

ORDINANCE NO. 2019-08

AN ORDINANCE OF THE CITY OF TIPTON PROVIDING THAT THE TEXT OF THE ZONING ORDINANCE BE AMENDED

WHEREAS, IC 36-7-4-602 provides that a Zoning Ordinance may be amended;
and

WHEREAS, the City of Tipton Plan Commission did initiate a process to consider amendments to the Zoning Ordinance as it pertains to the District Use Standards, and

WHEREAS, the Plan Commission did in considering the proposal pay reasonable regard to the comprehensive plan, current conditions and character of structures and uses in each district, the most desirable use for which the land in each district is adapted, the conservation of property values throughout the jurisdiction and responsible development and growth, and

WHEREAS, the Plan Commission did hold a public hearing on the matter on April 11, 2019, and

WHEREAS, the Plan Commission did certify to the Common Council of the City of Tipton on April 15, 2019 its favorable recommendation on the amendment proposal.

NOW THEREFORE, BE IT ORDAINED by the Common Council of the City of Tipton, Indiana that:

SECTION 1. The City Zoning Ordinance No. 2010-03 as amended and entitled "City of Tipton Zoning Ordinance", and particularly Section 303 – Table A entitled "District Use Standards", be and the same is hereby amended by making certain changes as follows:

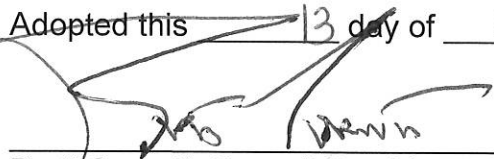
Attachment A of this Ordinance makes deletions and additions to the text of the City of Tipton Zoning Ordinance. Parts to be deleted are struck through while parts to be added are in 'red'.

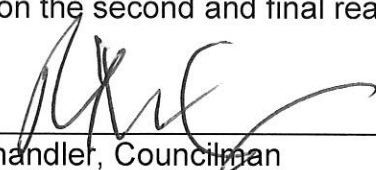
SECTION 2. The Common Council now finds that the above text amendment is consistent with the comprehensive plan, current conditions and character of structures and uses in each district, the most desirable use for which the land in each district is adapted, the conservation of property values throughout the jurisdiction and responsible development and growth.

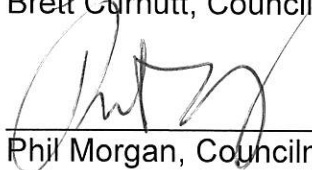
SECTION 3. This Ordinance shall be in full force and effective upon passage by the Common Council of the City of Tipton and its publications as provided by law.

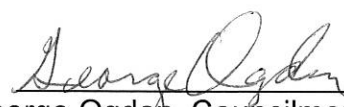
Passed on the 13 day of May, 2019 on the first reading; and

Adopted this 13 day of MAY, 2019 on the second and final reading.


Brett Curnutt, Council President

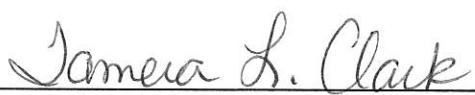

Rick Chandler, Councilman


Phil Morgan, Councilman

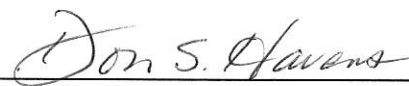

George Ogden, Councilman


Richard Rippy, Councilman

Presented by me, Tamera L. Clark to the Mayor of the City of Tipton, on the 13 day of MAY, 2019 at the hour of 5:50 P.M.


Tamera L. Clark, Clerk-Treasurer

This ordinance is hereby APPROVED by me, Don S. Havens, on the 13 day of MAY, 2019 at the hour of 5:50 P.M.


Don S. Havens, Mayor

Attest:


Tamera L. Clark, Clerk-Treasurer

Prepared by Steve Niblick, Tipton Plan Department Executive Director
Reviewed by Matthew B. Quigley, Attorney for the City of Tipton

Attachment A

TABLE A

District Use Standards

	A1	S1	R1	R2	R3	B1	B2	I1	I2	Buffer Class	Parking Class
AGRICULTURE											
1. Agriculture - Cropland and Orchards	P	P	X	P-X	P-X	X	P	P	P	A	C
2. Agriculture - Pasture and Grazing (does not include animals kept as pets or for hobby)	P	P	X	X	X	X	P	P	P	A	C
3. Agriculture - Confined Feeding (as defined) (see Section 502)	P	S	X	X	X	X	X	X	X	A	C
4. Agriculture - Commercial Fish, Worm, Fur, and Other Specialty Farms	P	P	X	X	X	X	P	P	P	A	C
5. Agriculture - Accessory Storage Facilities	P	P	X	X	X	X	P	P	P	A	C
6. Agriculture - Processing of Goods Produced on Property Only	P	P	X	X	X	X	P	P	P	A	C
7. Agriculture - Farm Business - On-site Sale of Goods Primarily Produced on Property (seasonal)	P	P	X	X	X	X	P	P	P	A	D
8. Agriculture - Farm Business - On-site Sale of Goods Produced on the Property (permanent)	S	P	X	X	X	X	P	P	P	C	D
9. Agriculture - Irrigation Facilities	P	P	X	X	X	X	P	P	P	A	C
10. Agriculture - Land Application of Sludge and Wastewater (see Section 519)	P	P	X	X	X	X	X	P	P	A	C
11. Cropland Research or Demonstration Test Plot (temporary or permanent)	P	P	X	X	X	X	P	P	P	A	C

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[illegible][illegible]

RESIDENTIAL

	<u>A1</u>	<u>S1</u>	<u>R1</u>	<u>R2</u>	<u>R3</u>	<u>B1</u>	<u>B2</u>	<u>I1</u>	<u>I2</u>	<u>Buffer Class</u>	<u>Parking Class</u>
1. Residential Subdivision (2 or more lots as defined)	S	P	P	P	P	X	X	X	X	A	A
2. Dwelling – Single-family, Detached (as defined)	P	P	P	P	P	X	X	X	X	A	A
3. Dwelling – Single-family, Attached (as defined)	S	S	X ^P	P	P	X	X	X	X	A	A
4. Dwelling – Two-family (as defined)	S	S	X	P	P	X	X	X	X	B	A
5. Dwelling – Multi-family (as defined)	X	X	X	P	P	X	X	X	X	B	A
6. Dwelling – Cabin or Cottage (as defined)	P	P	S	S	S	X	X	X	X	A	A
7. Dwelling – Seasonal Farm Worker Housing	P	P	X	X	X	X	X	X	X	A	A
8. Dwelling - Accessory Apartment (as defined) (see Section 514)	S	S	S	S	S	S	S	X	X	A	A
9. Conversion Dwelling (as defined) (see Section 515)	S	S	S	S	S	S	S	X	X	A	A
10. Manufactured Home (as defined)	P	P	S	P	P	X	X	X	X	A	A
11. Residential Subdivision, Minor	P	P	P	P	P	X	X	X	X	A	A
12. Residential Subdivision, Major	S	S	P	P	P	X	X	X	X	A	A

	A1	S1	R1	R2	R3	B1	B2	I1	I2	Buffer Class	Parking Class
11. Mobile Home - As Principal Structure (as defined) Not Located in Mobile Home Parks	S	S	X	X	X	X	X	X	X	A	A
12. Mobile Home - As Second Principal- Temporary Structure for Caretaker Dwelling (see Section 507)	S	S	X	X	X	X	X	X	X	A	A
13. Mobile Home - As Dwelling when Located in Conjunction with a Permitted Business	S	S	X	X	X	X	S	S	S	A	A
14. Mobile Home Park (as defined) (see Section 506)	S	S	X	S	S	X	S	X	X	B	A
15. Nursing and Retirement Home	S	S	S	S	S	X	S	X	X	B	K
16. Children's Home (as defined)	S	S	S	S	S	X	X	X	X	B	J
17. Residential Facility (as defined)	P	P	P	P	P	X	X	X	X	B	J
18. Residential Facility (as defined) for the Mentally III When Located Greater than 3000 feet from Another Residential Facility for the Mentally III	P	P	P	P	P	X	X	X	X	B	J
19. Residential Facility (as defined) for the Mentally III When Located Less than 3000 feet from Another Residential Facility for the Mentally III	S	S	S	S	S	X	X	X	X	B	J
20. Social Rehabilitation Center (as defined)	S	S	S	S	S	S	S	S	S	B	J
21. Group Housing Quarters (as defined)	S	S	S	S	S	X	X	X	X	B	K
22. Motel or Hotel (as defined)	X	X	X	X	X	P	P	X	X	D	S
23. Bed and Breakfast Facility (as defined), Tourist Home (see Section 513)	S	S	S	S	S	S	S	X	X	B	S

	A1	S1	R1	R2	R3	B1	B2	I1	I2	Buffer Class	Parking Class
24. Country Inn (as defined) (see Section 513)	S	S	X	X	X	S	S	X	X	D	S
25. Home Occupation - Simple (as defined) (Sect 512)	P	P	P	P	P	P	P	P	P	A	A
26. Home Occupation – Major (as defined) (see Section 512)	S	S	X	X	X	P	P	P	P	C	A
27. Residential Accessory Uses and Structures (see Section 504)	P	P	P	P	P	P	P	P	P	A	A
28. Child Care Home (as defined)	S	S	S	S	S	S	S	X	X	A	T
29. Child Care Home (as defined) When Used as Primary Residence of Caretaker Operator	P	P	P	P	P	P	S	X	X	A	A
<u>TRADE</u>											
1. Retail Trade (as defined) of No More than 1000 Square Feet Per Establishment	X	X	X	X	X	P	P	S	S	C	D
2. Retail Trade (as defined) of More than 1000 Square Feet Per Establishment	X	X	X	X	X	P	P	S	S	D	E
3. Shopping Center (as defined) of Up to 200,000 Square Feet	X	X	X	X	X	S-P	S-P	X	X	D	I
4. Shopping Center (as defined) of Over 200,000 Square Feet	X	X	X	X	X	X	S	X-S	X-S	D	H
5. Restaurant and Cafeterias (not including drive-ins or sidewalk cafes)	X	X	X	X	X	P	P	S	S	D	L
6. Drive-in and Carry-out Restaurants	X	X	X	X	X	S	P	S	S	D	L
7. Sidewalk Cafes (as defined) (see Section 516)	X	X	X	X	X	S	S	S	S	D	L
8. Dinner Theater, Night Club, and Taverns	X	X	X	X	X	S	P	S	S	D	L

	A1	S1	R1	R2	R3	B1	B2	I1	I2	Buffer Class	Parking Class
9. Liquor Stores	X	X	X	X	X	S	P	X	S	D	E
10. Automobile Sales and Rental - New and Used and Accessory Service and Repair	X	X	X	X	X	X	P	S	S	E	N
11. Commercial Garages (as defined) (see Section 511)	S	S	X	X	X	X	P	S	S	E	M
12. Automobile Service Stations (as defined) and Tire and Battery Dealers and Accessory Service and Repair (not including junk yards) (see Section 511)	X	X	X	X	X	X	P	S	S	E	M
13. Automobile Car Washing and Waxing	X	X	X	X	X	X	P	S	S	E	M
14. Mobile Homes and Recreational Vehicle Sales and Rental and Accessory Service and Repair	X	X	X	X	X	X	P	S	S	E	N
15. Motorcycle and Truck Sales and Accessory Service and Repair	X	X	X	X	X	X	P	S	S	E	N
16. Truck Stops and Service Centers	X	X	X	X	X	X	P	S	S	E	M
17. Heavy Equipment Sales and Rental, New and Used and Accessory Service and Repair	X	X	X	X	X	X	P	S	S	E	N
18. Aircraft Sales, Storage and Rentals and Accessory Service and Repair (including crop dusting services)	S	S	X	X	X	X	X	S	S	E	N
19. Boat and Other Marine Sales and Rental and Accessory Service and Repair	S	S	X	X	X	X	P	S	S	E	N
20. Monument Sales	X	X	X	X	X	S	P	S	S	E	D
21. Lumber and Building Supplies, Lawn and Garden Supplies and Farm Supply Centers (including outdoor storage)	S	S	X	X	X	X	P	S	S	E	E

	A1	S1	R1	R2	R3	B1	B2	I1	I2	Buffer Class	Parking Class
22. Truck and Trailer Rentals (as principal or accessory use)	X	X	X	X	X	X	P	S	S	E	N
<u>SERVICES</u>											
1. Financial Services (as defined)	X	X	X	X	X	P	P	S	S	D	E
2. Drive-through Services (with no inside public facilities)	S	S	X	X	X	P	P	S	S	E	A1
3. Drive-through Services (in conjunction with a permitted use)	S	S	X	X	X	P	P	P	P	E	B1
4. Repair Services (as defined)	X	S	X	X	X	P	P	S	S	C	D
5. Hospitals	S	S	X	X	X	X	P	X-S	X-S	B	J
6. Medical and Dental Offices and Clinics (as defined)	X	X	X	X	X	S	P	S	S	C	O
7. Engineering, Research and Development Laboratories (involving fire or explosives) (as defined)	X	X	X	X	X	X	X	X	S	E	B
8. Engineering, Research and Development Laboratories (not involving fire or explosives) (as defined)	X	X	X	X	X	S	X	P	P	B	B
9. School - College and University	S	S	X	X	X	X	S-P	S	S	B	Q
10. School - Elementary and Secondary	P	P	P	P	P	P	P	S	S	B	P
11. School - Trade, Vocational, Business, Art or Music	S	S	X	X	X	S	S	S	S	B	Q
12. Government Offices and Auto License Bureaus	S	S	X	X	X	S	P	P	S	C	D

	A1	S1	R1	R2	R3	B1	B2	I1	I2	Buffer Class	Parking Class
13. Fire and Police Stations	P	P	P	P	P	P	P	P	P	B	B
14. Libraries, Community Centers, Senior Citizen Centers, Post Offices	S	S	S	S	S	P	P	P	S	B	D
15. Penal or Correctional Institutions	X	X	X	X	X	X	X	S	S	B	B
16. Churches	P	P	P	P	P	P	P	S	S	B	R
17. Cemetery	S	S	S	S	S	S	S	S	S	B	C
18. Civic and Charitable Organization Facilities	S	S	X	X	X	S	P	S	X	C	X
19. Sanitary Landfill	S	S	X	X	X	X	X	S	S	E	B
20. Public Water Wells, Filtration Plants, and Storage Tanks	S	S	S	S	S	S	P	P	P	B	B
21. Sewage Treatment Plants	S	S	S	S	S	S	S	P	P	E	B
22. Barber and Beauty Shops	X	X	X	X	X	P	P	S	X	D	D
23. Coin Operated Laundries and Dry Cleaning	X	X	X	X	X	P	P	S	X	D	D
24. Laundries (commercial) and Diaper Services	X	X	X	X	X	X	P	S	X	D	B
25. Mortuary	X	X	X	X	X	X	P	S	X	D	R
26. Photographic Studio	X	X	X	X	X	P	P	S	X	C	D
27. Veterinary Hospital and Clinic	S	S	X	X	X	S	P	S	X	C	O
28. Kennel	S	S	X	X	X	X	S	S	X	C	N
29. Day Care Center (as defined)	S	S	S	S	S	S	S	X	X	B	T
30. Nursery School (as defined)	S	S	S	S	S	S	S	X	X	B	T

	A1	S1	R1	R2	R3	B1	B2	L1	L2	Buffer Class	Parking Class
31. Woodworking, Cabinet Shop (not to include heavy manufacturing)	S	S	X	X	X	S	P	S	S	C	D
32. Taxidermist	S	S	X	X	X	X	P	S	X	C	D
33. Sign Painting	X	X	X	X	X	X	P	S	S	C	D
34. Welding	S	S	X	X	X	X	P	S-P	S-P	C	D
35. Blue Printing and Photocopying and Printing/Publishing of No More Than 5000 Square Feet per Establishment	X	X	X	X	X	P	P	S	X	C	D
36. Data Processing	X	X	X	X	X	P	P	S	X	C	D
37. Travel Bureau	X	X	X	X	X	P	P	S	X	C	D
38. Landscaping (not to include nurseries)	S	S	X	X	X	X	P	S	S	C	D
39. Tailoring and Dressmaking	X	X	X	X	X	P	P	S	X	C	D
40. Professional Offices (as defined)	X	X	X	X	X	P	P	S	X	C	D
41. Contractors, including Plumbing, Heating, Cooling, Electrical, Roofing, Water Softening, Well-drilling, Excavating, Building, and House Moving (including service yard and showroom)	X	X	X	X	X	X	P	P	S	E	D
<u>RECREATIONAL FACILITIES</u>											
1. Bowling Alley	X	X	X	X	X	X	P	S	X	D	U
2. Billiard and Pool Establishment	X	X	X	X	X	X	P	S	X	D	U
3. Dance Hall and Schools of Dance	X	X	X	X	X	S	P	S	X	D	V
4. Fairgrounds	S	S	X	X	X	X	S	S	X	A	W

	A1	S1	R1	R2	R3	B1	B2	I1	I2	Buffer Class	Parking Class
5. Golf and Country Clubs	S	S	X	X	X	X	S	S	X	A	X
6. Golf Courses and Accessory Structures	S	S	X	X	X	X	S	S	S	A	U
7. Golf Driving Ranges	S	S	X	X	X	X	P	S	X	A	W
8. Miniature Golf Courses	X	X	X	X	X	X	P	S	X	D	W
9. Lodges, Fraternal Organizations, and Private Clubs	X	X	X	X	X	S	P	S	X	D	X
10. Theater, Indoor	X	X	X	X	X	P	P	S	X	D	R
11. Theater, Outdoor	X	X	X	X	X	X	S	S	X	D	W
12. Museum and Art Gallery	X	X	X	X	X	P	P	S	X	D	D
13. Race Track	X	X	X	X	X	X	S	S	X	D	R
14. Auditorium, Coliseum, Stadiums	X	X	X	X	X	X	S	S	X	D	R
15. Riding Stables	S	S	X	X	X	X	X	S	X	D	W
16. Shooting or Archery Range (indoor)	X	X	X	X	X	X	S	S	X	D	V
17. Shooting or Archery Range (outdoor)	X	X	X	X	X	X	X	S	X	D	W
18. Amusement Park	X	X	X	X	X	X	S	S	X	D	W
19. Ice or Roller Skating Arena	X	X	X	X	X	X	P	S	X	D	V
20. Tennis and Racquet Clubs	X	X	X	X	X	X	P	S	X	D	U
21. Ski and Toboggan Runs	S	S	X	X	X	X	P	S	X	A	W
22-21. Reception Halls	X	X	X	X	X	X	P	S	X	D	V
23-22. Zoos, Botanical Gardens	S	S	X	X	X	X	S	S	X	A	W

	<u>A1</u>	<u>S1</u>	<u>R1</u>	<u>R2</u>	<u>R3</u>	<u>B1</u>	<u>B2</u>	<u>I1</u>	<u>I2</u>	<u>Buffer</u> <u>Class</u>	<u>Buffer</u> <u>Parking</u>
24-23 . Recreational Vehicle Park (see Section 508)	S	S	X	X	X	X	S	S	S	D	A
25-24 . Organizational Campground (scouts, churches, recreational clubs, and similar organizations)	S	S	X	X	X	X	S	S	S	D	W
26-25 . Campground (public and private) (see Section 508)	S	S	X	X	X	X	S	S	S	D	A
27-26 . Hunting Preserves and Gamelands	S-X	S-X	X	X	X	X	S-X	S-X	S-X	A	W
28-27 . Weight Reduction or Exercise Facility	X	X	X	X	X	P	P	S	X	D	V
29-28 . Motorcycle & ATV Riding Trails	S-X	S	X	X	X	X	S-X	S-X	S-X	D	W
30.29 Boat Rental and Storage	S	S	X	X	X	S-P	P	P	P	D	W
34-30. Outdoor Boat Rental & Storage	S	S	X	X	X	X	P	P	P		
31. Videogame Arcade	X	X	X	X	X	S-P	S-P	X	X	D	E
32 . Community Recreational Facility (as defined)	X S	X S	X	S	S	S	S	X	X	D	Z
33. Water Slide Park, Public Swimming Area	S	S	X	S	S	S	S	X	X	D	W

TRANSPORTATION,

[illegible]

	<u>A1</u>	<u>S1</u>	<u>R1</u>	<u>R2</u>	<u>R3</u>	<u>B1</u>	<u>B2</u>	<u>I1</u>	<u>I2</u>	<u>Buffer</u> <u>Class</u>	<u>Buffer</u> <u>Parking</u>
46-15. Meteorological Tower (WECS) temporary		P	X	X	X	X	X	P	P	A	C
47-16. Commercial WECS		C	X	X	X	X	X	C	C	A	C
48-17. Micro WECS		P	S	X	X	X	S	P	P	A	C
49-18. Non-Commercial WECS		S	S	X	X	X	X	S	S	A	C

WHOLESALE TRADE, WAREHOUSING, AND
STORAGE

1. Wholesale Distributor (as defined)	X	X	X	X	X	X	X	X	X	S	P	P	E	B
2. Greenhouse (commercial)	S	S	X	X	X	X	X	X	X	SP	S	S	E	N
3. Bottled Gas Storage and Distribution	S	S	X	X	X	X	X	S	S	P	P	P	E	B
4. Bulk Fuel Yard (local distribution)	X	X	X	X	X	X	X	X	S	P	P	P	E	B
5. Bulk Fuel Yard (regional distribution)	X	X	X	X	X	X	X	X	X	X	S	S	E	B
6. Highway Maintenance Garage and Storage	X	X	X	X	X	X	X	X	S	P	P	P	E	B
7. Utility Company Office and Storage Yard	X	X	X	X	X	X	X	X	S	P	P	P	E	B
8. Frozen Food Lockers	X	X	X	X	X	X	X	XS	S	P	P	P	E	B
9. Mini-warehouses	X	X	X	X	X	X	X	X	S	P	P	P	E	C
10. Moving Companies and Storage	X	X	X	X	X	X	X	X	S	P	P	P	E	B
11. Auction Sales Yard (not involving livestock)	X	X	X	X	X	X	X	X	S	P	P	P	E	N
12. Automobile Impound Area	X	X	X	X	X	X	X	X	X	X	S	S	E	C
13. Supply Yard (as defined)	X	X	X	X	X	X	X	X	X	S	S	P	E	N
14. Junk Yard (as defined) and Scrap Metal Yard (see Section 510)	X	X	X	X	X	X	X	X	X	X	S	S	E	N

[illegible]

	<u>A1</u>	<u>S1</u>	<u>R1</u>	<u>R2</u>	<u>R3</u>	<u>B1</u>	<u>B2</u>	<u>I1</u>	<u>I2</u>	<u>Buffer Class</u>	<u>Parking Class</u>
9. Ordnance Products (including arms and ammunition)	X	X	X	X	X	X	X	X	S	E	B
10. Incineration for Reduction of Waste Products or Refuse	X	X	X	X	X	X	X	X	S	E	B
11. General Offices Associated with a Manufacturing Use (including service facilities for employees and guests)	X	X	X	X	X	X	P	P	P	E	B
12. Accessory Use Retail or Wholesale Trade Associated with a Manufacturing Use	X	X	X	X	X	X	P	P	P	E	B
13. Accessory Use Storage of Supplies or Finished Products Associated with any Permitted Manufacturing Use	X	X	X	X	X	X	P	P	P	E	B
14. Temporary Concrete Batching Plants and Mixing Plants for Portland Cement or Asphaltic Concrete	X	X	X	X	X	X	X	S	P	E	B
15. Manufacturing of Cement, Concrete, or Clay Products	X	X	X	X	X	X	X	X	S	E	B
<u>MISCELLANEOUS</u>											
1. Temporary Use (see Section 503)	P	P	P	P	P	P	P	P	P	NA	Y
2. Accessory Uses and Structures (see Section 504) (including fences)	P	P	P	P	P	P	P	P	P	NA	C
3. Parking - In Conjunction with a Permitted Use (see Section 308)	P	P	P	P	P	P	P	P	P	NA	C
4. Loading Area - In Conjunction with a Permitted Use (see Section 308)	P	P	X	X	X	P	P	P	P	NA	C

[illegible]