

# **Chapter Three**

## Zoning Districts

# AG Agricultural District

## 3.1 "AG" District Intent, Permitted Uses, and Special Exception Uses

District Intent	Permitted Uses	Special Exception Uses ***
<p>The "AG" (Agriculture) District is intended for agricultural use while permitting residential development, which meets the requirements of Section 3.2 of the Whitley County Zoning Ordinance.</p> <p><u>The district should allow farm and residential uses to coincide in appropriate rural areas.</u></p>	<p><b>Residential</b></p> <ul style="list-style-type: none"> <li>child care home (owner occupied home)</li> <li>dwelling, single family</li> <li>dwelling, manufactured home</li> <li>residential facility for developmentally disabled (small)*</li> <li>residential facility for mentally ill*</li> </ul> <p><b>Agricultural Uses</b></p> <ul style="list-style-type: none"> <li>agricultural crop production</li> <li>agricultural feed and seed sales</li> <li><u>animal husbandry of livestock not in a confined feeding operation</u></li> <li>confined feeding operation (<del>1200</del> <u>animal units or less</u> <b>Class 1</b>)****</li> <li>cider mill</li> <li>commercial raising of non-farm animals (subject to maximum animal unit limits)</li> <li>farm market (produced on-site)</li> <li>grazing and pasture land</li> <li>greenhouse (<u>under 50,001 sq. ft.</u>)</li> <li>orchards</li> <li>plant nursery</li> <li>processing agricultural crop products produced on site</li> <li>riding stables/trails</li> <li>storage of farm vehicles, equipment, and materials (used in the farming operation-not for sale)</li> <li>storage of agricultural products</li> <li>tree farms</li> <li>vineyard</li> </ul> <p><b>Miscellaneous</b></p> <ul style="list-style-type: none"> <li>home occupation (non-traffic generating)</li> </ul>	<p><b>Residential</b></p> <ul style="list-style-type: none"> <li>bed and breakfast facility</li> <li>dwelling, mobile home</li> <li>residential facility for developmentally disabled (large)</li> <li>secondary dwelling unit</li> </ul> <p><b>Agricultural Uses</b></p> <ul style="list-style-type: none"> <li>confined feeding operation (<del>1201 up to 3000 animal units</del> <b>Class 2</b>)****</li> <li>farm equipment Sales/Service</li> <li>processing of agricultural products not produced on site, not to include slaughterhouses</li> <li>storage of agricultural products not produced on site</li> </ul> <p><b>Business: General Business</b></p> <ul style="list-style-type: none"> <li>kennel</li> <li><u>landing strip</u></li> <li><u>lumber products</u></li> <li>mini-warehouse</li> <li>sawmill (<del>temporary</del>)</li> </ul> <p><b>Business: Auto Sales/Service</b></p> <ul style="list-style-type: none"> <li>automobile body shop (enclosed)</li> <li>automobile repair (enclosed)</li> </ul> <p><b>Business: Food Sales/Service</b></p> <ul style="list-style-type: none"> <li>farmer's market</li> </ul> <p><b>Business: Retail</b></p> <ul style="list-style-type: none"> <li><u>specialty retail, such as antique, fabric, furniture, gift, flower, jewelry, clothing shops</u></li> <li>bait/tackle shop</li> <li>electrical supply shop</li> <li><del>fabric shop</del></li> <li><del>flower shop</del></li> <li><del>furniture store</del></li> <li><del>gift shop</del></li> <li>hardware store</li> <li>heating/cooling/sales service</li> <li><del>jewelry store</del></li> <li>lumber yard</li> <li>plumbing supply store</li> <li>variety store</li> <li>winery</li> </ul> <p><b>Industrial Uses</b></p> <ul style="list-style-type: none"> <li>gravel/sand/mixing**</li> <li>liquid/dry fertilizer storage and distribution</li> <li>machine shop</li> </ul> <p><b>Institutional/Public Facilities</b></p> <ul style="list-style-type: none"> <li>church</li> <li>school, public or private</li> <li>cemetery</li> <li>corporate retreat center</li> <li>recycling collection point (no</li> </ul>

outdoor storage)

**“AG” District Intent, Permitted Uses, and Special Exception Uses (Cont.)**

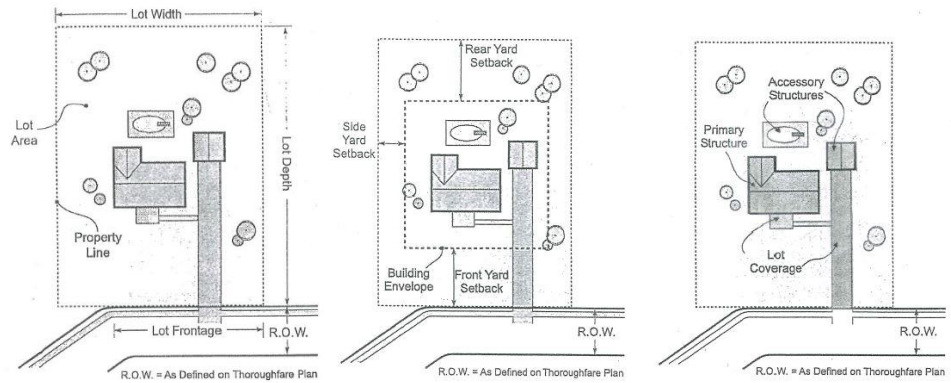
		<b>Special Exception Uses</b>
		<p><b>Communication/Utility</b></p> <ul style="list-style-type: none"> <li>• cellular/communication/radio/television tower</li> <li>• pipeline pumping station</li> <li>• utility substation</li> <li>• public well</li> <li>• telephone exchange</li> </ul> <p><b>Miscellaneous</b></p> <ul style="list-style-type: none"> <li>• home occupation (traffic generating)</li> </ul>

- \* As provided by Indiana Code (IC 12-2-28-4-8 and IC 12-28-4-7).
- \*\* State law permits mining in rural areas (areas within 7 or less homes within a square mile) regardless of local decision making. In these cases, a Public Hearing is primarily to discuss and mitigate traffic impacts, noise, etc.
- \*\*\* Only sites in the Agriculture District (AG ) that have a Primary Structure in conjunction with a Permitted Use are allowed Special Exception Uses on the same lot with BZA approval.
- \*\*\*\* Confined feeding operations are defined in Section 5.21 ~~the same as defined by IDEM (IC 13-11-2-40), with animal units being listed in Chapter 5,~~  
~~Section 5.17 MS 02~~ of this Ordinance.



# AG District

## 3.2 "AG" District Standards



### Minimum Lot Area:

- 80,000 square feet (1.837 acre) Without Central Sewage
- 20,000 square feet (0.459 acre) With Central Sewage
- 10,000 square feet (0.230 acre) With Central Sewage & Water Lines \*\*

### Minimum Lot Width:

- 225 feet Without Central Sewage
- 100 feet With Central Sewage
- 75 feet With Central Sewage & Water Lines \*\*

### Minimum Lot Frontage:

- 50 feet on a Public Street with access from said Public Street
- 50 feet on the radius of a cul-de-sac

### Maximum Lot Depth:

- 3 times the lot width

\*\* Requires that all lots enter onto a new developer created street, built and bonded to the Whitley County Highway Specifications Manual or that all lots enter onto a past developer created street which is dedicated and maintained by Whitley County.

### Minimum Front Yard Setback:

- 50 feet when adjacent to a Principal Arterial
- 40 feet when adjacent to a Minor Arterial
- 40 feet when adjacent to a Collector or Local Road.
- 35 feet with Central Sewage & Water Lines\*\*

### Minimum Side Yard Setback:

- 25 feet for the Primary Structure
- 10 feet for Accessory Structures
- 10 feet with Central Sewage & Water Lines\*\*

### Minimum Rear Yard Setback:

- 30 feet for a Primary Structure
- 10 feet for Accessory Structures
- 20 feet for a Primary Structure With Central Sewage & Water Lines\*\*

### Maximum Structure Height:

- 50 feet for a Non-Residential Primary Structure
- 35 feet for a Residential Primary Structure
- 30 feet for Accessory Structures
- all agricultural related structures are exempt.

### Maximum Lot Coverage:

- square feet of Primary and Accessory Structures, and impervious surface cannot exceed 20% of the Lot Area for an 80,000 square foot parcel, and 40% of the Lot Area for a 10,000 – 20,000 square foot parcel.

### Minimum Main Floor Area:

- 950 square feet for one story Primary Structure; or
- 850 square feet for multiple story Primary Structures, provided that the total Finished Floor Area is 1,200 square feet or more.

### Development Standards that Apply

<b>Lot/Yard(LY)</b> LY-01.....Section 5.3	<b>Floodplain(FP)</b> FP-01.....Section 5.9	<b>Telecommunication Facilities(TF)</b> TF-01.....Section 5.16
<b>Height(HT)</b> HT-01.....Section 5.4	<b>Parking(PK)</b> PK-02,03,05...Section 5.10	<b>Miscellaneous(MS)</b> MS-02.....Section 5.17
<b>Accessory Structures(AS)</b> AS-02.....Section 5.5	<b>Loading(LD)</b> LD-01.....Section 5.11	<b>Manufactured Home(MH)</b> MH-01-08...Section 5.18
<b>Performance Standards(PS)</b> PS-01.....Section 5.7	<b>Sight Triangle Clearance(STC)</b> STC-01.....Section 5.12	<b>Pond(PD)</b> PD-01-13...Section 5.19
<b>Environmental (EN)</b> EN-01,02...Section 5.8	<b>Home Occupation(HO)</b> HO-01.....Section 5.14	<b><u>Confined Feeding Operations (CF)</u></b> <u>Section 5.21</u>



# AGP Agricultural Production District

## 3.3 "AGP" District Intent, Permitted Uses, and Special Exception Uses

District Intent	Permitted Uses	Special Exception Uses
<p>The "AGP" (Agricultural Production) District is intended to provide a land use category for intensive agricultural uses and to recognize certain needs of the agricultural community. The goals of this land use district would be for enhanced Right-to-Farm protection, recognition by community, and to promote agricultural economic development.</p> <p>Non-agriculture uses that are located within this zoning district may not object to any permitted agriculture use, whether such uses currently exist, are enlarged, or change in the future to another agricultural use.</p> <p><u>This district should maintain large, undeveloped areas for productive agricultural uses and intense agricultural-related uses.</u></p> <p>Whitley County's Plan Commission and Board of Zoning Appeals should strive to protect this district from conflicting land uses, non-agriculture oriented businesses, and any use that may inflict significant environmental impacts or be injurious to neighbors.</p>	<p><b>Agricultural Uses</b></p> <ul style="list-style-type: none"> <li>• agricultural crop production</li> <li>• <u>agricultural feed and seed sales</u></li> <li>• <u>animal husbandry of livestock not in a confined feeding operation</u></li> <li>• <del>_____</del></li> <li>• <u>confined feeding operation (up to 3000 animal units Classes 1, 2)****</u></li> <li>• commercial raising of non-farm animals (subject to maximum animal unit limits)</li> <li>• farm market</li> <li>• <u>grazing and pasture land</u></li> <li>• <u>greenhouse (under 250,001 sq. ft.)</u></li> <li>• orchards</li> <li>• processing agriculture crop products produced on site</li> <li>• storage of farm vehicles, equipment, and materials (used in the farming operation-not for sale)</li> <li>• storage of agricultural products</li> <li>• <u>tree farms</u></li> <li>• <u>vineyard</u></li> </ul> <p><b>Residential Uses</b> <u>(subject to use restriction in §3.4)</u></p> <ul style="list-style-type: none"> <li>• <u>dwelling, single-family</u></li> <li>• <u>dwelling, manufactured home residential housing (only for owners of the agricultural operation or immediate family members involved in the agricultural operation on the premises.</u></li> </ul> <p><b>Miscellaneous</b></p> <ul style="list-style-type: none"> <li>• <u>home occupation (non-traffic generating)</u></li> </ul>	<p><b>Agricultural Uses</b></p> <ul style="list-style-type: none"> <li>• <u>confined feeding operation (Class 33001 animal units or more)****</u></li> <li>• <u>greenhouse (over 250,000 sq. ft.)</u></li> </ul> <p><b>Residential Uses</b></p> <ul style="list-style-type: none"> <li>• <u>secondary dwelling unit</u></li> <li>• <del>_____ residential housing (only for employees or tenants employed in the agricultural operation on the premises)</del></li> </ul> <p><b>Miscellaneous</b></p> <ul style="list-style-type: none"> <li>• <u>home occupation (traffic generating)</u></li> </ul>

\*\*\*\* Confined feeding operations are ~~the same as~~ defined in Chapter 5.21 of this Ordinance, by IDEM (IC 13-11-2-40), with animal units being listed in Chapter 5.17 MS 02.





# AGP District

## 3.4 "AGP" District Standards

### Minimum District Area:

- 40 contiguous acres  
- 80 acres to establish a Class 3 confined feeding operation  
District may be comprised of multiple parcels, subject to rezoning provision below.

### Minimum Parcel Size:

- 20 acres

### Minimum Lot Width:

- 225 feet

### Minimum Lot Frontage:

- 100 feet on a Public Street with access from said Public Street

### Maximum Structure Height:

- 50 feet for the Primary Structure  
- 30 feet for Accessory Structures  
- all agricultural related structures are exempt.

### Rezoning Provision:

A petition to rezone property within Whitley County to the Agricultural Production District, or a petition to rescind such rezoning, must be filed by the owner of the property in question, or with the expressed written consent of the property owner.

### Minimum Front Yard Setback:

- 50 feet when adjacent to a Principal Arterial  
- 40 feet when adjacent to a Minor Arterial  
- 40 feet when adjacent to a Collector or Local Road.

### Minimum Side Yard Setback:

- 25 feet for the Primary Structure  
- 10 feet for Accessory Structures

### Minimum Rear Yard Setback:

- 30 feet for a Primary Structure  
- 10 feet for Accessory Structures

### Agricultural Use Notice:

To help reduce conflicts between farmers and non-farm neighbors, the property owner must post signs along county roads within an AGP District. The signs would identify the areas as an Agricultural Production District and give notice that dust, noise, odors, and other inconveniences may occur due to normal farming activities. Size, design and location of these signs are to be reasonably approved by the Plan Commission Staff.

### Maximum Lot Coverage:

- square feet of Primary and Accessory Structures, and impervious surface cannot exceed 30% of the Lot Area.

### Minimum Main Floor Area:

- 950 square feet for one story Primary Structure; or  
- 850 square feet for multiple story Primary Structures, provided that the total Finished Floor Area is 1,200 square feet or more.

### Residential Use Restriction:

New dwellings on a premises used for an agricultural operation shall be used only for the occupancy of the owner(s) of the agricultural operation, or their immediate family members or employees involved in the agricultural operation on the premises. Dwellings in existence at the time of district creation may be occupied by non-owners or non-family members.

### Minimum Parcel Size:

- 40 acres or contiguous to an existing AGP zoning district.  
- 80 acres if the use is to establish a new confined feeding operation.

### Minimum Front Yard Setback:

50 feet when adjacent to a Principal Arterial  
40 feet when adjacent to a Minor Arterial  
40 feet when adjacent to a Collector or Local Road.

### Maximum Lot Coverage:

square feet of Primary and Accessory Structures, and impervious surface cannot exceed 20% of the Lot Area.

### Minimum Lot Width:

- 225 feet

### Minimum Side Yard Setback:

25 feet for the Primary Structure  
10 feet for Accessory Structures

### Minimum Main Floor Area:

950 square feet for one story Primary Structure; or  
850 square feet for multiple story Primary Structures, provided that the total Finished Floor Area is 1,200 square feet or more.

### Minimum Lot Frontage:

- 100 feet on a Public Street with access from said Public Street

### Minimum Rear Yard Setback:

30 feet for a Primary Structure  
10 feet for Accessory Structures

### Maximum Structure Height:

- 50 feet for the Primary Structure  
- 30 feet for Accessory Structures  
- all agricultural related structures are exempt.

### Agricultural Use Notice:

To help reduce conflicts between farmers and non-farm neighbors, the property owner must post signs along county roads within an AGP District. The signs would

### Additional Provision:

Any future residential subdivision of property within 300 feet of an AGP

zoned property must address as part of the requested Primary Approval the following:

- a. Off site surface drainage impacts
- b. Subsurface tiling system impacts
- c. Security of AGP zoned property from residential uses.
- d. Subdivision plat notes and restrictive covenants on the property deeds holding harmless agricultural production in the AGP District when operating under normal practices.
- e. A petition to rezone property within Whitley County to the Agricultural Production District, or a petition to rescind such rezoning, must be filed by the owner of the property in question, or with the expressed written consent of the property owner.

identify the areas as an Agricultural Production District and give notice that dust, noise, odors, and other inconveniences may occur due to normal farming activities. Size, design and location of these signs are to be approved by the Plan Commission Staff

**Development Standards that Apply**

<b>Lot/Yard(LY)</b> LY-01.....Section 5.3	<b>Floodplain(FP)</b> FP-01.....Section 5.9	<b>Miscellaneous(MS)</b> MS-01..... Section 5.17
<b>Height(HT)</b> HT-01.....Section 5.4	<b>Parking(PK)</b> PK-02,03,05..Section 5.10	<b>Manufactured Home(MH)</b> MH-01-08...Section 5.18
<b>Accessory Structures(AS)</b> AS-02.....Section 5.5	<b>Loading(LD)</b> LD-01.....Section 5.11	<b>Pond(PD)</b> PD-01-13...Section 5.19
<b>Performance Standards(PS)</b> PS-01.....Section 5.7	<b>Sight Triangle Clearance(STC)</b> STC-01.....Section 5.12	<b><u>Confined Feeding Operations (CF)</u></b> <u>Section 5.21</u>
<b>Environmental (EN)</b> EN-01,02...Section 5.8	<b>Home Occupation(HO)</b> HO-01.....Section 5.14	

# RR District

## 3.5 "RR" District Intent, Permitted Uses, and Special Exception Uses

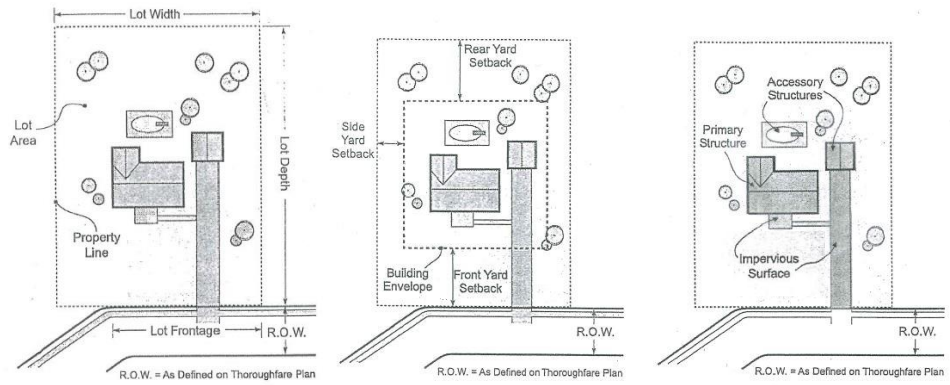
District Intent	Permitted Uses	Special Exception Uses
<p>The "RR" (Rural Residential) District is intended to provide a land use category for single family detached- homes in and around the village centers. The provisions that regulate this land use district should protect, promote and maintain "rural character" in Whitley County.</p> <p><u>This district should allow large-lot residential development in rural areas not suitable for productive agriculture, as well as suburban-style residential subdivisions in areas where demand for residential growth is high and basic services are available.</u></p> <p>Whitley County's Plan Commission and Board of Zoning Appeals should strive to protect this district from conflicting land uses, and non-family oriented businesses.</p>	<p><b>Residential</b></p> <ul style="list-style-type: none"> <li>• child care home (owner occupied home)</li> <li>• dwelling, manufactured home</li> <li>• dwelling, single family</li> <li>• <u>major residential subdivision (subject to requirements of Chapter 5.22)</u></li> <li>• residential facility for developmentally disabled (small)*</li> <li>• residential facility for mentally ill*</li> </ul> <p><b>Agricultural Uses</b></p> <ul style="list-style-type: none"> <li>• agricultural crop production</li> <li>• farm markets (produced on-site)</li> <li>• hobby farming</li> </ul> <p><b>Miscellaneous</b></p> <ul style="list-style-type: none"> <li>• home occupation (non-traffic generating)</li> </ul>	<p><b>Residential</b></p> <ul style="list-style-type: none"> <li>• bed and breakfast facility</li> <li>• dwelling, two-family</li> <li>• dwelling, multi-family</li> <li>• group home</li> <li>• residential facility for developmentally disabled (large) *</li> </ul> <p><b>Institutional Uses</b></p> <ul style="list-style-type: none"> <li>• adult day care</li> <li>• cemetery</li> <li>• child care (5 to 15 children; State License required)</li> <li>• churches</li> <li>• clinics</li> <li>• community services (ambulance depot, emergency and protective shelters, fire stations, water towers, water treatment plants, etc.)</li> <li>• funeral homes</li> <li>• mental health facilities</li> <li>• nursing home</li> <li>• schools, public or private, primary or secondary</li> </ul> <p><b>Miscellaneous</b></p> <ul style="list-style-type: none"> <li>• home occupation (traffic generating)</li> </ul>

\* As provided by Indiana Code (IC 12-28-4-8 and IC 12-28-4-7).



# RR District

## 3.6 "RR" District Standards



### Minimum Lot Area:

- 80,000 square feet (1.837 acres) Without Central Sewage
- 15,000 square feet (0.344 acre) With Central Sewage
- 10,000 square feet (0.230 acre) With Central Sewage & Water Lines \*\*

### Minimum Lot Width:

- 225 feet Without Central Sewage
- 100 feet With Central Sewage
- 70 feet With Central Sewage & Water Lines \*\*

### Minimum Lot Frontage:

- 50 feet on a Public Street with access from said Public Street
- 35 feet on the radius of a cul-de-sac

\*\* Requires that all lots enter onto a new developer created street, built and bonded to Whitley County Highway Specifications Manual or that all lots enter onto a past developer created street which is dedicated and maintained by Whitley County.

### Minimum Front Yard Setback:

- 50 feet when adjacent to a Principal Arterial
- 40 feet when adjacent to a Minor Arterial
- 40 feet when adjacent to a Collector or Local Road.
- 35 feet with Central Sewage & Water Lines\*\*

### Minimum Side Yard Setback:

- 10 feet for the Primary Structure
- 5 feet for Accessory Structure

### Minimum Rear Yard Setback:

- 20 feet for a Primary Structure
- 5 feet for Accessory Structure

### Maximum Structure Height:

- 50 feet for the Non-Residential Primary Structure
- 35 feet for the Residential Primary Structure
- 20 feet for Accessory Structures

### Maximum Lot Coverage:

- square feet of Primary and Accessory Structures, and impervious surface cannot exceed 40% of the Lot Area.

### Minimum Main Floor Area:

- 950 square feet for one story Primary Structure; or
- 850 square feet for multiple story Primary Structures, provided that the total Finished Floor Area is 1,200 square feet or more.

### Development Standards that Apply

<b>Lot/Yard(LY)</b> LY-01.....Section 5.3	<b>Floodplain(FP)</b> FP-01.....Section 5.9	<b>Miscellaneous(MS)</b> MS-02.....Section 5.17
<b>Height(HT)</b> HT-01.....Section 5.4	<b>Parking(PK)</b> PK-03,05.....Section 5.10	<b>Manufactured Home(MH)</b> MH-01-08.....Section 5.18
<b>Accessory Structures(AS)</b> AS-01.....Section 5.5	<b>Loading(LD)</b> LD-01.....Section 5.11	<b>Pond(PD)</b> PD-01-13.....Section 5.19
<b>Performance Standards(PS)</b> PS-01.....Section 5.7	<b>Sight Triangle Clearance(STC)</b> STC-01.....Section 5.12	<b>Major Residential Subdivisions (RS)</b> <u>Section 5.22</u>
<b>Environmental (EN)</b> EN-01,02...Section 5.8	<b>Home Occupation(HO)</b> HO-01.....Section 5.14	



# MR District

## 3.7 "MR" District Intent, Permitted Uses, and Special Exception Uses

District Intent	Permitted Uses	Special Exception Uses
<p>The "MR" (Multi-Family Residential) District is intended to provide a land use category for small to medium scale multi-family developments. The provisions that regulate this land use district should protect, promote and maintain areas in Whitley County for existing and future multi-family housing growth.</p> <p>Whitley County's Plan Commission and Board of Zoning Appeals should strive to sensitively integrate this district into other Residential Districts and the VC and GC Commercial Districts. This district should be within close proximity to parks, open space, services and retail if possible. Avoid locating near conflicting land uses and non-family oriented businesses.</p> <p>The Plan Commission and Board of Zoning Appeals should strive to promote an average net density of 6 to 8 dwelling units per acre community-wide in the "MR" district.</p>	<p><b>Residential</b></p> <ul style="list-style-type: none"> <li>• dwelling, single family</li> <li>• dwelling, two-family</li> <li>• dwelling, multi-family**</li> <li>• <u>dwelling, multi-family, apartment**</u></li> <li>• <u>major residential subdivision (subject to requirements of Chapter 5.22)</u></li> <li>• <u>nursing home**</u></li> <li>• retirement community**</li> <li>• residential facility for developmentally disabled (small)*</li> <li>• residential facility for mentally ill*</li> <li>• child care home (owner occupied home)</li> <li>• home occupation (non-traffic generating)</li> </ul>	<p><b>Residential</b></p> <ul style="list-style-type: none"> <li>• residential facility for developmentally disabled (large)*</li> </ul> <p><b>Institutional/Public Facilities</b></p> <ul style="list-style-type: none"> <li>• adult day care</li> <li>• child care (5 to 15 children; State License required)</li> <li>• church</li> <li>• clinics</li> <li>• community center</li> <li>• community services (ambulance depot, emergency and protective shelters, fire stations, water towers, water treatment plants, etc.)</li> <li>• funeral homes</li> <li>• library</li> <li>• mental health facilities</li> <li>• nursing home</li> <li>• post office</li> <li>• public park/recreation center</li> <li>• schools, public or private, primary or secondary</li> </ul> <p><b>Communication/Utilities</b></p> <ul style="list-style-type: none"> <li>• public wells</li> </ul> <p><b>Miscellaneous</b></p> <ul style="list-style-type: none"> <li>• home occupation (traffic generating)</li> </ul>

\* As provided by Indiana Code (IC 12-28-4-8 and IC 12-28-4-7).

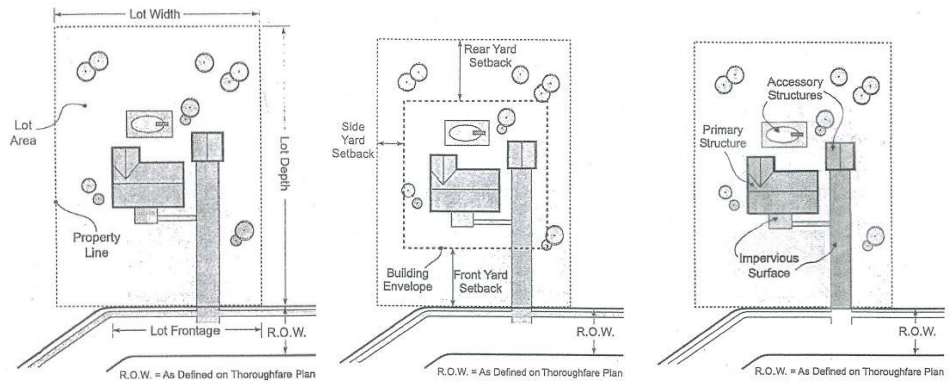
\*\* Permitted use subject to Plan Development Review.





# MR District

## 3.8"MR" District Standards



### Minimum Lot Area:

- 80,000 square feet (1.837 acre) \*\*\* Without Central Sewage
- 10,000 square feet (0.229 acre) With Central Sewage
- 10,000 square feet (0.229 acre) With Central Sewage & Water Lines \*\*

### Minimum Lot Width:

- 225 feet Without Central Sewage
- 100 feet With Central Sewage
- 70 feet With Central Sewage & Water Lines \*\*

### Minimum Lot Area Per Dwelling Unit:

- 5,000 square feet (with sewer hookup)
- 25,000 square feet (with septic system)

### Minimum Lot Frontage:

- 50 feet on a Public Street with access from said Public Street
- 35 feet on the radius of a cul-de-sac

\*\* Requires that all lots enter onto a new developer created street, built and bonded to Whitley County Highway Specifications Manual or that all lots enter onto a past developer created street which is dedicated and maintained by Whitley County.

### Minimum Front Yard Setback:

- 50 feet when adjacent to a Principal Arterial
- 40 feet when adjacent to a Minor Arterial
- 40 feet when adjacent to a Collector or Local Road.

### Minimum Side Yard Setback:

- 10 feet for the Primary Structure (plus buffer yard)
- 5 feet Accessory Structures (plus buffer yard)

### Minimum Rear Yard Setback:

- 20 feet for the Primary Structure (plus buffer yard)
- 5 feet for Accessory Structures (plus buffer yard)

### Maximum Structure Height:

- 50 feet for the Primary Structure
- 20 feet for Accessory Structures

\*\*\* 80,000 square feet minimum standard, alternative systems maybe considered to reduce the lot size subject to State and Local approval.

### Maximum Lot Coverage:

- square feet of Primary and Accessory Structures, and impervious surface cannot exceed 60% of the Lot Area.

### Minimum Main Floor Area:

- 950 square feet per Primary Structure for single family
- 750 square feet per multi-family unit

### Minimum Floor Area Per Unit:

- 850 square feet average per dwelling unit in a multiple-unit Primary Structure.

### Development Standards that Apply

Lot/Yard(LY)	Floodplain(FP)	Home Occupation(HO)
LY-01..... Section 5.3	FP-01..... Section 5.9	HO-01.....Section 5.14
Height(HT)	Parking(PK)	Manufactured Home(MH)
HT-01.....Section 5.4	PK-01,03,05.....Section 5.10	MH-01..... Section 5.18
Accessory Structures(AS)	Loading(LD)	<u>Major Residential Subdivisions (RS)</u>
AS-01.....Section 5.5	LD-01.....Section 5.11	<u>Section 5.22</u>
Performance Standards(PS)	Sight Triangle Clearance(STC)	
PS-01..... Section 5.7	STC-01.....Section 5.12	
Environmental (EN)	Open Space(OS)	
EN-01,02.....Section 5.8	OS-01.....Section 5.13	



# LR District

## 3.9 "LR" District Intent, Permitted Uses, and Special Exception Uses

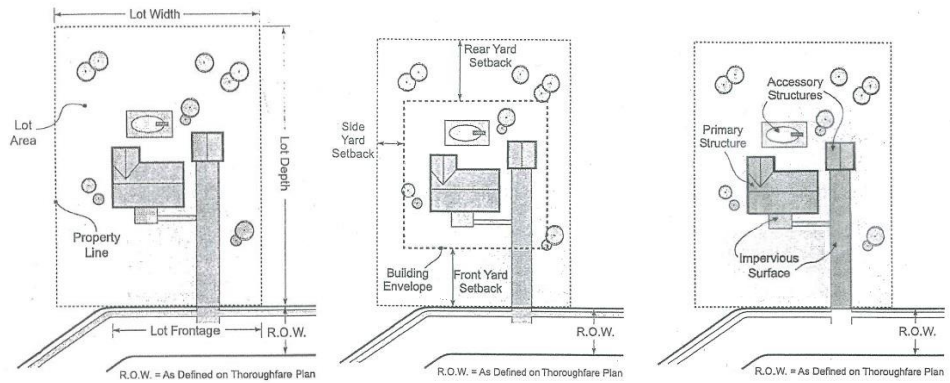
District Intent	Permitted Uses	Special Exception Uses (Cont.)
<p>The "LR" (Lake Residential) District is intended to provide a land use category for lots adjacent to lakes. The provisions that regulate this land use district should protect, maintain, and promote where possible the "lake character" around the lakes in Whitley County.</p> <p><u>This district should allow residential development around large lakes and protect the quality of the lake.</u></p> <p>Whitley County's Plan Commission and Board of Zoning Appeals should strive to protect this district from business encroachment, conflicting land uses, and non-family oriented businesses.</p> <p>The Plan Commission and Board of Zoning Appeals should strive to promote an average net density of 5 to 7 dwelling units per acre community-wide in the "LR" district.</p>	<p><b>Residential</b></p> <ul style="list-style-type: none"> <li>• boarding or lodging house (owner-occupied)</li> <li>• child care home (owner occupied home)</li> <li>• dwelling, manufactured home</li> <li>• <u>dwelling, single family</u></li> <li>• <u>major residential subdivision (subject to requirements of Chapter 5.22)</u></li> <li>• residential facility for developmentally disabled (small)*</li> <li>• residential facility for mentally ill*</li> </ul> <p><b>Miscellaneous</b></p> <ul style="list-style-type: none"> <li>• home occupation (non-traffic generating)</li> </ul> <p style="text-align: center;"><b><u>Special Exception Uses</u></b></p> <p><b>Residential</b></p> <ul style="list-style-type: none"> <li>• bed and breakfast facility</li> <li>• <u>dwelling, apartment</u></li> <li>• <u>dwelling, multi-family</u></li> <li>• <u>apartment</u></li> <li>• dwelling, two-family</li> <li>• residential facility for developmentally disabled(large)</li> </ul> <p><b>Business: Food Sales/Service</b></p> <ul style="list-style-type: none"> <li>• convenience store</li> <li>• convenience store (with gas pumps)</li> <li>• open, unenclosed business (farmer's market, etc.)</li> <li>• restaurant</li> <li>• restaurant (with drive-in)</li> </ul> <p><b>Business: Retail</b></p> <ul style="list-style-type: none"> <li>• <u>specialty retail, such as antique, fabric, furniture, gift, flower, jewelry, and clothing shops</u></li> <li>• <u>antique shop</u></li> <li>• <u>apparel shop</u></li> <li>• art gallery</li> <li>• bait shop</li> <li>• bookstore/news dealer</li> <li>• <u>flower shop</u></li> <li>• garden shop</li> <li>• <u>gift shop</u></li> <li>• music store</li> <li>• sporting goods</li> </ul>	<p><b>Business: Personal Service</b></p> <ul style="list-style-type: none"> <li>• barber/beauty shop</li> <li>• coin laundry</li> <li>• medical/dental clinic</li> <li>• fingernail salon</li> <li>• tanning salon</li> </ul> <p><b>Business: Recreation</b></p> <ul style="list-style-type: none"> <li>• banquet hall</li> <li>• bar/night club</li> <li>• billiard/arcade room</li> <li>• camping</li> <li>• country club</li> <li>• lodge or private club</li> <li>• miniature golf</li> <li>• public docks</li> </ul> <p><b>Business: General Business</b></p> <ul style="list-style-type: none"> <li>• boat sales/service</li> <li>• marina (including gas pumps)</li> <li>• enclosed mini-storage facility</li> <li>• recycling collection point (no outdoor storage)</li> </ul> <p><b>Institutional/Public Facilities</b></p> <ul style="list-style-type: none"> <li>• adult day care</li> <li>• child care (5 to 15 children; State License required)</li> <li>• church</li> <li>• community services (ambulance depot, emergency and protective shelters, fire stations, water towers, water treatment plants, etc.)</li> <li>• government building</li> <li>• library</li> <li>• post office</li> <li>• public park/recreation center</li> </ul> <p><b>Communication/Utility</b></p> <ul style="list-style-type: none"> <li>• public well</li> <li>• sewage treatment plants</li> <li>• telephone exchange</li> <li>• utility substation</li> </ul> <p><b>Miscellaneous</b></p> <ul style="list-style-type: none"> <li>• home occupation (traffic generating)</li> <li>• retirement community</li> </ul>

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\* As provided by Indiana Code (IC 12-28-4-8 and IC 12-28-4-7).

# LR District

## 3.10 "LR" District Standards



**Minimum Lot Area:**

- 10,000 square feet (with sewer hookup)
- 80,000 square feet (with septic system)\*\*\*

**Minimum Lot Area Per Dwelling Unit:**

- 5,000 square feet (with sewer hookup)
- 80,000 square feet (with septic system)\*\*\*

**Minimum Lot Width:**

- 70 feet (with sewer hookup)
- 225 feet (with septic system)

**Minimum Lot Frontage:**

- 50 feet on a Public Street with access from said Public street (with central sewage)
- 35 feet on the radius of cul-de-sac

**Maximum Structure Height:**

- 35 feet for Primary Structure
- 20 feet for Accessory Structures

\*\*\* 80,000 square feet minimum standard, alternative system maybe considered to reduce the lot size, subject to State and Local approval.

**Minimum Front Yard Setback:**

- 50 feet when adjacent to a Principal Arterial
- 40 feet when adjacent to a Minor Arterial
- 35 feet when adjacent to a Collector or Local Road, or when lake front property

**Minimum Side Yard Setback:**

- 5 feet for both the Primary Structure and Accessory Structures
- 10 feet for both the Primary Structure and Accessory Structures on lots created after (date of Ord. Adoption)

**Minimum Rear Yard Setback:**

- 15 feet for both the Primary Structure and Accessory Structures
- 5 feet for Accessory Structures when located on a lot that does not have lake frontage

**Maximum Lot Coverage:**

- square feet of all Primary and Accessory Structures, and impervious surface cannot exceed 75% of the Lot Area.

**Minimum Main Floor Area:**

- 950 square feet for one story Primary Structure; or
- 700 square feet for multiple story Primary Structures provided that the total Finished Floor Area is 950 square feet or more.

Development Standards that Apply		
<b>Lot/Yard(LY)</b> LY-01..... Section 5.3	<b>Floodplain(FP)</b> FP-01..... Section 5.9	<b>Manufactured Home(MH)</b> MH-01-08.....Section 5.18
<b>Height(HT)</b> HT-01..... Section 5.4	<b>Parking(PK)</b> PK-03.....Section 5.10	<b><u>Major Residential Subdivisions (RS)</u></b> <u>Section 5.22</u>
<b>Accessory Structures(AS)</b> AS-01..... Section 5.5	<b>Loading(LD)</b> LD-01..... Section 5.11	
<b>Performance Standards(PS)</b> PS-01..... Section 5.7	<b>Sight Triangle Clearance(STC)</b> STC-01.....Section 5.12	
<b>Environmental (EN)</b> EN-01, 02..... Section 5.8	<b>Home Occupation(HO)</b> HO-01.....Section 5.14	



# MP District

## 3.11 "MP" District Intent, Permitted Uses, and Special Exception Uses

District Intent	Permitted Uses	Special Exception Uses
<p>The "MP" (Manufactured Home Park) District is intended to provide a land use category for manufactured home parks community as attractive and decent affordable housing. Manufactured Home Parks shall be in accordance with IC 16-11-27-1 et. seq., Rule 410 IAC 6-6 and their subsequent amendments, the State Board of Health Requirements, and the requirements of this Ordinance.</p> <p>This district should be within close proximity to parks, open space, services and retail if possible. Avoid locating near conflicting land uses.</p> <p>The Plan Commission and Board of Zoning Appeals should strive to promote an average net density of 7 to 9 dwelling units per acre community-wide in the "MP" district.</p>	<p><b>Residential</b></p> <ul style="list-style-type: none"> <li>• dwelling, manufactured</li> <li>• <u>major residential subdivision (subject to requirements of Chapter 5.22)</u></li> </ul> <p>• manufactured home park</p> <p>• public/private sewage treatment plant</p> <p>• residential facility for developmentally disabled (small)*</p> <p>• residential facility for mentally ill*</p> <p><b>Institutional/Public Facilities</b></p> <ul style="list-style-type: none"> <li>• church</li> <li>• community center</li> <li>• public park/recreation center</li> </ul> <p><b>Miscellaneous</b></p> <ul style="list-style-type: none"> <li>• home occupation (non-traffic generating)</li> <li>• coin-operated laundries and vending machines</li> </ul>	<p><b>Residential</b></p> <ul style="list-style-type: none"> <li>• child care home (owner occupied home)</li> </ul> <p><b>Institutional/Public Facilities</b></p> <ul style="list-style-type: none"> <li>• police/fire station</li> <li>• school, public/private</li> </ul> <p><b>Communication/Utility</b></p> <ul style="list-style-type: none"> <li>• public well</li> </ul>

\* As provided by Indiana Code (IC 12-28-4-8 and IC 12-28-4-7).

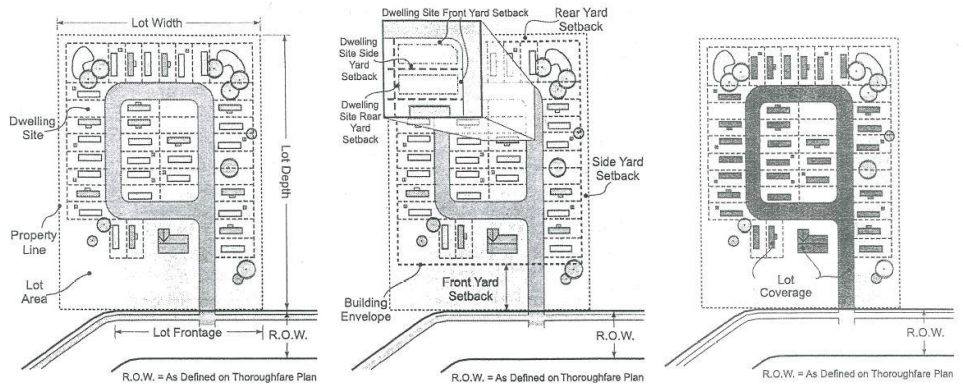
\* Preliminary plan to be submitted and approved as part of the "MP" District approval.





# MP District

## 3.12 "MP" District Standards



**Minimum Parcel Area:**

- 5 acres

**Minimum Parcel Width:**

- 300 feet

**Minimum Dwelling Site Size:**

- 4,500 square feet

**Minimum Dwelling Site Width:**

- 45 feet  
- 35 feet on the radius of a cul-de-sac

**Minimum Dwelling Site Depth:**

- 100 feet

**Sewer and Water:**

- Requires municipal water and central sewage or a community well and a private community sewerage system

**Maximum Structure Height:**

- 25 feet for the Primary Structure  
- 15 feet for Accessory Structures

**Minimum Parcel Front Yard Setback:**

- 60 feet when adjacent to a Principal Arterial  
- 40 feet when adjacent to an Minor Arterial  
- 40 feet when adjacent to a Collector or Local Road.

**Minimum Parcel Side Yard Setback:**

- 20 feet for the Primary and Accessory Structures

**Minimum Parcel Rear Yard Setback:**

- 20 feet for the Primary and Accessory Structures

**Minimum Dwelling Lot Front Yard Setback:**

- 10 feet from edge of pavement of interior private streets

**Minimum Dwelling Lot Side Yard Setback:**

- 8 feet for Primary and Accessory Structures

**Minimum Dwelling Site Rear Yard Setback:**

- 10 feet for Primary and Accessory Structures

**Maximum Lot Coverage:**

- square feet of Primary and Accessory Structures, and impervious surface cannot exceed 65% of the Lot Area.

**Minimum Main Floor Area per Dwelling Unit:**

- 750 square feet per Primary-Structure

Development Standards that Apply		
<b>Lot/Yard(LY)</b> LY-01.....Section 5.3	<b>Floodplain(FP)</b> FP-01.....Section 5.9	<b>Home Occupation(HO)</b> HO-01.....Section 5.14
<b>Height(HT)</b> HT-01.....Section 5.4	<b>Parking(PK)</b> PK-01,03,05....Section 5.10	<b>Manufactured Home(MH)</b> MH-01.....Section 5.18
<b>Accessory Structures(AS)</b> AS-04.....Section 5.5	<b>Loading(LD)</b> LD-01.....Section 5.11	<b>Major Residential Subdivisions (RS)</b> <u>Section 5.22</u>
<b>Performance Standards(PS)</b> PS-01.....Section 5.7	<b>Sight Triangle Clearance(STC)</b> STC-01.....Section 5.12	
<b>Environmental (EN)</b> EN-01,02.....Section 5.8	<b>Open Space(OS)</b> OS-01.....Section 5.13	



# PR District

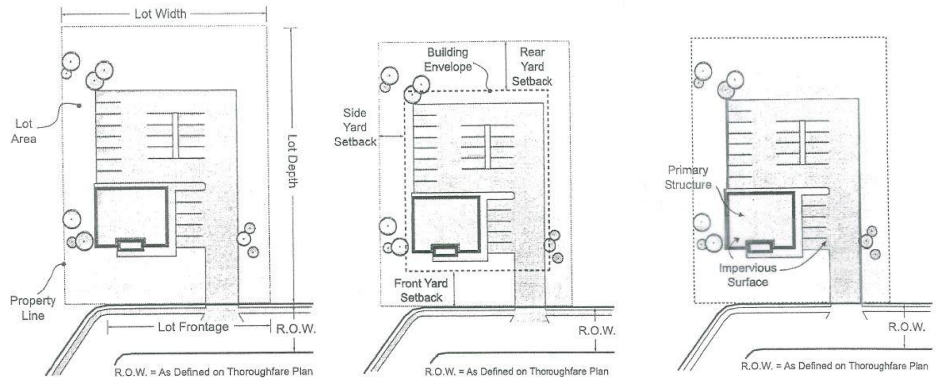
## 3.13 "PR" District Intent, Permitted Uses, and Special Exception Uses

District Intent	Permitted Uses	Special Exception Uses
<p>The "PR" (Parks and Recreation) District is intended to provide a land use category for parks, open space, playgrounds, and recreational areas. This zoning district may also serve as a buffer between commercial or industrial uses and adjacent residential districts.</p>	<p><b>Institutional/Public Facilities</b></p> <ul style="list-style-type: none"> <li>• public park/recreation center</li> <li>• nature center</li> <li>• nature preserve</li> <li>• small park/playground</li> </ul> <p><b>Business: Recreation</b></p> <ul style="list-style-type: none"> <li>• ball fields</li> <li>• golf course</li> <li>• public docks</li> <li>• tennis courts</li> </ul>	<p><b>Business: Recreation</b></p> <ul style="list-style-type: none"> <li>• amusement park</li> <li>• arcades</li> <li>• batting cages</li> <li>• BMX track</li> <li>• banquet hall</li> <li>• camping</li> <li>• country club</li> <li>• diving range</li> <li>• fitness center</li> <li>• go-carts</li> <li>• miniature golf</li> <li>• movie theater, drive-in</li> <li>• recreational vehicle park</li> <li>• skate board park</li> <li>• skating rink</li> <li>• theater, outdoor</li> <li>• zoo</li> </ul> <p><b>Business: General Business</b></p> <ul style="list-style-type: none"> <li>• marina</li> </ul> <p><b>Institutional/Public Facilities</b></p> <ul style="list-style-type: none"> <li>• cemetery <del>or</del> crematory</li> <li>• community center</li> <li>• public swimming pool</li> <li>• museum</li> <li>• school, public/private</li> <li>• trade or business school</li> </ul>



# PR District

## 3.14 "PR" District Standards



**Minimum Lot Area:**

- 5,000 square feet

**Minimum Lot Width:**

- 50 feet

**Minimum Lot Frontage:**

- 40 feet on a Public Street with access from said Public Street.

**Minimum Front Yard Setback:**

- 60 feet when adjacent to a Principal Arterial  
 - 40 feet when adjacent to a Minor Arterial  
 - 40 feet when adjacent to a Collector or Local Road.

**Minimum Side Yard Setback:**

- 15 feet for Primary and Accessory Structures

**Minimum Rear Yard Setback:**

- 20 feet for the Primary Structure and Accessory Structures

**Maximum Lot Coverage:**

- square feet of Primary and Accessory Structures, and impervious surface cannot exceed 65% of the Lot Area.

**Maximum Structure Height:**

- 50 feet for the Primary Structure  
 - 20 feet for Accessory Structures

<b>Development Standards that Apply</b>	
<b>Lot/Yard(LY)</b> LY-01.....Section 5.3	<b>Floodplain(FP)</b> FP-01.....Section 5.9
<b>Height(HT)</b> HT-01.....Section 5.4	<b>Parking(PK)</b> PK-02,03,05....Section 5.10
<b>Accessory Structures(AS)</b> AS-01,02.....Section 5.5	<b>Loading(LD)</b> LD-01.....Section 5.11
<b>Performance Standards(PS)</b> PS-01.....Section 5.7	<b>Sight Triangle Clearance(STC)</b> STC-01.....Section 5.12
<b>Environmental (EN)</b> EN-01,02.....Section 5.8	



# VC District

## 3.15 "VC" District Intent, Permitted Uses, and Special Exception Uses

District Intent	Permitted Uses (Cont.)	Permitted Uses (Cont.)
<p>The "VC" (Village Commercial) District is intended to provide a land use category for normal commercial uses in rural small towns. The provisions that regulate this land use district should make the district compatible with the "RR", "MR", and "LR" residential districts.</p> <p>Whitley County's Plan Commission and Board of Zoning Appeals should strive to use this district only in the downtown area and its immediate surroundings.</p> <p>The Plan Commission and Board of Zoning Appeals should strive to minimize parking lots between buildings, rather, encouraging parking behind buildings and on the street.</p> <p style="text-align: center;"><b><u>Permitted Uses</u></b></p> <p><b>Residential</b></p> <ul style="list-style-type: none"> <li>• bed &amp; breakfast facility</li> <li>• dwelling, single-family (upper floors)</li> </ul> <p><b>Agricultural Uses/Services</b></p> <ul style="list-style-type: none"> <li>• agricultural seed sales</li> <li>• farm markets</li> <li>• greenhouse facilities</li> <li>• lawn and garden equipment sales/service</li> <li>• plant nursery</li> <li>• roadside produce sales</li> <li>• sales of farm materials</li> <li>• storage of agricultural products</li> </ul> <p><b>Business Auto Sales/Services</b></p> <ul style="list-style-type: none"> <li>• automobile body shop, enclosed</li> <li>• automobile wash, automatic and self</li> <li>• automobile part sales, new</li> <li>• automobile repair</li> <li>• automobile sales</li> <li>• automobile service station</li> <li>• filling/gas station</li> <li>• oil change service</li> </ul> <p><b>Business: Retail</b></p> <ul style="list-style-type: none"> <li>• antique shop</li> <li>• apparel shop</li> <li>• art gallery</li> <li>• building material sales</li> </ul>	<ul style="list-style-type: none"> <li>• department store</li> <li>• drug store</li> <li>• electrical supplies</li> <li>• fabric shop</li> <li>• floor coverings</li> <li>• flower shop</li> <li>• furniture store</li> <li>• garden shop</li> <li>• gift shop</li> <li>• hardware store</li> <li>• home electronics/appliance store</li> <li>• jewelry store</li> <li>• liquor sales</li> <li>• music store</li> <li>• news dealer/bookstore</li> <li>• office supplies</li> <li>• paint store</li> <li>• pet shop</li> <li>• plumbing supplies</li> <li>• satellite dish sales/ service</li> <li>• shoe sales</li> <li>• sporting goods</li> <li>• variety store</li> </ul> <p><b>Business: Food Sales/Service</b></p> <ul style="list-style-type: none"> <li>• bakery retail</li> <li>• convenience store</li> <li>• delicatessen</li> <li>• farmers market</li> <li>• grocery store/supermarket</li> <li>• meat market</li> <li>• restaurant</li> <li>• roadside food sales stand</li> </ul> <p><b>Business: Personal Service</b></p> <ul style="list-style-type: none"> <li>• barber/beauty shop</li> <li>• coin laundry</li> <li>• day care facility</li> <li>• dry-cleaning service</li> <li>• fingernail salon</li> <li>• fitness center/gym</li> <li>• health spa</li> <li>• shoe repair</li> <li>• tailor/pressing shop</li> <li>• tanning salon</li> <li>• tattoo/piercing parlors</li> </ul> <p><b>Business: Office/Professional</b></p> <ul style="list-style-type: none"> <li>• accounting office</li> <li>• architecture office</li> <li>• bank/credit union</li> <li>• drive-through bank/credit union</li> <li>• bank machine/ATM</li> </ul>	<p><b>Business: Office/Professional</b></p> <ul style="list-style-type: none"> <li>• contractor office/shop</li> <li>• drive-through bank machine/ATM</li> <li>• design services</li> <li>• insurance office</li> <li>• investment firm</li> <li>• landscape business</li> <li>• law office</li> <li>• planning offices</li> <li>• professional offices</li> <li>• reading clinics</li> <li>• real estate office</li> <li>• secretarial service</li> <li>• service organization office</li> <li>• temporary service agency</li> <li>• title company</li> <li>• travel agency</li> </ul> <p><b>Business: General Business</b></p> <ul style="list-style-type: none"> <li>• clinic medical/dental</li> <li>• funeral home/mortuary</li> <li>• motor-bus station</li> <li>• pet grooming</li> <li>• photographic studio</li> <li>• print/copy center</li> <li>• recycling collection point (indoor)</li> <li>• sign painting/fabrication</li> </ul> <p><b>Business: Recreation</b></p> <ul style="list-style-type: none"> <li>• dance/aerobics/gymnastics/martial arts</li> <li>• video store</li> </ul> <p><b>Institutional/Public Facilities</b></p> <ul style="list-style-type: none"> <li>• church</li> <li>• community center</li> <li>• government office</li> <li>• library</li> <li>• museum</li> <li>• police/fire station</li> <li>• post office</li> <li>• public park/recreation center</li> <li>• public/private parking area</li> <li>• recycling collection point (no outdoor storage)</li> <li>• school</li> <li>• trade or business school</li> </ul>

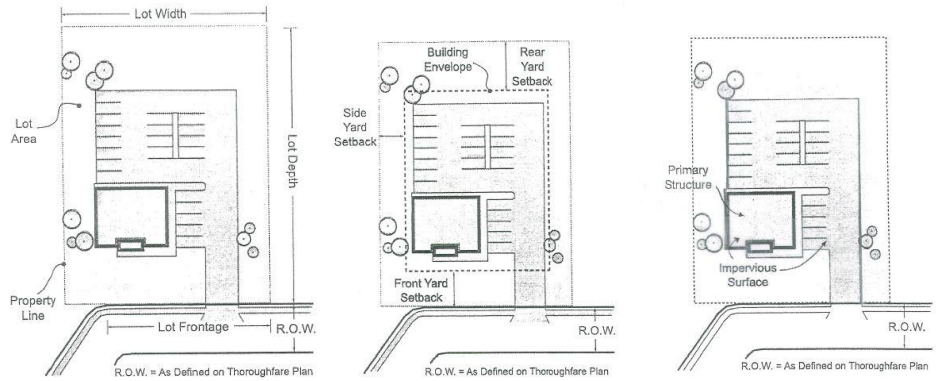


<p><b>“VC” District (Continued) Permitted Uses (Cont.)</b></p>	<p><b>Special Exception Uses</b></p>	
<p><b>Commercial/Utilities</b></p> <ul style="list-style-type: none"> <li>• public wells</li> <li>• telephone exchange</li> </ul>	<p><b>Residential</b></p> <ul style="list-style-type: none"> <li>• dwelling, two-family (upper floors)</li> <li>• dwelling, multi-family (upper floors)</li> </ul> <p><b>Agricultural Uses/Service</b></p> <ul style="list-style-type: none"> <li>• commercial processing agriculture products</li> <li>• processing agricultural products</li> <li>• storage of agricultural fertilizer and chemicals</li> </ul> <p><b>Business: Food Sales/Service</b></p> <ul style="list-style-type: none"> <li>• restaurant (with drive-in)</li> </ul> <p><b>Business: General Business</b></p> <ul style="list-style-type: none"> <li>• boat &amp; recreational vehicle sales/service</li> <li>• hotel/motel</li> <li>• marina</li> <li>• mini-warehouse</li> <li>• mini-storage facility</li> <li>• warehouse</li> <li>• wholesale business</li> </ul> <p><b>Business: Recreation</b></p> <ul style="list-style-type: none"> <li>• banquet hall</li> <li>• bar/night club</li> <li>• billiard/arcade room</li> <li>• bowling alley</li> <li>• lodge or private club</li> <li>• miniature golf</li> <li>• theater, indoor</li> </ul> <p><b>Industrial Uses</b></p> <ul style="list-style-type: none"> <li>• light manufacturing</li> </ul> <p><b>Communication/Utilities</b></p> <ul style="list-style-type: none"> <li>• storage tanks non-hazardous</li> </ul>	



# VC District

## 3.16 "VC" District Standards



**Minimum Lot Area:**

- 5,000 square feet

**Minimum Lot Width:**

- 50 feet

**Minimum Lot Frontage:**

- 50 feet on a Public Street with access from said Public Street

**Sewer and Water:**

- Requires municipal water or sewer hookup unless it is not available in the community.

**Minimum Front Yard Setback:**

- 0 feet

**Minimum Side Yard Setback:**

- 0 feet (plus buffer yard)

**Minimum Rear Yard Setback:**

- 10 feet for the Primary Structure when no alley exists.  
 - 10 feet for the Accessory Structure when no alley exists.  
 - 0 feet for both the Primary and Accessory Structures when an alley exists.

**Maximum Lot Coverage:**

- square feet of Primary and Accessory Structures, may cover 100% of the Lot Area.

**Minimum Living Area Per Dwelling Unit:**

- 720 square feet per Dwelling Unit.

**Maximum Structure Height:**

- 50 feet for the Primary Structure  
 - 20 feet for the Accessory Structure

Development Standards that Apply		
<b>Lot/Yard(LY)</b> LY-01.....Section 5.3	<b>Environmental(EN)</b> EN-01,02.....Section 5.7	<b>Home Occupation(HO)</b> HO-01.....Section 5.14
<b>Height(HT)</b> HT-01.....Section 5.4	<b>Floodplain(FP)</b> FP-01.....Section 5.9	<b>Miscellaneous(MS)</b> MS-01.....Section 5.17
<b>Accessory Structures(AS)</b> AS-03.....Section 5.5	<b>Parking(PK)</b> PK-02,03,04,05.....Section 5.10	
<b>Buffer Yard(BY)</b> BY-01.....Section 5.6	<b>Loading(LD)</b> LD-01.....Section 5.11	
<b>Performance Standards(PS)</b> PS-01.....Section 5.7	<b>Sight Triangle Clearance(STC)</b> STC-01.....Section 5.12	



# GC District

## 3.17 "GC" District Intent, Permitted Uses, and Special Exception Uses

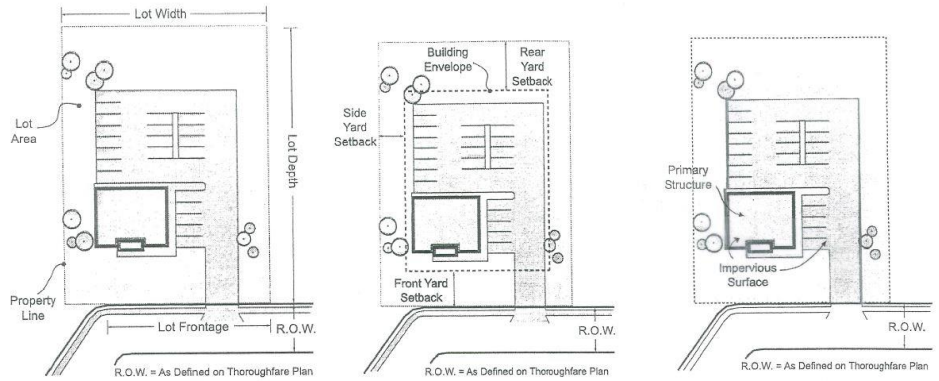
District Intent	Permitted Uses (Cont.)	Permitted Uses (Cont.)
<p>The "GC" (General Commercial) District is intended to provide a land use category for most general business uses. The provisions that regulate this land use district should not overly restrict normal business practices. This district is intended to be used adjacent to all other commercial districts and the "RR", "MR", "LR", and "MP" residential districts.</p> <p>Whitley County's Plan Commission and Board of Zoning Appeals should strive to use this district with the "VC" district to encourage a strong and stable area for commerce.</p> <p>The Plan Commission and Board of Zoning Appeals should not encourage "strip development", rather development in clusters which share resources and minimize the cost of utilities and services. The Plan Commission and Board of Zoning Appeals should also strive to minimize lighting, parking lots fronting the major streets, and traffic conflicts in the "GC" District.</p> <p style="text-align: center;"><b><u>Permitted Uses</u></b></p> <p><b>Agricultural Uses/Services</b></p> <ul style="list-style-type: none"> <li>• agricultural seed sales</li> <li>• crop production</li> <li>• farm markets</li> <li>• greenhouse facilities</li> <li>• lawn and garden equipment sales/service</li> <li>• plant nursery</li> <li>• sales of farm materials</li> </ul> <p><b>Business: Retail</b></p> <ul style="list-style-type: none"> <li>• antique shop</li> <li>• apparel shop</li> <li>• art gallery</li> <li>• department store</li> <li>• drug store</li> <li>• electrical supplies</li> <li>• fabric shop</li> <li>• floor coverings</li> <li>• flower shop</li> <li>• furniture store</li> <li>• garden shop</li> </ul>	<ul style="list-style-type: none"> <li>• hardware store</li> <li>• heating &amp; cooling sales/service</li> <li>• home electronics/appliance store</li> <li>• jewelry store</li> <li>• liquor store</li> <li>• lumberyard</li> <li>• music store</li> <li>• news dealer/bookstore</li> <li>• office supplies</li> <li>• paint store</li> <li>• plumbing supplies</li> <li>• satellite dish sales/service</li> <li>• shoe sales</li> <li>• sporting goods</li> <li>• variety store</li> </ul> <p><b>Business: Auto Sales/Services</b></p> <ul style="list-style-type: none"> <li>• automobile body shop, enclosed</li> <li>• automobile repair/minor, enclosed</li> <li>• automobile repair/major, enclosed</li> <li>• automobile part sales, new</li> <li>• automobile service station</li> <li>• automobile wash, automatic and self</li> <li>• automobile sales</li> <li>• filling/gas station</li> <li>• oil change service</li> <li>• motor home sales</li> </ul> <p><b>Business: Food Sales/Service</b></p> <ul style="list-style-type: none"> <li>• bakery retail</li> <li>• convenience store</li> <li>• delicatessen</li> <li>• farmers market</li> <li>• grocery/supermarket</li> <li>• meat market</li> <li>• restaurant</li> <li>• restaurant (with drive-in)</li> <li>• roadside food sales stand</li> </ul> <p><b>Business: Personal Service</b></p> <ul style="list-style-type: none"> <li>• barber/beauty shop</li> <li>• coin laundry</li> <li>• day care facility</li> <li>• dry-cleaning service</li> <li>• fingernail salon</li> <li>• fitness center/gym</li> <li>• health spa</li> <li>• shoe repair</li> <li>• tailor/pressing shop</li> <li>• tanning salon</li> <li>• tattoo/piercing parlor</li> </ul>	<p><b>Business: Recreation</b></p> <ul style="list-style-type: none"> <li>• banquet hall</li> <li>• bar/night club</li> <li>• billiard/arcade room</li> <li>• bowling alley</li> <li>• dance/aerobics/gymnastics studio</li> <li>• lodge or private club</li> <li>• miniature golf</li> <li>• public docks</li> <li>• theater, indoor</li> <li>• theater, outdoor</li> <li>• video store</li> <li>• commercial riding stables</li> </ul> <p><b>Business: Office/Professional</b></p> <ul style="list-style-type: none"> <li>• accounting office</li> <li>• architecture office</li> <li>• bank/credit union/financial services</li> <li>• drive-through bank machine/ATM</li> <li>• contractor office</li> <li>• design services</li> <li>• insurance office</li> <li>• investment firm</li> <li>• landscape business</li> <li>• law office</li> <li>• planning offices</li> <li>• professional offices</li> <li>• real estate office</li> <li>• secretarial service</li> <li>• service organization offices</li> <li>• temporary service agency</li> <li>• title company</li> <li>• travel agency</li> </ul> <p><b>Business: General Business</b></p> <ul style="list-style-type: none"> <li>• boat &amp; recreational vehicles sales/service</li> <li>• clinic medical/dental</li> <li>• <u>crematory</u></li> <li>• funeral home/mortuary</li> <li>• hospital</li> <li>• hotel/motel</li> <li>• marina</li> <li>• mini-warehouse</li> <li>• mini-storage facility</li> <li>• motor bus station</li> <li>• photographic studio</li> <li>• print shop/copy center</li> <li>• sign painting/fabrication</li> <li>• welding</li> <li>• wholesale business</li> </ul>

<p><b>“GC” District (Continued)</b>  <b>Permitted Uses (Cont.)</b></p> <p><b>Institutional/Public Facilities</b></p> <ul style="list-style-type: none"> <li>• church</li> <li>• government offices</li> <li>• police/fire station</li> <li>• post office</li> <li>• school, public/private</li> <li>• trade or business school</li> </ul> <p><b>Communication/Utility</b></p> <ul style="list-style-type: none"> <li>• public wells</li> <li>• radio/TV station</li> <li>• telephone exchange</li> <li>• utility substation</li> </ul>	<p><b>Special Exception Uses</b></p> <p><b>Residential</b></p> <ul style="list-style-type: none"> <li>• dwelling, single family</li> </ul> <p><b>Agricultural Uses/Service</b></p> <ul style="list-style-type: none"> <li>• storage of agricultural fertilizer and chemicals</li> </ul> <p><b>Business: General Business</b></p> <ul style="list-style-type: none"> <li>• adult bookstore</li> <li>• adult entertainment business</li> <li>• kennel</li> </ul> <p><b>Business: Recreation</b></p> <ul style="list-style-type: none"> <li>• race track</li> </ul> <p><b>Communication/Utility</b></p> <ul style="list-style-type: none"> <li>• cellular/communication/radio/television tower</li> </ul> <p><b>Industrial Uses</b></p> <ul style="list-style-type: none"> <li>• light manufacturing</li> </ul> <p><b>Miscellaneous</b></p> <ul style="list-style-type: none"> <li>• nursing home</li> <li>• retirement community</li> </ul>	



# GC District

## 3.18 "GC" District Standards



**Minimum Lot Area:**

- 10,000 square feet

**Minimum Lot Width:**

- 75 feet

**Minimum Lot Frontage:**

- 75 feet on a Public Street with access from said Public Street

**Maximum Structure Height:**

- 50 feet for the Primary Structure  
- 20 feet for Accessory Structures

**Minimum Front Yard Setback:**

- 60 feet when adjacent to a Principal Arterial  
- 40 feet when adjacent to a Minor Arterial  
- 40 feet when adjacent to a Collector or Local Road.

**Minimum Side Yard Setback:**

- 10 feet

**Minimum Rear Yard Setback:**

- 20 feet for the Primary and Accessory Structure.

**Maximum Lot Coverage:**

- square feet of Primary and Accessory Structures, and impervious surface cannot exceed 80% of the Lot Area.

**Development Standards that Apply**

<b>Lot/Yard(LY)</b> LY-01.....Section 5.3	<b>Environmental (EN)</b> EN-01,02.....Section 5.8	<b>Home Occupation(HO)</b> HO-01.....Section 5.14
<b>Height(HT)</b> HT-01.....Section 5.4	<b>Floodplain(FP)</b> FP-01.....Section 5.9	<b>Adult Uses(AU)</b> AU-01.....Section 5.15
<b>Accessory Structures(AS)</b> AS-03.....Section 5.5	<b>Parking(PK)</b> PK-02,03,05.....Section 5.10	<b>Telecommunication Facilities(TF)</b> TF-01.....Section 5.16
<b>Buffer Yard(BY)</b> BY-01.....Section 5.6	<b>Loading(LD)</b> LD-01.....Section 5.11	<b>Miscellaneous(MS)</b> MS-01.....Section 5.17
<b>Performance Standards(PS)</b> PS-01.....Section 5.7	<b>Sight Triangle Clearance(STC)</b> STC-01.....Section 5.12	



# IPM District

## 3.19 "IPM" District Intent, Permitted Uses, and Special Exception Uses

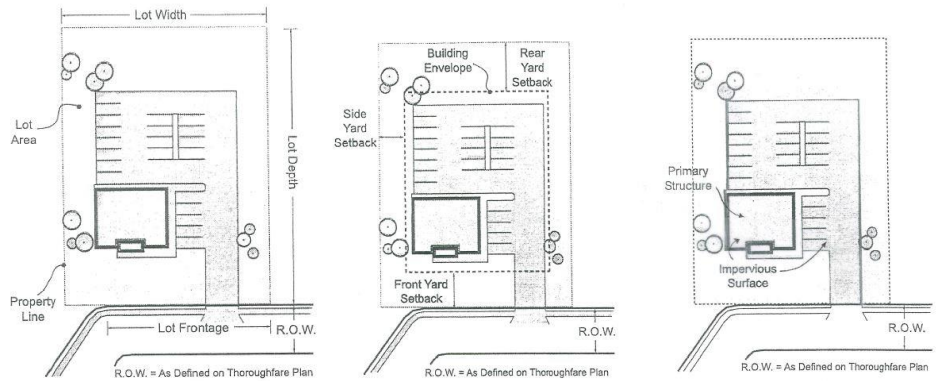
District Intent	Permitted Uses	Permitted Uses (Cont.)
<p>The "IPM" (Industrial Park/Manufacturing) District is intended to provide a land use category for most light to moderate impact industrial park and heavy industrial facilities. This district can be used adjacent to the "GC" commercial district and agriculture districts.</p> <p>Environmental, public safety and public welfare should be a high priority. The Plan Commission and Board of Zoning Appeals should also strive to minimize glare, parking lots fronting the major streets, excessive use of signs, and traffic conflicts in the "IPM" District.</p> <p>Buffer yards are mandatory and all outdoor storage shall be screened.</p>	<p><b>Agricultural Uses/Services</b></p> <ul style="list-style-type: none"> <li>• agricultural crop production</li> <li>• agricultural seed sales</li> <li>• farm equipment sales/service</li> <li>• orchards</li> <li>• plant nursery</li> <li>• processing of agricultural products</li> <li>• commercial processing of agricultural products</li> <li>• tree farms</li> <li>• greenhouse facilities, wholesale only</li> </ul> <p><b>Business: Retail</b></p> <ul style="list-style-type: none"> <li>• <u>retail accessory to industrial use</u></li> <li>• lumberyard</li> <li>• sawmill</li> </ul> <p><b>Business: Auto Sales/Services</b></p> <ul style="list-style-type: none"> <li>• automobile body shop, enclosed</li> <li>• automobile repair, major</li> <li>• automobile repair, minor</li> <li>• automobile sales area</li> <li>• automobile wash, automatic &amp; self</li> <li>• motor home sales</li> </ul> <p><b>Business: Office/Professional</b></p> <ul style="list-style-type: none"> <li>• bank machine/ATM</li> <li>• drive-thru bank machine/ATM</li> <li>• drive-thru bank/credit union</li> <li>• building contractor</li> <li>• electrical contractor</li> <li>• landscape contractor</li> <li>• landscape business</li> <li>• plumbing contractor</li> </ul> <p><b>Business: General</b></p> <ul style="list-style-type: none"> <li>• <u>crematory</u></li> <li>• enclosed mini-storage facility</li> <li>• kennel/humane shelter</li> <li>• mini-warehouse</li> <li>• recycling collection point (indoor)</li> <li>• sign painting/fabrication</li> <li>• truck stop</li> <li>• warehouse</li> <li>• welding</li> <li>• wholesale business</li> </ul> <p><b>Communication/Utility</b></p> <ul style="list-style-type: none"> <li>• public wells</li> <li>• radio/TV station</li> <li>• telephone exchange</li> <li>• utility substation</li> </ul>	<p><b>Industrial Uses</b></p> <ul style="list-style-type: none"> <li>• distribution center</li> <li>• light manufacturing</li> <li>• industrial park</li> </ul> <p><b>Institutional/Public Facilities</b></p> <ul style="list-style-type: none"> <li>• police/fire station</li> <li>• post office</li> </ul> <p><b><u>Special Exception Uses</u></b></p> <p><b>Business: General</b></p> <ul style="list-style-type: none"> <li>• airport and landing field</li> <li>• outside storage facility (shall be enclosed with privacy fence)</li> <li>• recycling collection point (outdoor storage)</li> </ul> <p><b>Communication/Utility</b></p> <ul style="list-style-type: none"> <li>• cellular/communication/radio/television tower</li> <li>• electrical generator</li> <li>• pipeline pumping station</li> <li>• sewage treatment plants</li> <li>• storage tanks non-hazardous</li> </ul> <p><b>Industrial Uses</b></p> <ul style="list-style-type: none"> <li>• bottled gas storage/distribution</li> <li>• gravel/sand mining*</li> <li>• heavy manufacturing</li> <li>• liquid fertilizer storage/distribution</li> <li>• research center</li> </ul>

\* State law permits mining in rural areas with 7 or less homes within a square mile. Within urban areas with 8 or more homes

| a Special Exception is required.

# IPM District

## 3.20 "IPM" District Standards



**Minimum Lot Area:**

- 1 acre

**Minimum Lot Width:**

- 100 feet

**Minimum Lot Frontage:**

- 100 feet on a Public Street with access from said Public Street

**Maximum Structure Height:**

- 50 feet for the Primary Structure  
 - 50 feet for Accessory Structures  
 - certain industrial structures may be exempt.

**Minimum Front Yard Setback:**

- 60 feet when adjacent to a Principal Arterial  
 - 40 feet when adjacent to a Minor Arterial  
 - 40 feet when adjacent to a Collector or Local Road.

**Minimum Side Yard Setback:**

- 20 feet (plus buffer yard)

**Minimum Rear Yard Setback:**

- 20 feet for the Primary and Accessory Structure (plus buffer yard)

**Maximum Lot Coverage:**

- square feet of Primary and Accessory Structures, and impervious surface cannot exceed 65% of the Lot Area.

**Development Standards that Apply**

<b>Lot/Yard(LY)</b> LY-01.....Section 5.3	<b>Floodplain(FP)</b> FP-01.....Section 5.9	<b>Miscellaneous(MS)</b> MS-01.....Section 5.17
<b>Height(HT)</b> HT-01.....Section 5.4	<b>Parking(PK)</b> PK-02,03,05....Section 5.10	
<b>Buffer Yard(BY)</b> BY-01.....Section 5.6	<b>Loading(LD)</b> LD-01.....Section 5.11	
<b>Performance Standards(PS)</b> PS-01.....Section 5.7	<b>Sight Triangle Clearance(STC)</b> STC-01.....Section 5.12	
<b>Environmental (EN)</b> EN-01,02.....Section 5.8	<b>Telecommunication Facilities(TF)</b> TF-01.....Section 5.16	



# IN District

## 3.21 “IN” District Intent, Permitted Uses, and Special Exception Uses

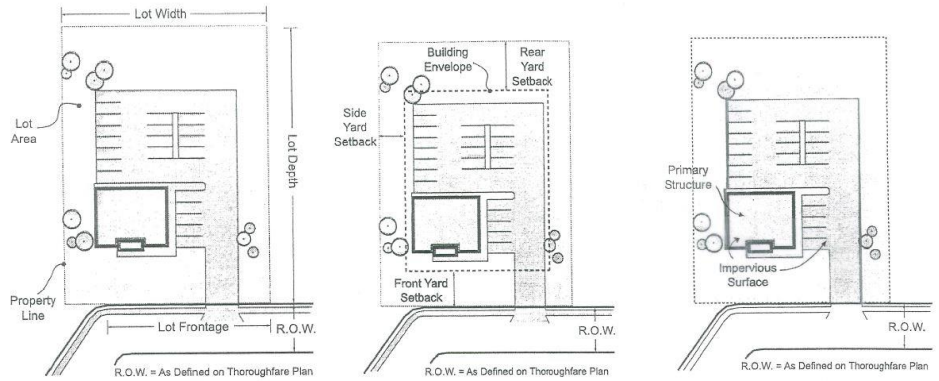
District Intent	Permitted Uses	Special Exception Uses
<p>The "IN" (Intensive Use) District is intended to provide a land use category for intensive uses that may be considered noxious under certain circumstances. This district can be used adjacent to the "<del>IMP</del>IPM" industrial district and agricultural districts. This district should be used sparingly and only when absolutely necessary.</p> <p>Environmental, public safety, and public welfare should be a high priority. The Plan Commission and Board of Zoning Appeals should also strive to minimize glare, parking lots fronting the major streets, excessive use of signs, and traffic conflicts in the "IN" District.</p> <p>Buffer yards are mandatory and all outdoor storage shall be screened.</p>	<p><b>Agricultural Uses/Services</b></p> <ul style="list-style-type: none"> <li>processing of agricultural products</li> </ul> <p><b>Communication/Utility</b></p> <ul style="list-style-type: none"> <li>electrical generator</li> <li>pipeline pumping station</li> <li>sewage treatment plants</li> <li>storage tanks non-hazardous</li> <li>utility substation</li> </ul> <p><b>Institutional/Public Facilities</b></p> <ul style="list-style-type: none"> <li>police/fire station</li> </ul> <p><b>Industrial Uses</b></p> <ul style="list-style-type: none"> <li>asphalt and ready mix plants</li> <li>heavy manufacturing</li> <li>liquid fertilizer storage/distribution</li> </ul>	<p><b>Agricultural Uses/Services</b></p> <ul style="list-style-type: none"> <li>slaughterhouse</li> <li><u>confined feeding operation (Class 4)</u> ****</li> </ul> <p><b>Business: General</b></p> <ul style="list-style-type: none"> <li>airport and landing field</li> <li>junkyard</li> <li>scrap metal yard</li> <li>recycling collection point (outdoor storage)</li> </ul> <p><b>Communication/Utility</b></p> <ul style="list-style-type: none"> <li>cellular/communication/radio/television tower</li> </ul> <p><b>Industrial Uses</b></p> <ul style="list-style-type: none"> <li>incinerator</li> <li>flammable/hazardous chemical storage (above ground)</li> <li>rendering plant</li> <li>sanitary landfill/refuse dump</li> </ul> <p><b>Institutional/Public Facilities</b></p> <ul style="list-style-type: none"> <li>penal or correctional institutions</li> </ul> <p><b>Other</b></p> <ul style="list-style-type: none"> <li>any use not listed as a permitted use or special exception in any other district.</li> </ul>

\*\*\*\* Confined feeding operations are defined in Section 5.21 of this Ordinance.



# IN District

## 3.22 "IN" District Standards



**Minimum Lot Area:**

- 2 acres

**Minimum Lot Width:**

- 225 feet

**Minimum Lot Frontage:**

- 100 feet on a Public Street with access from said Public Street

**Maximum Structure Height:**

- 50 feet for the Primary Structure  
 - 50 feet for Accessory Structures  
 - certain industrial structures may be exempt.

**Minimum Front Yard Setback:**

- 150 feet when adjacent to a Principal Arterial  
 - 150 feet when adjacent to a Minor Arterial  
 - 150 feet when adjacent to a Collector or Local Road.

**Minimum Side Yard Setback:**

- 50 feet (plus buffer yard)

**Minimum Rear Yard Setback:**

- 50 feet for the Primary Structure and Accessory Structures (plus buffer yard)

**Maximum Lot Coverage:**

- square feet of Primary and Accessory Structures, and impervious surface cannot exceed 65% of the Lot Area.

Development Standards that Apply		
<b>Lot/Yard(LY)</b> LY-01.....Section 5.3	<b>Floodplain(FP)</b> FP-01.....Section 5.9	<b>Miscellaneous(MS)</b> MS-01.....Section 5.17
<b>Height(HT)</b> HT-01.....Section 5.4	<b>Parking(PK)</b> PK-02,03,05...Section 5.10	<b><u>Confined Feeding Operations (CF)</u></b> <b><u>Section 5.21</u></b>
<b>Buffer Yard(BY)</b> BY-01.....Section 5.6	<b>Loading(LD)</b> LD-01.....Section 5.11	
<b>Performance Standards(PS)</b> PS-01.....Section 5.7	<b>Sight Triangle Clearance(STC)</b> STC-01.....Section 5.12	
<b>Environmental (EN)</b> EN-01,02.....Section 5.8	<b>Telecommunication Facilities(TF)</b> TF-01.....Section 5.16	