service
Boarding house	**Correctional services facility**
Boat dry dock facility	Cosmetic store
Boat sales	Costume rental
Book store	Counseling service
Bookkeeping service	**Country club**
Bottling facility	Craft **instruction**
Bowling alley	Craft **studio**
Brewery	Craft supply store
Brewery (micro)	Credit service
Broadcast **studio**	**Credit union**
Broker	**Crematory**

I3 INTENSIVE INDUSTRIAL SPECIFIC PERMITTED USES	
Golf course, miniature	Legal service
~~**Golf driving range**~~	**Limited assembly and fabrication** of:
Graphic design service	Bio-medical/orthopedic products
Greenhouse (retail)	Communication and computation equipment
Greenhouse (wholesale)	Computers and electronics
Grocery store or supermarket	Computer hardware products
Group residential facility (large) [1]	Industrial controls
Group residential facility (small)	Medical devices
Growing/processing/raising of natural products	Optical instruments
Gun repair	
Gun sales	Orthopedic devices
Gymnastics **instruction**	Scientific and precision instruments
Hardware store	Service industry machines
Haunted house	Specialty equipment
Health club	**Live-work unit**
Heating sales	**Loan office**
Heating service	Luggage store
Hobby **shop**	Machine design facility
Home improvement business	**Machine tool shop**
Home improvement store	Magnet wire facility
Home repair	Maintenance or repair facility
Homeless shelter	**Manufactured home** sales
Hospice care center	Marketing agency
Hospital	Martial arts **training**
Hot tub sales	**Massage therapy**
Hotel	Meat/fish market
Household appliance store	Medical device technology
Hydroponics	Medical supply sales
Ice cream store	Medical **training**
Information technology	Metal cutting
Insurance agency	Metal extrusion
Interior decorating store	Metal fabricating
Interior design service	Metal molding
Internet applications/products	**Model unit**
Internet service	Mortgage service
Investment service	**Motel**
Jewelry sales	**Motor vehicle auction**
Junk yard	**Motor vehicle** rental
Laboratory	**Motor vehicle repair**
Laboratory (testing)	**Motor vehicle** sales
Land surveyor	**Motor vehicle storage yard**
Landscape contracting service	~~Movie rental~~
Lathe/screw machine products	Movie sales
Laundromat	**Multiple family complex** [6]
Laundry facility (central)	**Multiple family dwelling** [6]
Leather goods store	**Museum**

I3 INTENSIVE INDUSTRIAL SPECIFIC PERMITTED USES	
Music **instruction**	**Radio station**
Music store	Propane facility
Music **studio**	Real estate
Musical instrument store	Reception hall
Nail salon	Recording studio
Neighborhood facility	~~Recreation area~~ **Recreation, outdoor**
Nursing home	~~Recreation facility~~ **Recreation, indoor**
Nutrition service	~~Recreation uses~~
Office, professional	**Recycling processing facility**
Ophthalmologist	Refractory
Optician	Refurbishing facility
Optometrist	**Rental store**
Package liquor store	**Research and development facility**
Packaging facility	**Residential dwelling unit** (3)
Paint store	**Residential facility for homeless individuals** (up to 8) (1)
Painting studio	**Restaurant**, including **drive-through**
Parking area	**Retirement facility**
Parking area (off-site) (2)	**Riding stable, nonresidential**
Parking structure	**Sales yard** for:
Pawn shop	**Building** materials
Pest control	Lumber
Pet store	Sand, gravel, stone
Pharmacy	**Salvage yard**
Photography studio	Sandwich shop
Photography supply store	**Savings and loan**
Photography **training**	Sculpture studio
Physical therapy facility	Seasonal sales
Picture framing facility	Security service
Pilates instruction	Sheet metal fabrication
Planetarium	Sheet metal processing
Planner	Shoe repair shop
Plant nursery	Shoe store
Plastic extrusion	**Shooting range** (indoor)
Plastic molding	**Sign** fabricating
Plumbing sales	**Sign sales store**
Plumbing service	Skating rink
Podiatrist	Sleep disorder facility
Pottery sales	Social service agency
Printing facility	**Solid waste transfer station**
Printing press	**Sorority house**
Processing facility for:	Sporting goods sales
Animals (includes skins, hides, or reduction of animal matter)	**Stadium/racetrack** (1)
Animal products	Stained glass **studio**
Lumber	Stationery store
Metal (anodizing, buffing, galvanizing, plating, polishing)	Stock and **bond** broker
Raw materials	**Storage shed** sales
Timber	Surgery center
Product research and **development**	Swim **club**
Propane sales	Swimming pool sales
Public transportation facility	Tailor

I3 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~~ A **gas station canopy** shall ~~be located between the primary building and a **residential district**~~meet **primary building setbacks**

(6) See multiple family building and complex perimeter setback and building separation requirements in R3 district (§157.208(E)(1))

(ix) Religious institution;

(x) School; and

(xi) **Uses** in the DC/Downtown Core, DE/Downtown Edge, or UC/Urban Corridor **districts**.

MINIMUM OFF-STREET PARKING REQUIREMENTS (see the table below for specific use additional stacking space standards)	
Use	**Parking Standard (spaces per measurement type)**
Animal service	1 per 400 square feet
Assisted living facility	1 per 3 sleeping rooms
Athletic field (indoor)	1 per 6 seats
Athletic field (outdoor)	30 per field
Auditorium	1 per 400 square feet
Automobile service	1 per 400 square feet
Bed and breakfast	1 per sleeping room
Business service	1 per 400 square feet
Campus housing (off-site)	1 per 3 sleeping rooms
Educational institution (**business school**, college, medical **training**, university, or similar post-secondary **use**)	1 per 400 square feet
Golf course	4 per golf hole
Group residential facility	1 per 3 sleeping rooms
Hotel	1 per sleeping room
Industrial	1 per 1,000 square feet, or 1 per employee at largest shift (whichever is less; however, a minimum of 3 spaces shall be provided)
Instruction/training	1 per 400 square feet
Library	1 per 400 square feet
Live-work unit	1 per 400 square feet
Medical office	1 per 400 square feet
Mixed-**use** project (**uses** with different parking requirements)	The greatest number of spaces required by any individual **use**
Motel	1 per sleeping room
Multiple **family**	1 per 1-2 bedroom **dwelling** unit 2 per 3+ bedroom **dwelling** unit 1 per **dwelling** unit (UC **district** only)
Multiple tenant nonresidential building	1 per 400 square feet (regardless of individual **uses**)
Museum	1 per 400 square feet
Nursing home	1 per 3 sleeping rooms
Personal service	1 per 400 square feet
Professional office	1 per 400 square feet
~~**Recreation/tourism, limited**~~	~~1 per 400 square feet~~
~~**Recreation, general**~~	~~1 per 400 square feet, plus~~ ~~1 per 400 square feet of developed outdoor facilities~~
Recreation, indoor	1 per 400 square feet
Recreation, outdoor	1 per 400 square feet, plus 1 per 400 square feet of developed outdoor facilities
Restaurant	1 per 400 square feet
Retail	1 per 400 square feet
Retirement facility	1 per **dwelling** unit
Self-**storage**	1 per 400 square feet of office
Single **family**	1 per **dwelling** unit
Stadium/racetrack	1 per 6 seats
Studio	1 per 400 square feet

(e) The following landscape codes shall be applicable to the noted **building** types and other landscape situations:

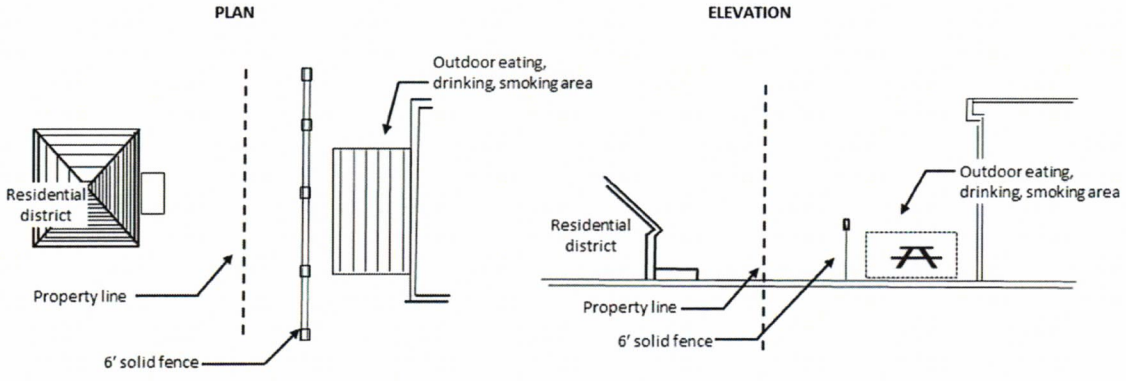
LANDSCAPE CODES – BUILDINGS AND OUTDOOR ACTIVITY AREAS			
Building Type		**Landscape Code, if Adjacent To:**	
		Residential districts	**Nonresidential districts**
Office, Personal Service or Other C1 Use Building		B-1	No requirement
Commercial, Retail, Industrial, or Universally Permitted Use Building		B-2	No requirement
Multiple Family Building/Complex, or Manufactured Home Park		B-3	B-4
Nonresidential Outdoor Activity Areas	**Driveway**	A-1	No requirement
	Drive-through	A-2	A-6
	Other activity area	A-3	A-7
	Storage area	A-4	No requirement
	Eating/drinking/smoking area or gas station canopy	A-5	No requirement

(f) The following landscape codes shall be applicable to the noted surface **parking area** situations:

LANDSCAPE CODES – SURFACE PARKING AND OUTDOOR DISPLAY AREAS	
Site Situation	**Landscape Code**
Adjacent to **public street** or private access drive	P-1
Adjacent to **residential district**	P-2
Adjacent to commercial **district**	P-3
Parking areas more than 50 spaces (shall not apply to **outdoor display** areas)	P-4

(g) The following landscape code shall be applicable to the noted parking structure situations:

LANDSCAPE CODES –PARKING STRUCTURES – DC AND DE DISTRICTS ONLY	
Site Situation	**Landscape Code**
Adjacent to **public street** or private access drive if setback is greater than zero feet	PS-1

OUTDOOR ACTIVITY AREA BUFFER YARD STANDARDS
Code A-5 **Outdoor Eating/Drinking/Smoking Areas or Gas Station Canopy Adjacent to a Residential District**
REQUIRED SCREENING
Continuous 6′ high **solid fence**, ~~either~~ on the property line ~~or~~ may be immediately around the eating/drinking smoking area. (1)

(1) A **fence** shall always be required to screen an eating/drinking/smoking area.

RO Primary Frontage Ground Floor Permitted Uses (continues onto next page)		
Accessory building/structure/use	**Coffee shop**	Game sales
Accountant	Coin **shop**	Gift **shop**
Adoption service	**Community garden**	Glass cutting/glazing **shop**
Advertising	Computer sales and service	Graphic design service
Air conditioning sales	Computer software store	**Grocery store or supermarket**
Alteration service	Computer **training**	Gymnastics **instruction**
Answering service	Consignment **shop**	Hardware store
Antique shop	Consulting service	**Health club**
Apparel and accessory store	Consumer electronics sales	Heating sales
Appraiser	Consumer electronics service	Hobby **shop**
Arcade	**Convenience store**	**Hotel**
Architect	Copy service	Ice cream store
Art gallery	Cosmetic store	Insurance agency
Art **instruction**	Costume rental	Interior decorating store
Art studio	Counseling service	Interior design service
Art supply store	Craft **instruction**	Internet service
Attorney	Craft **studio**	Investment service
Audiologist	Craft supply store	**Jewelry sales**
Audio-visual **studio**	Credit service	**Land surveyor**
Automobile accessory store (indoor)	**Credit union**	**Laundromat**
Bait sales	**Customer service facility**	Leather goods store
Bakery goods	Dance **instruction**	Legal service
Bank	**Day spa**	**Live-work unit**
Bankruptcy service	Delicatessen	**Loan office**
~~Banquet hall~~	Dentist	Luggage store
Bar	**Department store**	Marketing agency
Barber shop	Dinner **theater**	Martial arts **training**
Barber/beauty school	**Distillery (micro)**	**Massage therapy**
Beauty shop	Doctor	Meat/fish market
Bed and breakfast	Drug store	Medical **training**
Betting or other gambling facility	**Dry cleaning store**	Mortgage service
Bicycle sales and repair **shop**	**Educational institution**	~~Movie rental~~
Billiard or pool hall	Embroidery	Movie sales
Bingo establishment	**Employment agency**	**Museum**
Book store	**Engineer**	Music **instruction**
Bookkeeping service	**Entertainment facility** ~~(including outdoor)~~	Music store
Botanical conservatory	**Exhibit hall**	Music **studio**
Bowling alley	Fabric **shop**	Musical instrument store
Brewery (micro)	**Farmers market** (with outdoor uses)	Nail salon
Broadcast **studio**	Finance agency	Nutrition service
Broker	**Financial planning service**	**Office, professional**
Business **training**	Fireworks sales (indoor)	Ophthalmologist
Candy store	Fitness center	Optician
Caterer	Flea market (indoor)	Optometrist
Child care center	Floor covering store	Package liquor store
Chiropractor	Florist	Paint store
Clinic	Foundation office	Painting **studio**
Clock sales	Fruit and/or vegetable store	**Parking area (off-site)** [1]
Clothing alterations	**Furniture store**	**Parking structure** [2]
Clothing rental	Furrier	**Pet store**
Clothing store	Game rental	Pharmacy

RO Primary Frontage Ground Floor Permitted Uses (continued from previous page)		
Photography **studio**	Sculpture studio	Tea room
Photography supply store	Security service	Telephone sales
Photography **training**	Shoe repair shop	Telephone service
Physical therapy facility	Shoe store	**Television station**
Picture framing facility	**Sign sales store**	**Theater** (indoor)
Pilates **instruction**	Skating rink	Title company
Planetarium	Sleep disorder facility	Tobacco store
Planner	Social service agency	Toy store
Podiatrist	Sporting goods sales	**Travel** agency
Public transportation facility	Stained glass **studio**	Tutoring service
Radio station	Stationery store	**Universally permitted use** (1)
Real estate	Stock and **bond** broker	Variety store
Reception hall	Tailor	Watch sales
Recording studio	Tanning salon	Website service
Rental store	Tattoo establishment	Wedding consultant
Restaurant	~~**Tavern**~~	Weight loss service
Sandwich shop	Tax consulting	**Window** sales
Savings and loan	Taxi service	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) See **universally permitted use** definition for additional standards
(2) If integrated within the footprint of a new building for a permitted primary **use**

RO Secondary Frontage Ground Floor Permitted Uses (continues onto next page)		
Accessory building/structure/use	Business **training**	**Employment agency**
Accountant	Candy store	**Engineer**
Adoption service	Catalog showroom	**Entertainment facility** ~~(including outdoor)~~
Adult care center	Caterer	**Exhibit hall**
Advertising	**Child care center**	Fabric **shop**
Air conditioning sales	**Child care home (class I)**	**Farmers market** (with outdoor uses)
Alteration service	Chiropractor	Finance agency
Animal grooming (indoor)	**Clinic**	**Financial planning service**
Animal hospital (indoor)	Clock sales	Fireworks sales (indoor)
Animal kennel (indoor)	Clothing alterations	Fitness center
Animal obedience **school** (indoor)	Clothing rental	Flea market (indoor)
Answering service	Clothing store	Floor covering store
Antique shop	**Club, private**	Florist
Apparel and accessory store	**Coffee shop**	Foundation office
Appraiser	Coin **shop**	Fruit and/or vegetable store
Arcade	Collection agency	**Funeral home**
Architect	**Community garden**	**Furniture store**
Arena	Computer sales and service	Furrier
Art gallery	Computer software store	Game rental
Art **instruction**	Computer **training**	Game sales
Art studio	Consignment **shop**	Gift **shop**
Art supply store	Consulting service	Glass cutting/glazing **shop**
Attorney	Consumer electronics sales	Graphic design service
Audiologist	Consumer electronics service	**Grocery store or supermarket**
Audio-visual **studio**	**Convenience store**	Gymnastics **instruction**
Automobile accessory store (indoor)	Copy service	Hardware store
Automobile rental (indoor)	Cosmetic store	**Health club**
Automobile sales (indoor)	Costume rental	Heating sales
Bait sales	Counseling service	Hobby **shop**
Bakery goods	Craft **instruction**	**Hospice care center**
Bank	Craft **studio**	**Hospital**
Bankruptcy service	Craft supply store	**Hotel**
Banquet hall	Credit service	Ice cream store
Bar	**Credit union**	Insurance agency
Barber shop	**Customer service facility**	Interior decorating store
Barber/beauty school	Dance **instruction**	Interior design service
Beauty shop	**Day care**	Internet service
Bed and breakfast	Day spa	Investment service
Betting or other gambling facility	Delicatessen	**Jewelry sales**
Bicycle sales and repair **shop**	Dentist	**Laboratory**
Billiard or pool hall	**Department store**	**Land surveyor**
Bingo establishment	Diagnostic center	**Laundromat**
Blood bank	Dialysis center	Leather goods store
Blood or plasma donor facility	Dinner **theater**	Legal service
Book store	**Distillery (micro)**	**Live-work unit**
Bookkeeping service	Doctor	**Loan office**
Botanical conservatory	Driving **instruction**	Luggage store
Bowling alley	Drug store	Marketing agency
Brewery (micro)	**Dry cleaning store**	Martial arts **training**
Broadcast **studio**	**Educational institution**	**Massage therapy**
Broker	Embroidery	Meat/fish market

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**

(I) In the Areas established within the **Airport Overlay Districts**, in addition to the **special uses** set forth in §157.503(D), the following **uses** shall require approval of a **special use** from the **Board of Zoning Appeals**, even in cases where the **use** is a permitted **use** in the existing underlying **zoning district**.

TABLE 3 – AIRPORT OVERLAY DISTRICT SPECIAL USES	
Area 1 and Area 2	**Area 3**
Assisted living facility	**Manufactured home park**
Arena	**Recycling collection point**
Batting cages	
Campus housing	**Area 4**
Country club	**Arena**
Day care center	Batting cages
Fireworks sales	Fireworks sales
Fuel **storage** facility	Fuel **storage** facility
Gas station	**Golf course** (including **driving range**)
~~**Golf course** (including driving range)~~	**Hospital**
Group residential facility	**Manufactured home park**
Hospital	Propane/bottled gas facility
Hotel	**Recreation**~~**al uses**~~**, outdoor**
Manufactured home park	**Recycling collection point**
Motel	**Stadium/racetrack**
Multiple family complex	**Subdivision plat**
Multiple family dwelling	Swim **club** (outdoor)
Museum	**Theater** (outdoor)
~~**Park/recreation area**~~ **Park or Recreation Area, Public**	Tennis **club** (outdoor)
Propane/bottled gas facility	
Radio station	
Recreation~~**al uses**~~**, outdoor**	**Area 5**
Recycling collection point	**Manufactured home park**
Religious institution	
Residential facility for the **developmentally disabled**	
Residential facility for the **mentally ill**	
Retirement facility	
Salvage yard	
Single family dwelling (Area 1 only)	
Solid waste transfer station	
Stadium/racetrack	
Subdivision plat	
Swim **club** (outdoor)	
Television station	
Tennis **club** (outdoor)	
Theater (outdoor)	
Truck fueling station	

(B) Improvement Location Permit

(1) General Provisions

An **Improvement Location Permit** shall be required for the construction, reconstruction, enlargement, or relocation of any **building** or **structure** (including a non-temporary **sign**), unless specifically excluded by this ordinance. No **building** or **structure** shall be erected, constructed, reconstructed, enlarged, or moved prior to the issuance of an **Improvement Location Permit**.

(a) No **Improvement Location Permit** shall be issued unless the proposed **development** conforms with the provisions and requirements of this ordinance.

(b) No **Improvement Location Permit** shall be issued for construction that would encroach over a platted front **building** line except for ornamental fences and open decks, open porches, or stoops~~, unless the applicant documents that the restrictive covenants for the **subdivision** allow such an encroachment~~. ~~This prohibition shall also apply to all non-allowed construction that does not require an **Improvement Location Permit**.~~

(c) No **Improvement Location Permit** shall be issued for the construction, reconstruction, enlargement, or relocation of a **building** or **structure**, or any part of a **building** or **structure** (except for **fences** or **signs**), within a utility or surface drainage **easement**, unless the **easement** has been vacated (if the **easement** is a platted **easement**) or otherwise released.

(d) No **Improvement Location Permit** shall be issued for construction that would encroach into a **corner visibility area** as defined herein. This prohibition shall also apply to construction that does not require an **Improvement Location Permit**.

(e) If an application requires the approval of a Development Plan or a Site Plan Review, that approval shall have been granted and all **conditions** of approval satisfied prior to the approval and issuance of any **Improvement Location Permit**(s).

(f) Projects meeting the definition of **major façade renovation** shall be required to be reviewed through the Design Review process as described in §157.404 and the **Commission's** rules prior to the application for an **Improvement Location Permit** application.

(g) Notwithstanding the other **Improvement Location Permit** validity provisions included herein, any application for a non-Site Plan Review **Improvement Location Permit** shall be void if a complete application is not submitted within three (3) months of the submission of an **ILP** incomplete application.

(D) Special Uses

(1) List of Special Uses

The following **special uses** may be permitted by the **Board of Zoning Appeals** in the **zoning districts** shown in the table below, after public hearing pursuant to §157.503(A)(1). To approve a **special use**, the **Board** shall determine that the application meets the criteria in §157.503(D)(2) below and any other requirements stated for the specific **use** in this ordinance. The **Board** may impose reasonable **conditions** as part of its approval.

In addition, as set forth in §157.411(I) of the **Airport Overlay Districts** provisions, certain **uses** shall also require approval of a **special use**, even in cases where the **use** is a permitted **use** in the existing underlying **zoning district**.

SPECIAL USES	
Special Use	**District(s) Where Allowed**
Accessory building, as a **primary building**, on a site of at least five (5) acres	AR
Accessory dwelling unit (freestanding)	AR, R1, R2, R3, RP, MHS, DE, and UC
Airstrip/heliport (for corporate or multiple **owner use**)	AR
Amusement park (if adjacent to a residential district)	C3 and C4
Animal keeping (outdoor, small animal)	R1, R2, R3, RP, MHS, DC, DE and UC
Animal service, indoor	C1
Athletic field	R1, R2, R3, RP, MHS and C1
Automatic teller machine (ATM) (stand-alone)	C1
Automobile maintenance (quick service)	C2, NC, and SC
Automobile Service, General (excluding **gas station uses**)	I1
Bed and breakfast	AR, R1, R2, R3, RP and MHS
Boarding house	AR, R1, R2, R3, RP, MHS and DE
Child care home (class II)	AR, R1, R2, R3, RP, MHS, DE and UC
Club, private (1)	R1, R2, R3, RP, MHS and C1
Commercial communication tower (2)	C1, C2, NC, SC, C3, C4, BTI, I1, I2 and I3
Community facility not otherwise permitted (**transitional use**)	R1, R2, R3, RP and MHS
Community garden that includes a **structure**	AR, R1, R2, R3, RP, MHS, C1, DC, DE and UC
Container home (2)	AR, R1, R2, R3, RP, MHS, DE and UC
Country club	AR, R1, R2, R3, RP and MHS
Educational institution (not otherwise permitted)	AR, R1, R2, R3, RP and MHS (1)
Educational institution associated facilities, **uses**, and areas (on noncontiguous properties)	AR, R1, R2, R3, RP and MHS
Educational institution-associated uses (on non-contiguous properties, not otherwise permitted)	C1, C2, NC, SC, C3, C4, DE, and UC
Emergency response facility (transitional use)	R1, R2, R3, RP and MHS
Flood control improvement project/non-permitted **fill**, private	Any **district**
Fraternity house	DE and UC
Fuel **storage** facility	I2
Funeral home	AR, R1, R2, R3, RP and MHS

SPECIAL USES	
Special Use	**District(s) Where Allowed**
Gas station	C2 and NC (except when a **gas station** site is **adjacent** to a **residential district**, or is on a **street** that is directly opposite from a **residential district**), and DE, I1 and I2
Go-kart facility (if **adjacent** to a residential **district**)	C3 and C4
~~**Golf course**~~	~~R1, R2, R3, RP, and MHS~~
Greenhouse (retail)	C2, NC, and SC
Group residential facility (large) [(1)]	AR, R1, R2, R3, RP, MHS, DC, DE and UC
Group residential facility (large) (if adjacent to a residential district)	C1, C2, NC, SC, C3, C4, I1, I2 and I3
Group residential facility (small)	DC, DE and UC
Growing/processing/raising of natural products	I1
Heliport (private individual or accessory to permitted nonresidential use, excluding hospital uses)	R1, R2, R3, RP, and MHS
Home business [(2)]	AR, R1, R2, R3, RP, MHS and DC
Home business (in an existing single family detached dwelling only) [(2)]	C1, C2, NC, SC, C3, C4, DE, and UC
Home enterprise [(2)]	AR
Home workshop [(2)]	AR
Homeless shelter (accessory to a **religious institution**, for up to eight (8) individuals)	AR, R1, R2, R3, RP and MHS
Homeless shelter (accessory to a **religious institution**)	~~DC~~, DE and UC
Homeless shelter (if adjacent to a residential district or accessory to a **religious institution**)	C1, C2, NC, SC, C3 and C4
Illuminated **recreation field** (if **adjacent** to a **residential district**)	BTI, I1, I2 and I3
Instruction/training/education (transitional use)	R1, R2, R3, RP and MHS
Junk yard (outdoor)	I2
Live-work unit (transitional use)	R1, R2, R3, RP and MHS
Manufactured home, Type II [(2)]	AR, R1, R2, R3, RP, ~~C1, C2, NC, SC, C3, C4, DE and UC~~
Medical office (transitional use)	R1, R2, R3, RP and MHS
Metal and plastic extrusion and molding	I1
Metal cutting facility	I1
Metal fabricating facility	I1
Metal processing facility	I1
Model home (for an extension of time or expansion of scope)	AR, R1, R2, R3, RP and MHS
Model unit (for an extension of time or expansion of scope)	DC and DE
Motor vehicle storage yard	I2
Multiple Family Dwelling (transitional use, up to ten (10) units	R2
Museum	R1, R2, R3, RP and MHS
Nature preserve (that includes a **structure** or **parking area**)	AR, R1, R2, R3, RP, MHS, DE and UC
Neighborhood facility	AR, R1, R2, R3, RP and MHS

SPECIAL USES	
Special Use	**District(s) Where Allowed**
Nonconforming use (expansion of existing **nonconforming use**, or allow conforming status to existing **use**; this **special use** shall not be available for **gas station uses**)	AR, R1, R2, R3, RP, MHS, C1, C2, NC, SC, C3, C4, DC, DE, UC, BTI, I1, I2 and I3
Open use of land (not otherwise permitted)	I3
Outdoor **use** (in conjunction with a permitted **primary use**)	C2 and NC
Parking area (as a primary use), a special use shall not be required for a universally permitted **off-site parking area**	C1
Parking area (as a primary use, if adjacent to a residential district), a special use shall not be required for a universally permitted **off-site parking area**	C2, NC, SC, C3, C4, I1 and I2
Parking or outdoor display area, gravel (not otherwise permitted)	I2 and I3
Parking structures (public or private)	DC, DE and UC
Pawn shop	DC and DE
Personal service (**transitional use**, excluding copy/duplicating service, health club/fitness center, or social service agency)	R1, R2, R3, RP and MHS
Plant nursery	C2, NC and SC
Processing facility (small scale)	I1
Professional office/business service (**transitional use**, excluding bank, credit union, loan office, or savings and loan)	R1, R2, R3, RP and MHS
Reception hall, **meeting hall**, or ~~**recreation** hall;~~ **clubhouse**	AR
Recreation, outdoor ~~area~~	AR
Recreation, outdoor ~~area~~ ~~(including accessory recreation areas)~~	C2, NC, SC and UC
Recreation, indoor ~~facility~~	AR
Recreation, indoor ~~facility~~ (if adjacent to a residential district)	C2, NC and SC
~~**Recreation use**, outdoor (amusement park, go-cart facility, stadium/race track, and water park, only; if adjacent to a residential district)~~	~~C3 and C4~~
~~**Recreation use**, outdoor (athletic field, riding stable, swim club, tennis club)~~	~~R1, R2, R3, RP, MHS and C1~~
Religious institution or non-public **school** illuminated **athletic field**(s)	AR, R1, R2, R3, RP, MHS, C1, C2, NC, SC, DC, DE and UC
Residential facility for a court-ordered re-entry program	AR, R1, R2, R3, RP, MHS, C1, C2, NC, SC, C3, C4, DC, DE, UC, I1, I2 and I3
Residential facility for homeless individuals (for up to eight (8) individuals	AR, R1, R2, R3, RP, MHS, DC, DE and UC
Residential facility for homeless individuals (for up to eight (8) individuals, if adjacent to a residential district)	C1, C2, NC, SC, C3, C4, I1, I2 and I3
Retail (**art gallery**, **bakery** goods, **coffee shop**, candy store, delicatessen, florist, ice cream store, jewelry sales, medical supply sales, musical instrument store, sandwich shop, tea room)	C1
Riding stable, nonresidential	AR
Riding stable, residential	R1, R2, R3, MHS
Salvage yard (outdoor)	I2

SPECIAL USES	
Special Use	**District(s) Where Allowed**
Sawmill	I2 and I3
Self-service storage (mini-warehouse) facility (as a primary use)	DC
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
Stadium/racetrack (if **adjacent** to a **residential district**)	C3 and C4
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
Swim **club**	R1, R2, R3, RP, MHS and C1
Tattoo establishment	C1
Tennis **club**	R1, R2, R3, RP, MHS and C1
Tree service	C3 and C4
Two family dwelling (to allow conforming status for existing nonconforming **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
Water park (if **adjacent** to a residential **district**)	C3 and C4
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

(2) Criteria for Approval of **Special Use**

In reviewing an application for any **special use**, the **Board** may consider the location and size of the **use**; the nature and intensity of the operations involved in or conducted in connection with it; and its site layout, including access provisions and parking requirements, and may approve a **special use** if the **Board** determines that:

(a) The proposed **use** will not be unduly detrimental to the **use**, value, pattern of **development**, or growth of the surrounding area;

(b) The location, size, intensity, site design, and operation of the proposed **use** will be compatible with the immediate area;

(c) Adequate storm drainage, water, sanitary disposal, other utility, and transportation **infrastructure** either currently exists or will be provided to serve the proposed **use**; and

(d) If the application is for one of the following listed **uses**, in addition to the criteria above, the **Board** shall also determine that the proposed **use** will not be injurious to the public health, safety, or welfare of the community:

(i) **Airstrip/heliport** (corporate/multiple **owner use**);

(ii) Arena;

(iii) ~~**Recreation facility** or **use** (not otherwise permitted)~~; **Recreation, indoor**

~~(iii)~~(iv) **Recreation, outdoor**;

~~(iv)~~(v) Sanitary landfill;

~~(v)~~(vi) **Shooting range** (indoor or outdoor);

~~(vi)~~(vii) Solid waste transfer station;

~~(vii)~~(viii) Stadium/racetrack;

~~(viii)~~(ix) Utility facility, private.

(3) Additional **Special Use** Standards and Provisions

The following standards shall apply as applicable to applications for the noted **special use** approvals.

(a) Commercial communication tower

(i) A **special use** shall not be required for a wireless support **structure**, as defined in I.C. 8-1-32,3-14, if the proposed wireless support **structure** is located within the **City right-of-way**.

(ii) A **special use** shall not be required for the location of additional cabinets or shelters for an existing tower

(iii) A **special use** shall not be required for the co-location of antennae in any **district** on an existing **building** or **structure**. Antennae shall be permitted to extend up to twenty (20) feet above the existing **building** or **structure**. A **Certificate of Compliance** shall be obtained for all antennae locations and co-locations.

§ 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:

Abut
Lots or **parcels** that have a common **lot line** with each other. **Lots** or **parcels** that have a common **lot line** with **streets, alleys,** and **right-of-ways.**

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 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:

(1) Are located on the same **lot**, **tract**, or **development site** as the primary **nonresidential building** or **use**;

Are clearly incidental to and customarily found in connection with a **primary building** or **use**; and

Board

The Fort Wayne **Board of Zoning Appeals**. This term shall not include the Allen **County Board** of Commissioners or the Fort Wayne **Board of Public Works**. For purposes of granting a **special use**, **use** variance, or variance of **development** standards for a wireless service provider, the **Board** shall be the "permit authority" under I.C. 8-1-32.3, et seq.

Board of Public Works

The Fort Wayne **Board of Public Works**.

Board of Zoning Appeals (BZA) (see "Board")

Boarding House

A **residential building** containing rooms for accommodating, for compensation, three or more **persons**. Lodging may include the serving of meals to the lodgers. Facilities for lodgers may include sleeping or living quarters, or individual bathrooms, but shall not include individual cooking facilities.

Bond

Any form of security, including cash, surety **bond**, or financial instrument of credit, as approved by the appropriate agency, for the purpose of guaranteeing that improvements will be made in a **subdivision** according to the standards as adopted by the **Plan Commission**.

Bottling Facility

A facility where soft drinks, juice, water, milk, alcoholic drinks, or other liquids are placed in bottles or cans for shipment. This **use** may include the combination of liquids or syrups to produce new liquids for placement in bottles or cans, the shipping and receiving of cans and bottles related to the operation, and incidental sales of bottled or canned liquids to the public, but shall not include the fabrication of bottles or cans.

Boundary River (see Floodplain regulations - §157.412(B), Definitions)

Boundary River Floodway (see Floodplain regulations - §157.412(B), Definitions)

Brewery

A facility that brews ales, beers, meads and/or similar beverages on-site.

Brewery (Micro)

An establishment where ale, beer, mead and/or similar beverages are brewed, typically in conjunction with a **bar**~~, tavern~~ or **restaurant use**. Annual production will typically not exceed 15,000 barrels per year. A micro winery or similar use shall also be included under this definition.

Buffer (Airport) (see Airport Overlay District definitions)

Buffer Yard

For the purposes of the landscape standards, an area between a **building**, **structure**, or **use** and an **adjacent** property or **street right-of-way**. The area shall be available for berms/mounding, **fences**, plants, and/or **walls** to provide adequate screening and buffering between **buildings**, **structures**, **parking areas**, **driveways**, and activity areas and **adjacent uses**, **buildings**, **structures**, and **streets**, to promote compatibility between different land uses; conserve energy and moderate the effects of sun and wind; decrease storm water runoff and erosion; conserve or enhance property values; and improve the appearance of individual **developments**. A **buffer yard** may be located within a required front, side, or **rear yard building setback**.

Campus Housing

For purposes of parking requirements, this category includes **campus housing** (off-site), **dormitories** and **fraternity/sorority houses**, and other housing with the primary purpose of housing students of an educational or institutional campus.

Candelas

A unit of luminous intensity, which is the amount of luminous flux (total luminous power emitted from a source and expressed as **lumens**) per unit solid angle in a given direction.

Canopy

A fixed cover that projects from a **wall** of a **building** over a **window** or entrance to provide weather protection and architectural spatial definition. A **canopy** typically projects at a 90-degree (perpendicular) or similar angle. Freestanding **canopies** may also be permitted. A **canopy** may be completely supported by the **building**, or completely or partially supported by columns, poles, posts, or similar supports. A **gas station** canopy is not included in this definition (see "**Gas Station**").

Carport

A **structure** or part of a **structure** used for the parking, **storage**, or keeping of vehicles by the **owner** or tenant of the **lot** as an **accessory use** to a permitted residential **use**, and that does not include a **wall** between the ground and the roof on at least one side that is not a vehicle entryway.

Casino

A structure or facility in which gaming operations are performed by a for-profit or non-profit organization, where permanent tables are present. This definition does not include betting or gambling facility.

Cemetery (Private and Public)

Land used for burial of the dead and dedicated for related purposes, including **crematories**, offices and maintenance facilities, mausoleums and mortuaries when operated in conjunction with and within the boundaries of a **cemetery**.

Certificate of Compliance

A certificate issued by the **Zoning Administrator** stating that the occupancy and **use** of land or a **building** or **structure** referred to in the certificate complies with the provisions of this ordinance and any **conditions** of the **Improvement Location Permit** (if applicable).

Certificate of Occupancy

A certificate issued by the Allen **County Building Department** or successor agency, allowing the occupancy or **use** of a **building** and certifying that the **structure** or **use** has been constructed and will be used in compliance with the applicable codes and ordinances.

Certificate of Use

A certificate issued by the **Zoning Administrator** certifying that a proposed or existing **use** is a permitted **use** in the **zoning district** where the **use** is located.

Change of Use

Any **use** that is a **substantial change** from the previous **use** of a **building**, **structure**, or land.

Easement, Roadway

A roadway, approved by the **Commission** over private property, that permits a specific and limited **use** of that thoroughfare to the grantee of the **easement**.

Easement, Utility and Service

A portion or strip of land that is part of a **lot** or **parcel** but that has been reserved for the specific purpose of utilities and related services.

Educational Institution

Public, non-public, parochial, or other post-secondary **school**, junior college, college or university, other than a **business school**; the **use** may also include recreational **uses**, living quarters, dining rooms, heating plants and other incidental facilities for students, teachers and employees.

Elevation Certificate (see Floodplain regulations - §157.412(B), Definitions)

Emergency Response Facility

A **building** used for police, fire, and/or medical equipment and personnel.

Emergency Shelter

A facility that provides temporary housing without charge for persons:

(1) Whose regular residence has become uninhabitable due to fire, flood, or Act of God, while that residence can be repaired or replaced, or until other permanent housing arrangements can be made, but not to exceed a period of six months, or

(2) Persons who have no regular residence that could be endangered during periods of weather and health events where lack of shelter would create a significant risk to their health.

Employment Agency

An agency that specializes in matching individuals' skill sets to particular jobs or finds jobs for unemployed individuals.

Enclosed Area (Enclosure) ~~**(see Floodplain regulations - §157.412(B), Definitions)**~~

A **structure** that has two or more exterior **walls**.

Engine Repair

A facility used for the repair of small engines or motors.

Engineer (see "Professional Engineer")

Entertainment Facility

A facility that offers ~~indoor or outdoor~~ entertainment **uses**, including performing arts **theaters**, cinemas, concert venues, or circus/festivals, but does not include any **sexually oriented business use**.

Equipment Rental, General

The rental of supplies and large equipment primarily for intended for use by construction, general, landscaping, or industrial contractors, including, including but not limited to hoists, lifts, forklifts, and commercial capacity generators and compressors, but not including car or truck rentals.

Equipment Rental, Limited

The rental of supplies and equipment primarily intended for homeowner **use** and minor residential gardening and construction projects, but not including car or truck rentals. All maintenance of equipment

Furniture Store

An establishment that specializes in the sale of any or all of the following: new, used, finished or unfinished furniture including kitchen cabinets and related items.

Garage (see "Garage, Residential")

Garage, Residential

A detached **accessory structure** or portion of a **primary building** used for personal **storage**, the **storage** of **motor vehicles** and other similar accessory residential **uses**.

Garage Sale (see "Yard Sale")

Garbage

Animal or vegetable waste resulting from the handling, preparation, cooking, and consumption of food; or other business or household waste materials.

Garden Equipment Supply

An establishment that specializes in the retail of nursery plants or related items, which may include: plants that have been grown on the property or imported, nursery products and stock, potting soil, hardware, power equipment and machinery, hoes, rakes, shovels, and other garden and farm variety tools and utensils.

Gas Pump Embellishment

Letters, figures, characters or representatives in irregular forms that used as a supplement to permitted gas pump signage.

Gas Station

A facility where fuel is sold, which may also include a **convenience store**. A **gas station use** shall be considered a **primary use** of a property. A **gas station canopy** is included in this definition.

Gateway

A point along a roadway at which a motorist or pedestrian gains a sense of having entered the **City** or a particular part of the **City**. This impression can be imparted through such things as **signs**, **monuments**, landscaping, a change in **development** character, or a natural feature.

Gazebo

A freestanding, roofed, usually open-sided **structure** providing seating or an area for gathering.

Glacial Stone (see Floodplain regulations - §157.412(B), Definitions)

Glare

A situation created when illumination sources shine with visibly harsh, uncomfortably bright light that: causes discomfort; distracts attention; or leads to reduction or loss of visibility or visual performances (up to and including situations of blinding **glare**, as defined in the Illuminating Engineering Society of North America's current Lighting Handbook). These situations are typically caused by insufficiently shielded light sources, or high luminance (luminance that is sufficiently greater than the luminance to which the eyes are adapted).

Golf Course

A **tract** of land typically laid out for playing the game of golf that may include a **clubhouse**, dining and snack **bars**, pro **shop**, and practice facilities.

Golf Course (Miniature)

An area or ~~recreational~~ facility, typically comprised of small putting greens, each with a "cup" or "hole," where patrons in groups pay a fee to move in consecutive order form the first hole to the last.

Golf Driving Range

A **tract** of land devoted as a practice range for practicing golf shots.

Government Facility

An institution operated by a federal, state, **county**, town, township or **city** government, or by a special purpose **district**.

Greenhouse

An establishment, including a **building**, part of a **building** or open space, for the growth, display and/or sale of plants, trees, and other materials used in indoor or outdoor planting for retail and wholesale sales.

Grocery Store

A retail sales establishment selling primarily food and beverages for off-site preparation and consumption that maintains a sizable inventory of fresh fruits, vegetables, fresh-cut meats, or fresh seafood or specialize in the sale of one type of food item. This **use** may also include sales of personal convenience and small household goods.

Gross Floor Area

The total floor area of all stories of a **building** or **buildings**, measured by taking the outside dimensions of the **building** at each floor level intended for occupancy or **storage** (including basements), but not including any uncovered or unenclosed **porches**, **patios**, or **decks**.

Ground Floor Area

The **gross floor area** of a **building** exclusive of basements and floors above the ground floor.

Group Residential Facility (Large)

A facility providing housing for over eight (8) unrelated individuals, with or without supervisory staff. This definition shall include a **residential facility** for individuals who are **developmentally disabled** or **mentally ill**, or other similar **residential facility** if the facility houses more than eight (8) individuals (excluding supervisory staff, counselors, or resident managers). This definition shall not include a facility that serves individuals under a court-ordered re-entry program or homeless individuals. A large **group residential facility for mentally ill individuals** shall be located at least 3,000 feet from any other **group residential facility for mentally ill individuals**.

Group Residential Facility (Small)

A facility providing housing for up to eight (8) unrelated individuals, with or without supervisory staff. This definition shall include a **residential facility** for individuals who are **developmentally disabled** or **mentally ill** or any **other residential facility** that houses up to eight (8) individuals (excluding supervisory staff, counselors, or resident managers) who are members of a **protected class** as set forth under the federal Fair Housing Act. This definition shall not include a facility that serves individuals under a court-ordered re-entry program or homeless individuals. A **residential facility for mentally ill individuals** shall be located at least 3,000 feet from any **other residential facility for mentally ill individuals**.

Growth (see Airport Overlay District definitions)

Hardship (see Floodplain regulations - §157.412(B), Definitions)

Home Occupation

An **accessory use** of a **dwelling** unit, or a **use** of an attached **structure** accessory to a **dwelling** unit, where business activities are conducted which do not change the residential character of the **structure** or property, or adversely impact **adjacent** properties. Clients or customers shall not come to the home, and on-site retail sales shall not be permitted. No outside employees may be permitted. A **home occupation** shall be permitted in conjunction with a single **family**, two **family**, or **multiple family dwelling** unit where the business **owner** lives, and shall be operated entirely within a primary or attached **accessory structure**.

Home Workshop

A **use** of a single **family** property, where business activities are conducted. **Home workshops** are intended to permit **uses** which are more intensive than a **home business**, including **uses** which produce or repair a product, but which do not adversely impact **adjacent** properties. **Home workshops** may include limited assembly, fabricating, **manufacturing**, processing, or repair activities (excluding **automobile repair**). A **home workshop** shall be permitted in conjunction with a **single family dwelling** unit where the business **owner** lives, and shall be conducted entirely within a primary or **accessory structure**. The **gross floor area** of the workshop shall not exceed two thousand (2,000) square feet. To allow for the mixing of **uses** in rural areas, outside employees shall be permitted to work at the **home workshop**, clients or customers shall be permitted to come to the property, and on-site sales of items either produced or value-added on the property, along with accessory retail sales, shall be permitted.

Homeless Shelter

A supervised private facility that provides temporary living accommodations, and that may provide additional support services, for homeless individuals. A homeless shelter may be a primary or accessory use of a lot.

Hospice Care Center

A facility providing in-patient care for individuals suffering from a terminal illness; overnight patient stays shall be permitted as part of this **use**.

Hospital

An institution providing primary health services and medical or surgical care to **persons**, primarily inpatients, suffering from illness, disease, injury, deformity, and other abnormal physical or mental conditions and including, as an integral part of the institution, related facilities, such as laboratories, outpatient facilities, **training** facilities, **medical offices**, and staff residences. Overnight patient stays shall be permitted as part of this **use**.

Hotel

A **building** providing, for compensation, sleeping accommodations and customary lodging services where guests enter through a main lobby of the **building** to get to each rental unit. Related ancillary **uses** may include but shall not be limited to conference and meeting rooms, **restaurants** and~~,~~ **bars**~~, and recreational facilities~~.. An extended stay **hotel** is included in this definition.

Hydrologic and Hydraulic Engineering Analysis (see Floodplain regulations - §157.412(B), Definitions)

Hydroponics

The cultivation of plants by placing the roots in liquid nutrient solutions rather than in soil, or similar soilless growth of plants.

Parcel

An individual unplatted piece of land, that was either: created by a deed recorded prior to April 3, 2014 in compliance with the **Subdivision** Control Ordinance in effect at the time of recordation; created as an **exempt division of land**/excluded **conveyance** by a deed recorded after September 1, 2007, in compliance with the **Subdivision** Control Ordinance in effect at the time of recording; or created by a **Plan Commission**-approved Development Plan. When a piece of land is titled in the name of the same landowner, but is divided by an improved public **right-of-way**, waters of the United States, or **waters of the State** of Indiana, then that piece of land shall be deemed to be more than one **parcel**.

~~**Park or Recreation Area (Private)**~~

~~A natural, landscaped, or developed area, which may include **buildings, structures,** or **athletic fields,** owned or controlled and used by private or semi-public **persons**, entities, or groups for active and/or passive recreational purposes.~~

Park or Recreation Area, ~~(~~Public~~)~~

A natural, landscaped, or developed area, which may include **buildings**, **structures**, or **athletic fields**, provided by a unit of government to meet the active and/or passive recreational needs of the public.

Parking Area

A public or private area designed and used for the temporary parking of **automobiles** or **motor vehicles**, including parking **lots** and **driveways**.

Parking Area (Off-Site)

A **parking area** for a **religious institution** or **school** which is located directly across an **alley right-of-way** from that **religious institution** or **school** (see "**Universally Permitted Use**").

Parking Space (Off-Street)

A space other than on a **street**, passageway, or **alley** designed for **use** or used for the temporary parking of a **motor vehicle**, including **driveways** and **garages** on private residential property.

Parking Structure

A **structure** designed to accommodate vehicular **parking spaces** that are fully or partially enclosed or located on the **deck** surface of a **building**, including parking **garages** and **deck** parking.

Patio

A slab on grade located in the **front**, **rear**, or **side yard** of a property.

Pawn Shop

A place where money is loaned on security of personal property left in pawn and pledged as collateral for the loan and where that property may be redeemed by the seller in a fixed period of time or sold to the general public.

Pedestrian Friendly (see "Pedestrian Oriented")

Pedestrian Oriented

Areas that accommodate pedestrians in a manner that is safe, functional, and aesthetically pleasing. **Pedestrian oriented** areas generally separate pedestrian and **automobile** traffic, as well as offer designs that are more human-scaled.

~~**Recreation Area**~~

~~Private or non-profit **outdoor recreation uses**. **Structures** are typically required by or are part of the **primary use** of the **use**. **Recreation areas** shall include athletic/recreation fields, **golf courses**, **swimming pools**, swimming beaches, volleyball or **tennis courts**, and similar **uses**. This **use** shall not include **public parks** or **public recreation areas**.~~

~~**Recreation Facility**~~

~~A private or non-profit indoor establishment that is maintained or operated for the amusement, patronage, or **recreation** of the general public, members, or paying customers, including bowling alleys, tennis **clubs**, skating rinks, **swimming pools**, and other similar **uses**.~~

~~**Recreation, General**~~

~~A commercial **use** that provides indoor or outdoor amusement, entertainment, recreation, or sport for consumers, including amusement park, **athletic field**, **arena**, batting cages, betting or other gambling facility, **country club**, **entertainment facility**, **golf course (miniature)**, **golf driving range**, go-kart facility, haunted house, **recreation uses**, **riding stable**, skating rink, **stadium/race track**, swim **club**, tennis **club**, and **theater**.~~

~~**Recreation/Tourism, Limited**~~

~~A commercial **use** that provides indoor amusement, entertainment, recreation, or sport for consumers, including **arcade**, billiard or pool hall, bingo establishment, bowling alley, dinner **theater**, **entertainment facility**, haunted house, **hotel**, **motel**, skating rink, swim **club**, tennis **club**, and **theater**.~~

~~**Recreation Uses, Outdoor**~~

~~**Outdoor recreation uses** may include **athletic fields**, **riding stables**, **swimming pools**, **tennis courts**, and similar **uses**.~~

Recreation, Indoor

A private indoor establishment that is maintained or operated for the amusement, patronage, or recreation of the general public, members, or paying customers, including axe throwing, bowling alleys, ping pong, rock climbing, skating rinks, swimming pools, **tennis clubs**, trampoline parks and other similar use. This use shall not include **public parks**.

Recreation, Outdoor

A private outdoor establishment that is maintained or operated for the amusement, patronage, or recreation of the general public, members, or paying customers. **Structures** are typically required by or are part of the use. Recreation areas shall include **athletic fields**, boating, **campgrounds**, canoeing , **golf driving range**, fishing, **golf courses**, non-motorized trail riding, swimming pools, swimming beaches, outdoor games and sports, volleyball or **tennis courts**, zip lining and similar uses. This use shall not include **public parks**.

Recreational Vehicle (see Floodplain regulations - §157.412(B), Definitions)

Recycling Collection Point

An **accessory use**, **structure,** or enclosed area that serves as a neighborhood drop-off point for **temporary storage** of recyclable materials. A **recycling collection point** may also include a facility for the temporary collection of used clothing and household goods.

Recycling Processing Facility

A recycling facility that receives distinct and recognizable **solid waste** items such as metal, computer, and electronic equipment, newspapers, magazines, books, and other paper products, glass, metal cans, and

Riding Stable, Nonresidential

Any **lot** or portions of a **lot** on which horses or other similar animals are maintained as part of a private club or for the public to ride in return for monetary remuneration or other forms of compensation. Nonresidential stables may be located on a **parcel** with no **primary structure**.

~~**Riding Stable, Private**~~

~~Any **lot** or portions of a **lot**, on which a **private club**, association, or other private organization maintains horses or other similar animals to be ridden exclusively by its membership and guests of the membership.~~

Riding Stable, Residential

An area for riding or housing/boarding horses, used as an **accessory use** and located on a property with a single **family** dwelling.

Right-of-Way

A dedicated strip of land that may be occupied or may be intended to be occupied by transportation facilities, **public utilities**, or other public **uses**.

Riverine (see Floodplain regulations - §157.412(B), Definitions)

Root Parcel of Land

Any separate and distinct quantity of land located within a registered **metes and bounds subdivision** created by virtue of a legally recorded deed. For purposes of determining the duration of existence of a **root parcel**, a quantity of land shall not lose its character as a **root parcel** because of later **conveyances** of land from that **parcel**; provided, however, that any **parcel** legally created from a **root parcel of land** by **conveyance** within a registered nonconforming **metes and bounds subdivision** shall, after the expiration of twelve (12) months from the recordation of the deed evidencing that **conveyance**, be construed as a new **root parcel**.

Runway (see Airport Overlay District definitions)

Runway Protection Zone (RPZ) (see Airport Overlay District definitions)

Sales Yard

An outdoor area for the sale of **building** materials, lumber, sand, gravel, stone, and similar materials used in construction projects.

Salvage Yard

A **lot**, **parcel**, **development site**, **structure**, or business operation that is primarily used for sales of, processing, or dismantling **junk**, **building/infrastructure** construction material, or similar material.

Sanitary Landfill

A **solid waste** disposal facility designed to accommodate and dispose of certain types of **solid waste** as defined and described in 329 IAC 10-2 (excluding **hazardous waste** regulated by 329 IAC 3.1). The facility shall be operated by spreading the waste in layers, compacting to the smallest practical volume, and covering with material at the end of each operating day. The facility shall be operated under permits issued by the appropriate government agencies.

Satellite Dish, Large

A parabolic (dish shaped) **structure** with an antennae or similar apparatus or device designed for the purpose of receiving radio, television or similar communications which is more than two (2) feet in diameter.

#ZORD-2025-0015

BILL NO. G-26-01-07

ORDINANCE NO. Z-_____

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, Section 157.200 (Zoning Districts); Section 157.400 (Additional General Standards); Section 157.500 (Administration) are hereby amended as follows.

Amendment PU1 - § 157.203 (B) through §157.211

It is unclear what common areas can be used for;
To make it clear what common areas are used for, permitted uses language has been updated to "Common areas used for a clubhouse, neighborhood center, swimming pool, tennis court, indoor recreation or similar assembly" in AR RI, R2, R3, MHS, MHP

Amendment SU3 - § 157.203

Recreation Hall is not a defined term in the ordinance;
Removed recreation hall and updated special use to "Reception hall, meeting hall or clubhouse" in AR

Amendment SU6 - § 157.203 (C) through § 157.224

Recreation terms need updated to align with new terms;
Replaced "Recreation area" with new term "Recreation, outdoor" and replaced "Recreation facility" with new term "Recreation, indoor

Amendment SU7 § 157.206 (C) through § 157.212
The term "Recreation Uses, Outdoor" has been removed;
Removed "Recreation use, outdoor (athletic field, riding stable, swim club, tennis court)" in RI, R2, R3, RP, MHS, CI and listed athletic field, swim club, tennis court individually as special uses.

Amendment DS1 - § 157.206(E) through § 157.211

There was a question about whether the square footage requirement applies to structures or buildings in residential districts.R2;
Updated language for Accessory Structures Building size requirement in RI, R2, R3, RP, MHS and MHP to: "Total detached accessory building square footage shall be less than the square footage of the primary building"

Amendment SU8 - § 157.207 (C) through § 157.210

Recreation use, outdoor has been replaced with Recreation, outdoor which does not include Riding Stable as part of the definition;
Listed Riding Stable, Residential in districts RI, R2, R3, RP, MHS where it had previously been part of "Recreation use, outdoor"

Amendment SU9 - § 157.206 (C) through § 157.210

It is not clear what public park/recreation area means in regard to Wind Energy Conversion system standard;
Removed /recreation area from Wind energy conversion system standard in RI, R2, R3, RP, MHS. Public Park points to the definition of "Park or Recreation Area, Public"

Amendment SU10 - § 157.212 (C) through § 157.219

Manufactured Home Type II should not be a Special Use in Commercial Districts;
Removed MH Type II as a Special Use in CI, C2, NC, SC, C3, C4 and DE

Amendment PU2- § 157.213 (B) through § 157.224

Banquet hall is not a defined term and is listed in the same districts as Reception Hall which is defined;
Removed Banquet Hall from C2,NC, SC, C3, C4, DC, DE, UC, I1, 12,13 permitted use tables.

Amendment PU3- § 157.213 through § 157.410

Movie Rental is an outdated use;
Removed movie rental from permitted uses table throughout the ordinance.

Amendment PU4 § 157.213 (B) through § 157.506

Tavern definition points to Bar definition;
Removed Tavern from permitted uses tables and throughout ordinance.

Amendment PU5 § 157.215 (C) through § 157.224

There is an issue with footnote "No gas station canopy shall be located between the primary building and a residential district" in SC, C3, C4 and 13;
Revised footnote to say, "A gas station canopy shall meet primary building setbacks. "

Amendment PU6 § 157.216 through § 157.224

Recreation terms need updated to align with new terms in the permitted uses tables;
Replaced "Recreation area" with "Recreation, outdoor" and replaced "Recreation facility" with "Recreation, indoor" in C3, C4,I1, I3

Amendment PU7 § 157.216 (B) through § 157.224

"Recreation uses" is not a defined term;
Removed term "recreation uses" from permitted uses table in C3, C4, I1, I2, 13

Amendment PU8 § 157.215 (B) through § 157.410

Entertainment facility definition has been updated to include both indoor and outdoor use;
Removed (including outdoor) from "Entertainment facility" in SC, DC, DE and RO districts permitted use tables.

Amendment PU9 § 157.216 (B) through § 157.224

"Golf Driving Range" is included in the definition of "Recreation, Outdoor";
Removed "Golf Driving Range" from Permitted Uses table in C3, C4, I2 (FW only) and 13.

Amendment PU10 § 157.216 (B) through § 157.224.
There is confusion on what type of riding stables are permitted in some commercial districts;
Added "nonresidential" to "Riding Stable" in C3, C4, DC, DE, UC, I2 , 13

Amendment SU10 § 157.216 (C) through § 157.217
Term "Recreation uses, Outdoor" has
been removed;
Replaced "Recreation use, outdoor (amusement park go cart facility... if adjacent to residential" with **"Recreation, outdoor** (if adjacent to a residential district)" and listed amusement park, go-kart facility, stadium/race track, and water park (if adjacent to a residential district) separately as special uses in C3 and C4

Amendment SU11 § 157.212 (B)
Riding stables should not be a Special
Use in CI; Removed Riding stable as a special use by removing "Recreation use"

Amendment SU12 § 157.218 (C)(7)
There is an issue with the special use, "Homeless shelter (accessory to a religious institution)" in the DC district;
Removed "accessory to a religious institution" from "Homeless shelter" special use.

Amendment PU11 § 157.223 (B) through § 157.224
Previous determinations put ammunition assembly or manufacturing it within I2 and or I3;
Added "ammunition" under I2 and 13 as permitted use table under "Assembly facility for/manufacturing of'

Amendment PU12 § 157.216 (B) through § 157.224

To be consistent with how other sales/repair uses are permitted in the ordinance, gun repair should align with where gun sales are permitted; Added "Gun repair" as a permitted use in districts where "Gun Sales" are already permitted; C3, C4, 12, 13

Amendment DS2 § 157.220 (E) (1)

UC Height should revert back to 60-
Feet; Changed height standard for primary and accessory building or structure from 80' to 60'.

Amendment DDS1 § 157.404 (O)(1)(b)

The Residential Impact Mitigation Exception standards don't apply to UC;
Removed UC from Residential Impact Mitigation standards exception.

Amendment DDS2 § 157.404(U)(6)(b)(ii)

There is confusion about when stub streets are required for future access in major subdivisions;
Updated standard to: (ii) Provide stub streets to allow at least one future access to adjoining vacant parcels of land ~~per~~ after 50 lots ~~(or part thereof)~~ in the proposed Major Subdivision..."

Amendment PARK1 § 157.407

New recreation terms need to be added to parking requirements;
Updated Minimum Off-Street Parking Requirements table to reflect changes to recreation terms: Replaced "Recreation/tourism" with **Recreation, indoor** and replaced "Recreation, general" with **Recreation, outdoor**

Amendment LAND1 § 157.408 (e)

There are no landscaping standards for Gas Station Canopies;
Added "**Gas Station Canopy**" to Code A-5 landscaping standards and updated standard to say, "Continuous 6' high **solid fence**, on the property line may be immediately around the eating/drinking smoking area. (1)

Amendment AO1 § 157.411 (I)

New recreation terms have been added to the ordinance; Updated recreation terms in AO district Special Use Table

Amendment PRO1 § 157.503 (B)(b)

There is confusion about if an ILP can be issued when construction encroaches on a front build line; Removed, "unless the applicant documents that the restrictive covenants for the subdivision allow such an encroachment. This prohibition shall also apply to all non-allowed construction that does not require an Improvement Location Permit."

Amendment PRO2 § 157.503 (D)(1)

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

Amendment PRO4 § 157.503 (2)(d)

Recreation terms with additional Criteria for Approval of Special Use need to be updated;
Removed "Recreation facility or use (not otherwise permitted)" and replaced with new rec terms: (iii)Recreation, indoor (iv) Recreation, outdoor

Amendment DEF1 § 157.506 (B)

"Abut" is used several times in the ordinance when "adjacent" is not appropriate;
Added new term and definition; "Abut: Lots or parcels that have a common lot line with each other. Lots or parcels that have a common lot line with streets, alleys, and rights-of-way."

Amendment DEF2 § 157.506 (B)

Meals should be included as part of
"Bed and Breakfast"; Replaced "with or without" with "and" in the definition of Bed and Breakfast.

Amendment DEF3 § 157.506 (B)

The definition of canopy should not include gas station canopies;
Added, "A gas station canopy is not included in this definition (see "Gas Station")" to the definition of Canopy.

Amendment DEF4 § 157.506 (B)

A definition for Enclosed Area (Enclosure) is only found in the Floodplain Section of the ordinance;
Added a Definition of Enclosed Area (Enclosure) to the overall ordinance. "Enclosed Area (Enclosure): A structure that has two or more exterior walls."

Amendment DEF5 § 157.506 (B)
Including "indoor or outdoor" in the definition limits the facility to being one or the other; Removed

"indoor or outdoor" from

Entertainment Facility definition

Amendment DEF6 § 157.506 (B)

A "gas station canopy" should be included in the definition of Gas Station;
Added, "A gas station canopy is included in this definition" to the definition of Gas Station.

Amendment DEF7 § 157.506 (B)

The use of the term "recreational facility" in the definition of miniature golf course causes confusion; Removed "recreational facility" and replaced with from "area or facility".

Amendment DEF8 § 157.506 (B)

"Recreational facilities" is not defined and does not need to be included in the definition of; Removed "recreational facilities" from Hotel definition.

Amendment DEF9 § 157.506 (B)

Park or Recreation Area (Private) is only found in the Definitions section of the Zoning Ordinance; Removed Park or Recreation Area (Private) definition.

Amendment DEF10 § 157.506 (B)

Recreation Area has been replaced with Recreation, Outdoor; Removed Recreation Area. These uses are now addressed under Recreation, outdoor. Added new term and definition; "Recreation, outdoor: A private outdoor establishment that is maintained or operated for the amusement, patronage, or recreation of the general public, members, or paying customers. Structures are typically required by or are part of the use. Recreation areas shall include athletic fields, boating, campgrounds, canoeing , golf driving range, fishing, golf courses, non-motorized trail riding,_swimming pools, swimming beaches, outdoor games and sports, volleyball or tennis courts, zip lining and similar uses. This use shall not include public parks."

Amendment DEF11 § 157.506 (B)

Recreation Facility has been replaced with Recreation, indoor; Removed "Recreation Facility". These uses are now addressed under Recreation, indoor. Added new term and definition; "Recreation, indoor: A private indoor establishment that is maintained or operated for the amusement, patronage, or recreation of the general public, members, or paying customers, including axe throwing, bowling alleys, ping pong, rock climbing, skating rinks, swimming pools, tennis clubs, trampoline parks and other similar use. This use shall not include public parks."

Amendment DEF12 § 157.506 (B)

Recreation, General is only found in the definition section and minimum parking requirements table;
Removed "Recreation, General" definition from ordinance. These uses are addressed under other terms.

Amendment DEF13 § 157.506 (B)

Recreation/Tourism, Limited is only found in the definition section and minimum parking requirements table;
Removed "Recreation/Tourism, Limited" definition from ordinance. These uses are addressed under new term "Recreation, indoor"

Amendment DEF14 § 157.506 (B)

Recreation Uses, Outdoor has been replaced with Recreation, outdoor;
Removed, "Recreation Uses, Outdoor: Outdoor recreation uses may include athletic fields, riding stables, swimming pools, tennis courts, and similar uses." These uses are addressed in new Recreation, outdoor definition

Amendment DEF15 § 157.506 (B)

The use of the defined term "common areas" in the definition of Retirement Facility is confusing;
Added the word "living" between common and areas.

Amendment DEF16 § 157.506 (B)

"Riding Stable, Nonresidential" and "Riding Stable, Private" do not need separate definitions;
Removed "Riding Stable, Private" definition and added *"as part of a private club or"* to "Riding Stable, Nonresidential"

Amendment DEF17 § 157.506 (B)

Use of the term "park or recreation area" in the definition of Universally Permitted use is confusing;
Replaced "park or recreation area (public county, municipal, state, or township)" with the term **"public park", which points to** the definition of "park of recreation area, public" in the ordinance.

SECTION 2. That this Ordinance, after its passage and approval by the Mayor, shall be in full force and effect starting on March 1, 2026.

_____
Council Member

APPROVED AS TO FORM AND LEGALITY:

_____
Malak Heiny, City Attorney

BILL NO. G-26-01-07

REPORT OF COMMITTEE ON REGULATIONS
February 24, 2026

Scott Myers Chair
Rohli Booker 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

COUNCIL MEMBER	DO PASS	DO NOT PASS	ABSTAIN
BENDER			
BOOKER			
CHAMBERS			
ENSLEY			
FREISTROFFER			
HARTMAN			
JEHL			
MYERS			
PADDOCK			

JOHN D. MCGAULEY
CITY CLERK

Public Hearing Date: N/A
Read the first time in full and on motion by Councilperson Myers.
Read the second time by title and referred to the Regulations Committee.
Read the third time in full and on motion by Councilperson Myers, placed on passage by the following vote:

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

DATED: February 24, 2026

John McGauley
JOHN D. MCGAULEY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-26-01-07 on the 24th day of February , 2026

ATTEST:

John McGauley
JOHN D. MCGAULEY
CITY CLERK

Martin A. Bender
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th of February 2026, at the hour of 9:00 o'clock A.M. E.S.T.

John McGauley
JOHN D. MCGAULEY, CITY CLERK

Approved and signed by me this 25th day of February 2026, at the hour of 1:54 o'clock p.m. E.S.T.

Fort Wayne Indiana
Office of the City Clerk
FEB 25 2026
RECEIVED
2:35 pm

SHARON TUCKER, MAYOR