

# **Chapter 2: Zoning Districts and Overlay Districts.**

## **A. General Provisions.**

1. Zoning Districts Identified. The jurisdictional area is hereby classified and divided into the zoning districts outlined below:

<b>Zoning Districts</b>		
<b>Land Use Category</b>	<b>Name of Zoning District</b>	<b>Abbreviation</b>
Residential Districts	Residential	R
	High Density Residential	HR
Public and Community Districts	Public and Community Space	PC
Business and Commercial District	Downtown Business	DB
	Business	B
Industrial Districts	Light Industrial	LI
Planned Unit Development	Planned Unit Development	PUD

2. Overlay Districts Identified. The following overlay districts outlined below have been established for the purpose identified:

<b>Overlay Districts</b>		
<b>Name of Overlay District</b>	<b>Abbreviation</b>	
Flood Hazard Overlay	FHO	

3. **Official Zoning Map.** The Official Zoning Map is a geographic coverage layer that is maintained by the Boone County GIS Department (GIS) in coordination with the Administrator. This map shall be revised as changes are approved as permitted by this UDO (such as rezonings) or to correct drafting errors, clerical errors, or omissions on the map.
  - a. **District Boundaries.** The location and boundaries of the zoning districts are hereby established on a map entitled "Official Zoning Map," as it may be amended from time to time, which accompanies and is hereby incorporated in and made a part of this UDO by reference.
  - b. **Interpretation of Boundaries.** All questions concerning the exact location of zoning district boundary lines shall be determined by the Administrator. An appeal of the Administrator's interpretation may be filed with the BZA per Chapter 5, Section B: Appeal of Administrative Decision Procedures.
  - c. **Zoning Map Production.** The Administrator may authorize printed copies of the Official Zoning Map to be produced and shall maintain digital or printed copies of superseded versions of the Official Zoning Map for historical reference
4. **Land Uses.**
  - a. **Land Uses Listed.** The respective section for each zoning district and overlay district identifies the common land uses that are "permitted" or allowed by "special exception." Any land use not listed for a particular zoning district (or not deemed sufficiently similar to a listed use as described in the processes below) shall be prohibited. See the Land Use Matrix at the end of this chapter for a full list of land uses by zoning district.
  - b. **Land Uses Not Listed in UDO.** For land uses not listed, the Administrator shall attempt to determine if the desired land use is similar to a listed land use.
    - i. **Administrator Decisions for Unlisted Land Uses.**
      - (a) **Unlisted Use is Similar to a Listed Use.** If the desired land use is determined to be similar to a listed land use listed in the UDO, the respective process and development standards for the similar use shall be followed.
      - (b) **Unlisted Use is Not Similar to a Listed Use.** If the Administrator determines that the desired land use is not similar to a listed land use, then the desired land use shall be prohibited unless a Use Variance is approved by the BZA.
      - (c) **Uncertainty or Disagreement.** In the case of uncertainty or disagreement of classifying a land use, the Administrator may refer the request for land use clarification or classification to the BZA for consideration and final decision.
    - ii. **Criteria for Classifying Unlisted Land Uses.** To determine whether an unlisted land use is similar to a listed use, the Administrator or the BZA shall examine the desired use by the following four (4) criteria:
      - (a) **Intensity.** The unlisted use should be similar in the amount of activity and type of activity to a listed use.
        - (1) **Residential, Public, and Office Uses.** Intensity levels are tied to the number of people using a space.
        - (2) **Commercial Uses.** Intensity levels should compare the gross commercial floor area associated with the primary structure as well as the operation of the business, such as hours of operation and anticipated customer volumes.

- (3) Industrial Uses Intensity should compare the amount of noise, noxious exhaust, and public safety hazards generated on the site. In addition, the types of vehicles used, type of storage (indoor or outdoor), and hours of operation should be considered.
- (b) Character. The unlisted use should have similar physical characteristics, structures, scale, operational hours, or other features similar to a listed use.
- (c) Accessory Uses and Structures. The unlisted use should have similar potential for accessory uses and/or structures to a listed accessory use. Or if it is an accessory use, is it should be incidental to, necessary, and/or compatible with a permitted primary use.
- (d) Intent. The unlisted use should be compatible with the purpose of the subject zoning district and consistent with the *Comprehensive Plan*.

5. Development Standards. The following development standards are generally interpreted as follows:

- a. Road Frontage. Every lot must have actual road frontage before it can be developed. Access via an easement is not permitted.
- b. Setbacks. Any property line abutting a public or private street shall be considered a front property line or yard. All edges of a property line that are considered a front property line or yard shall conform with the front yard setback standards of the applicable zoning district.
  - i. Corner Lots. A corner lot will have two (2) front yard setbacks and two (2) side yard setbacks; it will not have a rear yard setback.
  - ii. Minimum Front Yard Setback. The minimum front yard setback is measured from the right-of-way and is determined by the Development Standards table for the subject zoning district. If right-of-way is not dedicated by a written and recorded document, the setback shall be measured from the center of road and the minimum front yard setback identified in the development standards for the zoning district shall be increased by twenty (20) feet.
  - iii. Minimum Side Yard Setback. The minimum side yard setback is measured from the property line, and the minimum setback is determined by the Development Standards table for the subject zoning district.
  - iv. Minimum Rear Yard Setback. The minimum rear yard setback is measured from the property line, and the minimum setback is determined by the Development Standards tables for each zoning district.
- c. Building Height. The vertical distance measured from the lowest ground level adjacent to the building to the highest point of the structure. Building height does not include antennas, chimneys, or steeples.

## B. Zoning Districts.

1. Residential District (R).
  - a. Purpose. The Residential District (R) is intended to provide area suitable for medium density residential living and allow a variety of housing types. Development may be comprised of single or multiple attached units on one lot or on multiple lots separated by lot lines and a common wall. New development shall contain a high level of street and pedestrian connectivity and be supported by adequate utilities and public services.
  - b. General Standards.
    - i. All subdivisions require subdivision approval unless exempt (See Chapter 6: Subdivision Types).
    - ii. All new primary structures require site plan review.
    - iii. All development may be subject to Drainage Board approval.
    - iv. In order to regulate classification and development, one (1) primary use and one (1) primary structure may be identified and established per parcel.

Permitted Uses – Residential District (R)		
<b>ACCESSORY USES</b> <ul style="list-style-type: none"><li>• *accessory dwelling unit</li><li>• community center, private</li><li>• home day care</li><li>• *home occupation</li><li>• *short-term rental (owner occupied)</li><li>• *solar energy system, accessory</li><li>• *wind energy system, accessory</li></ul>	<b>INSTITUTIONAL USES</b> <ul style="list-style-type: none"><li>• child care center</li><li>• park</li><li>• police, fire, or rescue station</li><li>• post office</li><li>• school (P-12)</li><li>• skate park</li></ul>	<b>RESIDENTIAL USES</b> <ul style="list-style-type: none"><li>• assisted living facility</li><li>• dwelling, multiple-family (3 units)</li><li>• dwelling, single-family</li><li>• dwelling, two-family</li><li>• fair housing facility (small)</li><li>• *short-term rental</li></ul>
Special Exception Uses - Residential District (R)		
<b>ACCESSORY USES</b> <ul style="list-style-type: none"><li>• *home-based business (with employees)</li></ul> <b>COMMERCIAL USES</b> <ul style="list-style-type: none"><li>• *adult day care facility</li></ul>	<b>INSTITUTIONAL USES</b> <ul style="list-style-type: none"><li>• community center</li><li>• government office</li><li>• library, public</li><li>• pool, public</li></ul>	<b>RESIDENTIAL USES</b> <ul style="list-style-type: none"><li>• bed and breakfast</li><li>• dwelling, multiple-family (4 units)</li><li>• dwelling, multiple-family (5-8 units)</li><li>• fair housing facility (large)</li></ul>
<p>* Indicates that special development, operational, and/or procedural standards will apply to the use. See Chapter 4: Standards for Specific Uses.</p> <p>See the Land Use Matrix at the end of this chapter for a more comprehensive list of uses.</p>		

<b>Structure Standards - Residential District (R)</b>				
		<b>Single-family</b>	<b>Two-family and Multiple-family</b>	<b>Non-residential</b>
Maximum height of structure	Primary structure	35 feet	35 feet	35 feet
	Accessory structure	25 feet <sup>1</sup>	25 feet <sup>1</sup>	20 feet <sup>1</sup>
Minimum living area per unit		900 sqft	900 sqft/unit	NA
<b>Lot Standards - Residential District (R)</b>				
Minimum lot width		50 feet	75 feet	75 feet
Minimum lot area		6,000 sqft/unit	3,000 sqft/unit	6,000 sqft
Minimum front yard setback		20 feet	20 feet	20 feet
Minimum side yard setback	Primary structure	5 feet	5 feet	5 feet
	Accessory structure	5 feet	5 feet	5 feet
Minimum rear yard setback	Primary structure	10 feet	10 feet	20 feet
	Accessory structure	5 feet	5 feet	10 feet
Maximum impervious surface coverage		50%	50%	65%
<b>Utility Standards - Residential District (R)</b>				
Municipal water and sewer required		yes	yes	yes
<b>Additional Site Development Standards</b>				
The following site development standards may also apply to development in this district. See Chapter 3: Site Development Standards.				
<ul style="list-style-type: none"> <li>Accessory Structure Standards</li> <li>Buffer Yard Separation and Planting Standards</li> <li>Driveway and Access Management Standards</li> <li>Lighting Standards</li> <li>Parking and Loading Standards</li> </ul>		<ul style="list-style-type: none"> <li>Sign Standards</li> <li>Storage Standards</li> <li>Structure Standards</li> <li>Trash Receptacle and Dumpster Standards</li> </ul>		
1 – Accessory structures cannot exceed the height of the primary structure				

## 2. High Density Residential District (HR).

- a. Purpose. The High Density Residential District (HR) is established for high-density residential development with the widest variety of housing options in the community. This district should encourage well-planned compact development patterns in locations where adequate public infrastructure exists.
- b. General Standards.
  - i. All subdivisions require subdivision approval unless exempt (See Chapter 6: Subdivision Types).
  - ii. All new primary structures require Development Plan approval (except single-family and two-family residential dwellings).
  - iii. All development may be subject to Drainage Board approval.
  - iv. In order to regulate classification and development, one (1) primary use and one (1) primary structure may be identified and established per parcel.

Permitted Uses – High Density Residential District (HR)	
<b>ACCESSORY USES</b> <ul style="list-style-type: none"><li>• community center, private</li><li>• *home occupation</li><li>• home day care</li><li>• *short-term rental (owner occupied)</li><li>• *solar energy system, accessory</li></ul>	<b>RESIDENTIAL USES</b> <ul style="list-style-type: none"><li>• assisted living facility</li><li>• dwelling, multiple-family (3 units)</li><li>• dwelling, multiple-family (4 units)</li><li>• dwelling, multiple-family (5-8 units)</li><li>• dwelling, single-family</li><li>• dwelling, two-family</li><li>• fair housing facility (small)</li><li>• *manufactured home park</li><li>• *short-term rental</li><li>• *short-term rental (owner occupied)</li><li>• *tiny home or tiny home development</li></ul>
Special Exception Uses - High Density Residential District (HR)	
<b>INSTITUTIONAL USES</b> <ul style="list-style-type: none"><li>• community center, public</li><li>• park</li><li>• police, fire, or rescue station</li><li>• post office</li><li>• school (P-12)</li><li>• skate park</li></ul>	<b>RESIDENTIAL USES</b> <ul style="list-style-type: none"><li>• bed and breakfast</li><li>• dwelling, multiple-family (9+ units)</li><li>• fair housing facility (large)</li></ul>
<p>* Indicates that special development, operational, and/or procedural standards will apply to the use. See Chapter 4: Standards for Specific Uses.</p> <p>See the Land Use Matrix at the end of this chapter for a more comprehensive list of uses.</p>	

<b>Structure Standards - High Density Residential District (HR)</b>				
		<b>Single-family Residential</b>	<b>Two-family and Multi-family Residential</b>	<b>Non-residential</b>
Maximum height of structure	Primary structure	35 feet	35 feet	35 feet
	Accessory structure	25 feet <sup>1</sup>	20 feet <sup>1</sup>	20 feet <sup>1</sup>
Minimum living area per unit		800 sqft	600 sqft	NA
<b>Lot Standards - High Density Residential District (HR)</b>				
Minimum lot width		40 feet	40 feet	75 feet
Minimum lot area		4,000 sqft	2,000 sqft/unit	6,000 sqft
Minimum front yard setback		20 feet	20 feet	20 feet
Minimum side yard setback	Primary structure	5 feet	5 feet	5 feet
	Accessory structure	5 feet	5 feet	5 feet
Minimum rear yard setback	Primary structure	10 feet	10 feet	20 feet
	Accessory structure	5 feet	5 feet	10 feet
Maximum impervious surface coverage		60%	60%	60%
<b>Utility Standards - High Density Residential District (HR)</b>				
Municipal water and sewer required		yes	yes	yes
<b>Additional Site Development Standards</b>				
The following site development standards may also apply to development in this district. See Chapter 3: Site Development Standards.				
<ul style="list-style-type: none"> <li>Accessory Structure Standards</li> <li>Buffer Yard Separation and Planting Standards</li> <li>Driveway and Access Management Standards</li> <li>Lighting Standards</li> <li>Parking and Loading Standards</li> </ul>		<ul style="list-style-type: none"> <li>Sign Standards</li> <li>Storage Standards</li> <li>Structure Standards</li> <li>Trash Receptacle and Dumpster Standards</li> </ul>		
1 – Accessory structures cannot exceed the height of the primary structure.				

### 3. Public and Community District (PC).

- a. Purpose. The Public and Community District (PC) is intended to provide areas suitable for public and non-profit uses that are adequately served by public utilities and infrastructure. This district is intended for parks, community spaces, churches, hospitals, schools, government buildings, and similar uses either as a single structure or as part of a campus-type development and includes the development standards required to support them.
- b. General Standards.
  - i. All subdivisions require subdivision approval unless exempt (See Chapter 6: Subdivision Types).
  - ii. All new primary structures require Development Plan approval (except single-family and two-family residential dwellings).
  - iii. All development may be subject to Drainage Board approval.
  - iv. In order to regulate classification and development, one (1) primary use and one (1) primary structure may be identified and established per parcel.

Permitted Uses – Public and Community District (PC)		
<ul style="list-style-type: none"> <li>• ACCESSORY USES           <ul style="list-style-type: none"> <li>bank machine/atm</li> <li>• pool, public</li> <li>• *solar energy system, accessory</li> <li>• *wind energy system, accessory</li> </ul> </li> </ul> <p><b>COMMERCIAL USES</b></p> <ul style="list-style-type: none"> <li>• commercial training facility or school</li> <li>• driving range</li> <li>• farmers market</li> <li>• golf course</li> <li>• miniature golf</li> <li>• nursing home</li> <li>• recreation center/play center</li> <li>• restaurant</li> <li>• sports complex (indoors)</li> <li>• sports field</li> <li>• stadium</li> </ul>	<p><b>COMMERCIAL USES continued...</b></p> <ul style="list-style-type: none"> <li>• theater, indoor or outdoor</li> <li>• waste treatment facility (private)</li> <li>• water treatment facility (private)</li> </ul> <p><b>INDUSTRIAL USES</b></p> <ul style="list-style-type: none"> <li>• *wireless communication facility</li> <li>• utility facility, above ground</li> </ul> <p><b>INSTITUTIONAL USES</b></p> <ul style="list-style-type: none"> <li>• bus station</li> <li>• cemetery /mausoleum</li> <li>• child care center</li> <li>• church, temple, or mosque</li> <li>• community center, public</li> <li>• crematory</li> <li>• government office</li> <li>• government operation (non-office)</li> <li>• hospital</li> <li>• library, public</li> <li>• municipal airport</li> <li>• municipal heliport</li> </ul>	<p><b>INSTITUTIONAL USES continued...</b></p> <ul style="list-style-type: none"> <li>• museum</li> <li>• nature center</li> <li>• park</li> <li>• police, fire, or rescue station</li> <li>• pool, public</li> <li>• post office</li> <li>• school (P-12)</li> <li>• skate park</li> <li>• trade or business school</li> <li>• university or college</li> <li>• waste treatment facility (public)</li> <li>• water treatment facility (public)</li> <li>• well, public</li> </ul>

Special Exception Uses - Public and Community District (PC)	
<p><b>COMMERCIAL USES</b></p> <ul style="list-style-type: none"> <li>• *camp ground and recreational vehicle park</li> <li>• paintball facility</li> <li>• watercraft rental</li> </ul>	<p><b>INSTITUTIONAL USES</b></p> <ul style="list-style-type: none"> <li>• jail</li> <li>• juvenile detention facility</li> <li>• penal or correctional institution</li> <li>• recycling collection point</li> </ul>

\* Indicates that special development, operational, and/or procedural standards will apply to the use. See Chapter 4: Standards for Specific Uses.

See the Land Use Matrix at the end of this chapter for a more comprehensive list of uses.

<b>Structure Standards - Public and Community District (PC)</b>			
		<b>Single-family, Two-family, and Multiple-family Residential</b>	<b>Non-residential</b>
Maximum height of structure	Primary structure	NA	35 feet
	Accessory structure	NA	20 feet <sup>1</sup>
Minimum living area per unit		NA	NA
<b>Lot Standards - Public and Community District (PC)</b>			
Minimum lot width		NA	75 feet
Minimum lot area		NA	6,000 sqft
Minimum front yard setback		NA	20 feet
Minimum side yard setback	Primary structure	NA	10 feet
	Accessory structure	NA	5 feet
Minimum rear yard setback	Primary structure	NA	20 feet
	Accessory structure	NA	10 feet
Maximum impervious surface coverage		NA	60%
<b>Utility Standards - Public and Community District (PC)</b>			
Municipal water and sewer required		NA	yes
<b>Additional Site Development Standards</b>			
The following site development standards may also apply to development in this district. See Chapter 3: Site Development Standards.			
<ul style="list-style-type: none"> <li>• Accessory Structure Standards</li> <li>• Buffer Yard Separation and Planting Standards</li> <li>• Driveway and Access Management Standards</li> <li>• Lighting Standards</li> <li>• Parking and Loading Standards</li> </ul>		<ul style="list-style-type: none"> <li>• Sign Standards</li> <li>• Storage Standards</li> <li>• Structure Standards</li> <li>• Trash Receptacle and Dumpster Standards</li> </ul>	
1 – Accessory structures cannot exceed the height of the primary structure. The total square footage of all accessory structures, excluding fences, cannot exceed 75% of the total square footage of the primary structure.			

#### 4. Downtown Business District (DB).

- a. Purpose. The Downtown Business District (DB) is Intended to recognize the character of Thorntown's downtown and maintain its function as the primary community activity center for the town. This district supports the continued use of existing structures while allowing compatible infill development and redevelopment. The district is mixed-use in nature and supports a variety of retail, entertainment, service, institutional, office, and residential uses that rely primarily on street parking. Preserving the unique physical pattern of the area while ensuring pedestrian connectivity and comfort are a priority in this area. Setbacks are not applicable, however building code requirements must still be met.
- b. General Standards.
  - i. All subdivisions require subdivision approval unless exempt (See Chapter 6: Subdivision Types).
  - ii. All new primary structures require Development Plan approval.
  - iii. All development may be subject to Drainage Board approval.
  - iv. In order to regulate classification and development, one (1) primary use and one (1) primary structure may be identified and established per parcel.

Permitted Uses – Downtown Business District (DB)			
<b>ACCESSORY USES</b> <ul style="list-style-type: none"> <li>• bank machine/atm</li> <li>• community center, private</li> <li>• farmers market</li> <li>• *short-term rental (owner occupied)</li> </ul> <p><b>*solar energy system, accessory COMMERCIAL USES</b></p> <ul style="list-style-type: none"> <li>• *adult day care facility</li> <li>• bar/tavern</li> <li>• barber/beauty shop</li> <li>• brewery/distillery</li> <li>• coffee shop</li> <li>• delicatessen</li> <li>• farmers market</li> </ul>	<b>COMMERCIAL USES continued...</b> <ul style="list-style-type: none"> <li>• hotel/motel</li> <li>• ice cream shop mixed use structure</li> <li>• office, design services</li> <li>• office, financial services</li> <li>• office, general services</li> <li>• office, medical</li> <li>• photography studio</li> <li>• restaurant</li> <li>• retail (type 1), very low intensity</li> <li>• retail (type 2), low intensity</li> <li>• studio arts</li> <li>• theater, indoor</li> </ul>	<b>INSTITUTIONAL USES</b> <ul style="list-style-type: none"> <li>• child care center</li> <li>• church, temple, or mosque</li> <li>• community center</li> <li>• government office</li> <li>• library, public</li> <li>• museum</li> <li>• park</li> <li>• police, fire, or rescue station</li> <li>• pool, public</li> <li>• post office</li> <li>• school (P-12)</li> </ul>	<b>RESIDENTIAL USES</b> <ul style="list-style-type: none"> <li>• *short-term rental</li> <li>• boarding house</li> <li>• dwelling unit (upper floors)</li> </ul>
Special Exception Uses - Downtown Business District (DB)			
<b>COMMERCIAL USES</b> <ul style="list-style-type: none"> <li>• retail (type 3), medium intensity</li> </ul> <b>INSTITUTIONAL USES</b> <ul style="list-style-type: none"> <li>• hospital</li> <li>• parking lot, public</li> </ul>		<b>RESIDENTIAL USES</b> <ul style="list-style-type: none"> <li>• bed and breakfast</li> <li>• dwelling unit (ground floor)</li> <li>• dwelling, multiple-family (4 units)</li> <li>• dwelling, multiple-family (3 units)</li> <li>• dwelling, multiple-family (5-8 units)</li> <li>• fair housing facility (small)</li> </ul>	
<p>* Indicates that special development, operational, and/or procedural standards will apply to the use. See Chapter 4: Standards for Specific Uses.</p> <p>See the Land Use Matrix at the end of this chapter for a more comprehensive list of uses.</p>			

Structure Standards - Downtown Business District (DB)				
		Single-family Residential	Two-family and Multi-family Residential	Non-residential
Maximum height of structure	Primary structure	35 feet	40 feet	40 feet
	Accessory structure	20 feet <sup>1</sup>	20 feet <sup>1</sup>	20 feet <sup>1</sup>
Minimum living area per unit		800 sqft	600 sqft	NA
Lot Standards - Downtown Business District (DB)				
Minimum lot width		NA	NA	NA
Minimum lot area		NA	NA	NA
Minimum front yard setback		At least 10 feet or the average setback of buildings on the same side of the block, whichever is least		
Minimum side yard setback	Primary structure	NA	NA	NA
	Accessory structure	NA	NA	NA
Minimum rear yard setback	Primary structure	NA	NA	NA
	Accessory structure	NA	NA	NA
Maximum impervious surface coverage		NA	NA	NA
Utility Standards - Downtown Business District (DB)				
Municipal water and sewer required		yes	yes	yes
Additional Site Development Standards				
The following site development standards may also apply to development in this district. See Chapter 3: Site Development Standards.				
<ul style="list-style-type: none"> <li>Accessory Structure Standards</li> <li>Buffer Yard Separation and Planting Standards</li> <li>Driveway and Access Management Standards</li> <li>Lighting Standards</li> <li>Parking and Loading Standards</li> </ul>		<ul style="list-style-type: none"> <li>Sign Standards</li> <li>Storage Standards</li> <li>Structure Standards</li> <li>Trash Receptacle and Dumpster Standards</li> </ul>		
1 – Accessory structures cannot exceed the height of the primary structure. The total square footage of all accessory structures, excluding fences, cannot exceed 75% of the total square footage of the primary structure.				

## 5. Business District (B).

- a. Purpose. The Business District (B) is established to include areas that are close to residential areas and appropriate to meet their shopping and service needs. Desired uses are small-scale commercial and business establishments including convenience goods, services, and accessory uses. This district is intended to be bikeable and walkable for easy access from nearby residential neighborhoods. Restrictions on maximum lot size and building size are in place to attract the desired types of small businesses within this district.
- b. General Standards.
  - i. All subdivisions require subdivision approval unless exempt (See Chapter 6: Subdivision Types).
  - ii. All new primary structures require Development Plan approval (except single-family and two-family residential dwellings).
  - iii. All development may be subject to Drainage Board approval.
  - iv. In order to regulate classification and development, one (1) primary use and one (1) primary structure may be identified and established per parcel.

Permitted Uses – Business District (B)		
<b>ACCESSORY USES</b> <ul style="list-style-type: none"> <li>• bank machine/atm</li> <li>• community center, private</li> <li>• *solar energy system, accessory</li> <li>• COMMERCIAL USES*adult day care facility</li> <li>• bar/tavern</li> <li>• barber/beauty shop</li> <li>• brewery/distillery</li> <li>• club or lodge</li> <li>• coffee shop</li> <li>• delicatessen</li> <li>• ice cream shop</li> <li>• miniature golf</li> <li>• nursing home</li> <li>• office, construction trade</li> </ul>	<b>COMMERCIAL USES continued...</b> <ul style="list-style-type: none"> <li>• office, design services</li> <li>• office, financial services</li> <li>• office, general services</li> <li>• office, medical</li> <li>• photography studio</li> <li>• restaurant</li> <li>• retail (type 1), very low intensity</li> <li>• retail (type 2), low intensity</li> <li>• retail (type 3), medium intensity</li> <li>• studio arts</li> <li>• theater, indoor</li> </ul>	<b>INSTITUTIONAL USES</b> <ul style="list-style-type: none"> <li>• child care center</li> <li>• church, temple, or mosque</li> <li>• community center</li> <li>• government office</li> <li>• library, public</li> <li>• museum</li> <li>• park</li> <li>• police, fire, or rescue station</li> <li>• post office</li> <li>• school (P-12)</li> <li>• skate park</li> </ul> <b>RESIDENTIAL USES</b> <ul style="list-style-type: none"> <li>• assisted living facility</li> <li>• bed and breakfast</li> <li>• dwelling unit (upper floors)</li> </ul>
Special Exception Uses - Business District (B)		
<b>COMMERCIAL USES</b> <ul style="list-style-type: none"> <li>• automobile oriented business</li> <li>• restaurant with drive-up window</li> <li>• retail (type 4), high intensity</li> </ul>	<b>INSTITUTIONAL USES</b> <ul style="list-style-type: none"> <li>• crematory</li> <li>• hospital</li> <li>• pool, public</li> <li>• recycling collection point</li> </ul>	
<small>* Indicates that special development, operational, and/or procedural standards will apply to the use. See Chapter 4: Standards for Specific Uses.</small>		
<small>See the Land Use Matrix at the end of this chapter for a more comprehensive list of uses.</small>		

Structure Standards - Business District (B)			
		Residential	Non-residential
Maximum height of structure	Primary structure	NA	35 feet
	Accessory structure	NA	20 feet <sup>1</sup>
Minimum living area per unit		NA	NA
Lot Standards - Business District (B)			
Minimum lot width		NA	75 feet
Minimum lot area		NA	6,000 sqft
Minimum front yard setback		NA	20 feet
Minimum side yard setback	Primary structure	NA	10 feet
	Accessory structure	NA	5 feet
Minimum rear yard setback	Primary structure	NA	20 feet
	Accessory structure	NA	10 feet
Maximum impervious surface coverage		NA	60%
Utility Standards - Business District (B)			
Municipal water and sewer required		NA	yes
Additional Site Development Standards			
The following site development standards may also apply to development in this district. See Chapter 3: Site Development Standards.			
<ul style="list-style-type: none"> <li>Accessory Structure Standards</li> <li>Buffer Yard Separation and Planting Standards</li> <li>Driveway and Access Management Standards</li> <li>Lighting Standards</li> <li>Parking and Loading Standards</li> </ul>		<ul style="list-style-type: none"> <li>Sign Standards</li> <li>Storage Standards</li> <li>Structure Standards</li> <li>Trash Receptacle and Dumpster Standards</li> </ul>	
1 – Accessory structures cannot exceed the height of the primary structure.			

## 6. Light Industrial District (LI).

- a. Purpose. The Light Industrial District (LI) is intended to provide areas suitable for light production, assembly, warehousing, research and development facilities, and similar land uses. This district is designed to accommodate only those industrial uses completely contained within structures and not involving outdoor storage or operations.
- b. General Standards.
  - i. All subdivisions require subdivision approval unless exempt (See Chapter 6: Subdivision Types).
  - ii. All new primary structures require Development Plan approval (except single-family and two-family residential dwellings).
  - iii. All development may be subject to Drainage Board approval.
  - iv. In order to regulate classification and development, one (1) primary use and one (1) primary structure may be identified and established per parcel.

Permitted Uses – Light Industrial District (LI)		
<b>ACCESSORY USES</b> <ul style="list-style-type: none"> <li>• bank machine/atm</li> <li>• *solar energy system, accessory</li> <li>• *wind energy system, accessory</li> </ul> <b>COMMERCIAL USES</b> <ul style="list-style-type: none"> <li>• *adult oriented business</li> <li>• automobile service station</li> <li>• automotive and vehicle repair</li> <li>• commercial training facility or school</li> <li>• delicatessen</li> <li>• farm implement sales</li> <li>• hotel/motel</li> <li>• mortuary</li> <li>• office, construction trade</li> <li>• office, design services</li> <li>• office, financial services</li> <li>• office, general services</li> <li>• office, medical</li> <li>• paintball facility</li> <li>• race track - automobiles</li> <li>• recreation center/play center</li> </ul>	<b>COMMERCIAL USES continued...</b> <ul style="list-style-type: none"> <li>• research farm</li> <li>• research laboratory</li> <li>• restaurant with drive-up window</li> <li>• retail (type 5), very high intensity</li> <li>• sale of agricultural products</li> <li>• self-storage facility</li> <li>• sports complex (indoors)</li> <li>• sports field</li> <li>• studio arts</li> <li>• testing laboratory</li> <li>• theater, indoor or outdoor</li> </ul> <b>INDUSTRIAL USES</b> <ul style="list-style-type: none"> <li>• *wireless communication facility</li> <li>• assembly</li> <li>• distribution facility</li> <li>• electrical generation plant</li> <li>• flex-space</li> <li>• light manufacturing</li> <li>• radio/TV station</li> <li>• research center</li> <li>• testing lab</li> </ul>	<b>INDUSTRIAL USES continued...</b> <ul style="list-style-type: none"> <li>• tool and die shop</li> <li>• transfer station</li> <li>• utility facility, above ground</li> <li>• warehouse storage facility</li> <li>• water treatment plant</li> </ul> <b>INSTITUTIONAL USES</b> <ul style="list-style-type: none"> <li>• church, temple, or mosque</li> <li>• government office</li> <li>• government operation (non-office)</li> <li>• hospital</li> <li>• library, public</li> <li>• park</li> <li>• police, fire, or rescue station</li> <li>• pool, public</li> <li>• post office</li> <li>• school (P-12)</li> <li>• skate park</li> <li>• trade or business school</li> <li>• university or college</li> <li>• well, public</li> </ul>
Special Exception Uses - Light Industrial District (LI)		
<b>COMMERCIAL USES</b> <ul style="list-style-type: none"> <li>• equipment rental</li> <li>• heavy manufacturing</li> <li>• retail (type 6), special handling</li> <li>• shooting range</li> </ul>	<b>INSTITUTIONAL USES</b> <ul style="list-style-type: none"> <li>• crematory</li> <li>• jail</li> <li>• juvenile detention facility</li> <li>• municipal airport</li> <li>• municipal heliport</li> <li>• parking lot, public</li> </ul>	<b>INSTITUTIONAL USES continued...</b> <ul style="list-style-type: none"> <li>• penal or correctional institution</li> <li>• prison</li> <li>• recycling collection point</li> <li>• waste treatment facility (public)</li> <li>• water treatment facility (public)</li> </ul>

\* Indicates that special development, operational, and/or procedural standards will apply to the use. See Chapter 4: Standards for Specific Uses.

See the Land Use Matrix at the end of this chapter for a more comprehensive list of land uses.

### Structure Standards - Light Industrial District (LI)

		Residential	Non-residential
Maximum height of structure	Primary structure	NA	75 feet
	Accessory structure	NA	Cannot exceed the height of the primary structure
Minimum living area per unit		NA	NA

### Lot Standards - Light Industrial District (LI)

Minimum lot width		NA	200 feet
Minimum lot area		NA	1 acre
Minimum front yard setback		NA	30 feet
Minimum side yard setback for primary and accessory structures	Abutting a residential district	NA	40 feet
	All other districts	NA	15 feet
Minimum rear yard setback for primary and accessory structures	Abutting a residential district	NA	40 feet
	All other districts	NA	15 feet
Maximum impervious surface coverage		NA	75%

### Utility Standards - Light Industrial District (LI)

Municipal water and sewer required	NA	yes
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### Additional Site Development Standards

The following site development standards may also apply to development in this district.

See Chapter 3: Site Development Standards.

<ul style="list-style-type: none"> <li>Accessory Structure Standards</li> <li>Buffer Yard Separation and Planting Standards</li> <li>Driveway and Access Management Standards</li> <li>Lighting Standards</li> <li>Parking and Loading Standards</li> </ul>	<ul style="list-style-type: none"> <li>Sign Standards</li> <li>Storage Standards</li> <li>Structure Standards</li> <li>Trash Receptacle and Dumpster Standards</li> </ul>
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## 7. **Planned Unit Development District (PUD).**

- a. Purpose. The intent of the PUD District (PUD) is to allow for innovative development and design flexibility when it is consistent with the Comprehensive Plan. The PUD process should not be used as a mechanism to bypass the standards of the other districts in this UDO. Instead, it should be used as a tool to accommodate a mix of residential, business, and commercial land uses along with distinctive development standards that otherwise could not be achieved under conventional regulations. PUDs must be developed following an approved site plan and an accompanying district ordinance.
- b. General Standards.
  - i. The minimum land area for a PUD application shall be ten (10) acres. A Variance is required if the land area does not meet the minimum acreage in accordance with Chapter 5, Section D: Special Exception and Variance Procedures.
  - ii. Public water and sewer are required for all PUDs. A Variance is required if the required utilities are not in place in accordance with Chapter 5, Section D: Special Exception and Variance Procedures.
  - iii. A PUD may be applied to redevelopment of previously developed property or undeveloped land. It may include one (1) or more parcels that are intended to create a consistent, overall development rather than being applied to a small-scale development as a means of avoiding obtaining variances.
  - iv. All development standards are governed by the PUD District Ordinance. If a standard is not specified in the PUD ordinance, it shall be governed by the most similar zoning district or zoning regulation as determined by the Administrator.
  - v. Because a PUD is a zoning district, the subdivision standards of this UDO still apply. All subdivisions require subdivision approval unless exempt (See Chapter 6: Subdivision Types).
  - vi. All new primary structures require Development Plan approval (except single-family and two-family residential dwellings).
  - vii. All development may be subject to Drainage Board approval.
  - viii. All development within a PUD shall comply with all other applicable local, state, and federal regulations.
- c. PUD Uses and Development Standards.
  - i. Uses. Land uses are subject to approval or prohibition as part of the PUD District Ordinance adoption process. Permitted land uses shall not be in conflict with the Comprehensive Plan, surrounding land uses, or surrounding zoning districts.
  - ii. Development Standards. A PUD District Ordinance may establish unique site development standards and standards for specific uses within the PUD. If such standards are not established by the PUD District Ordinance, the standards in the UDO shall apply, as interpreted by the Administrator
- d. PUD Procedures.

- i. Plat Identification. All plats within the boundary of a PUD shall include the PUD name and cross-reference the ordinance recording information.
- ii. Process. Processes and procedures for a PUD shall comply with Chapter 5, Section ##: PUD Procedures.
- iii. Expiration. The expiration date for a PUD to begin development shall be two (2) years unless the PC specifies an alternative expiration in the PUD Ordinance approval. The PC may grant up to two (2) extensions not to exceed a total of two (2) additional years.
- iv. Abandonment. A PUD shall be deemed to be abandoned if it has expired under item iii above or if no improvements have been made pursuant to the PUD District Ordinance for a period of five (5) years. When a PUD has been deemed to be abandoned, the detailed PUD plan shall no longer be valid and the zoning shall automatically revert to the zoning district in effect immediately prior to the approval of the PUD.
- e. PUD District Ordinance Requirements. A PUD District Ordinance shall generally follow the chapter outline of this UDO and as outlined in the applicable application packet. In order for a PUD District Ordinance to be considered complete, it shall include the following minimum information:
  - i. A districts map outlining proposed development areas and proposed construction phasing;
  - ii. A list of permitted uses and special exception uses within each district or area of the PUD;
  - iii. All development standards (lot standards and structure standards) for each district or area of the PUD;
  - iv. All standards for specific uses that vary from Chapter 4: Standards for Specific Uses; and
  - v. All site development standards that vary from Chapter 3: Site Development Standards
- f. PUD Site Plan Requirements. The site plan shall be in general, schematic form, and include at least the following items:
  - i. Existing topographic character of the land (minimum 10-foot contours) and major natural features;
  - ii. The location, owner, and zoning of adjacent properties, including the location of all buildings within 50 feet of the adjoining property line;
  - iii. Proposed density and types of dwellings, buildings, and uses;
  - iv. Any land proposed to be designated as open space;
  - v. The phases, if any, of which the PUD is to be constructed;
  - vi. The availability and location of public utilities and public facilities, such as sanitary and storm sewers, water, gas, electricity, streets, schools, and fire protection; and
  - vii. Any other information required by the Administrator and/or PC.

## C. Overlay Districts.

### 1. Flood Hazard Overlay District (FHO).

- a. Purpose. The Flood Hazard Overlay District (FHO) is intended to provide additional development controls that reflect the standards of the town's flood ordinance and correspond to the FEMA Flood Maps. See the Flood Hazard Ordinance.
- b. General Standards. The development standards for the underlying zoning district shall apply.

<b>Permitted Uses – Flood Hazard Overlay District (FHO)</b>		
The uses listed as "Permitted Uses" in the underlying zoning district unless specified as a Special Exception Use or a Prohibited Use in this table.		
<b>Special Exception Uses - Flood Hazard Overlay District (FHO)</b>		
The uses listed as "Special Exception Uses" in the underlying zoning district, unless specified as a Prohibited Use in this table.		
<b>Prohibited Uses - Flood Hazard Overlay District (FHO)</b>		
These uses are prohibited in this overlay zoning district, regardless of what the underlying zoning district allows.		
<b>ACCESSORY USES</b> <ul style="list-style-type: none"><li>• accessory dwelling unit</li><li>• home day care</li><li>• kennel, home-based business</li><li>• outdoor storage</li><li>• short-term rental (owner occupied)</li></ul> <b>COMMERCIAL USES</b> <ul style="list-style-type: none"><li>• *adult day care facility</li><li>• automobile oriented business</li><li>• hotel/motel</li><li>• kennel</li></ul>	<b>INDUSTRIAL USES</b> <ul style="list-style-type: none"><li>• construction material landfill</li><li>• distribution facility</li><li>• equipment rental</li><li>• heavy manufacturing</li><li>• junk yard</li><li>• light manufacturing</li><li>• recycling processing</li><li>• sanitary landfill/refuse dump</li><li>• warehouse</li><li>• warehouse storage facility</li></ul> <b>INSTITUTIONAL USES</b> <ul style="list-style-type: none"><li>• child care center</li><li>• recycling collection point</li></ul>	<b>RESIDENTIAL USES</b> <ul style="list-style-type: none"><li>• bed and breakfast</li><li>• dwelling unit (upper floors)</li><li>• dwelling, multiple-family (3 units)</li><li>• dwelling, multiple-family (4 units)</li><li>• dwelling, multiple-family (5-8 units)</li><li>• dwelling, multiple-family (9+ units)</li><li>• dwelling, single-family</li><li>• dwelling, two-family</li><li>• fair housing facility (large)</li><li>• fair housing facility (small)</li><li>• manufactured home park</li><li>• tiny home or tiny home development</li></ul>

## D. Land Use Matrix

Accessory Uses	R	HR	PC	DB	B	LI	FHO
*accessory dwelling unit	P						∅
bank machine/atm			P	P	P	P	
community center, private	P	P	P	P	P		
*home occupation	P	P					
*home-based business (with employees)	S						
farmers market				P			
home day care	P	P					∅
kennel							∅
*solar energy system, accessory	P	P	P	P	P	P	
outdoor storage							∅
pool, public			P				
*short-term rental (owner occupied)	P	P		P			∅
*wind energy system, accessory	P		P			P	

P Permitted

S Special Exception

∅ Expressly Prohibited

\* Indicates that special development, operational, and/or procedural standards will apply to the use. See Chapter 4: Standards for Specific Uses.

Commercial Uses	R	HR	PC	DB	B	LI	FHO
*adult day care facility				P	P		⌚
*adult oriented business						P	
*camp ground and recreational vehicle park			S				
automobile oriented business					S	P	⌚
automobile service station						P	
automotive and vehicle repair						P	
bar/tavern				P	P		
barber/beauty shop				P	P		
brewery/distillery				P	P		
club or lodge					P		
coffee shop				P	P	P	
commercial training facility or school			P			P	
country club	S						
delicatessen				P	P	P	
driving range			P				
farm implement sales						P	
farmers market			P	P			
golf course			P				
hotel/motel				P		P	⌚
ice cream shop				P	P		
kennel							⌚
miniature golf			P		P		
mixed use structure				P			
mortuary						P	
nursing home			P		P		
office, construction trade					P	P	
office, design services				P	P	P	
office, financial services				P	P	P	
office, general services				P	P	P	
office, medical				P	P	P	
paintball facility			S			P	

P Permitted

S Special Exception

⌚ Expressly Prohibited

\* Indicates that special development, operational, and/or procedural standards will apply to the use. See Chapter 4: Standards for Specific Uses.

Commercial Uses cont.	R	HR	PC	DB	B	LI	FHO
photography studio				P	P		
race track - automobiles						P	
recreation center/play center			P			P	
research farm						P	
research laboratory						P	
restaurant			P	P	P	P	
restaurant with drive-up window					S	P	
retail (type 1), very low intensity				P	P		
retail (type 2), low intensity				P	P		
retail (type 3), medium intensity				S	P		
retail (type 4), high intensity					S		
retail (type 5), very high intensity						P	
retail (type 6), special handling						S	
sale of agricultural products						P	
self-storage facility						P	
shooting range						S	
sports complex (indoors)			P			P	
sports field			P			P	
stadium			P				
studio arts				P	P	P	
testing laboratory						P	
theater, indoor			P	P	P	P	
theater, outdoor			P			P	
waste treatment facility (private)			P				
water treatment facility (private)			P				
watercraft rental			S				

P Permitted

S Special Exception

∅ Expressly Prohibited

\* Indicates that special development, operational, and/or procedural standards will apply to the use. See Chapter 4: Standards for Specific Uses.

Industrial Uses	R	HR	PC	DB	B	LI	FHO
*wireless communication facility			P			P	
assembly						P	
construction material landfill							⊖
distribution facility						P	⊖
electrical generation plant						P	
equipment rental						S	⊖
flex-space						P	
heavy manufacturing						S	⊖
junk yard							⊖
light manufacturing						P	⊖
radio/TV station						P	
recycling processing							⊖
research center						P	
sanitary landfill/reuse dump							⊖
testing lab						P	
tool and die shop						P	
transfer station						P	
utility facility, above ground			P			P	
warehouse						P	⊖
warehouse storage facility						P	⊖
water treatment plant						P	
welding						P	

P Permitted

S Special Exception

⊖ Expressly Prohibited

\* Indicates that special development, operational, and/or procedural standards will apply to the use. See Chapter 4: Standards for Specific Uses.

Institutional Uses	R	HR	PC	DB	B	LI	FHO
bus station			P				
cemetery /mausoleum			P				
child care center	P		P	P	P		⊖
church, temple, or mosque			P	P	P	P	
community center, public	S	P	P	P	P		
crematory			P		S	S	
government office	S	S	P	P	P	P	
government operation (non-office)			P			P	
hospital			P	S	S	P	
jail			S			S	
juvenile detention facility			S			S	
library, public	S	S	P	P	P	P	
municipal airport			P			S	
municipal heliport			P			S	
museum			P	P	P	P	
nature center			P				
park	P	P	P	P	P	P	
parking lot, public				S		S	
penal or correctional institution			S			S	
police, fire, or rescue station	P	P	P	P	P	P	
pool, public	S	S	P	P	S	P	
post office	P	P	P	P	P	P	
prison						S	
recycling collection point			S		S	S	⊖
school (P-12)	P	P	P	P	P	P	
skate park	P	P	P		P	P	
trade or business school			P			P	
university or college			P			P	
waste treatment facility (public)			P			S	
water treatment facility (public)			P			S	
well, public			P			P	

P Permitted

S Special Exception

⊖ Expressly Prohibited

\* Indicates that special development, operational, and/or procedural standards will apply to the use. See Chapter 4: Standards for Specific Uses.

Residential Uses	R	HR	PC	DB	B	LI	FHO
assisted living facility	P	P			P		
bed and breakfast	S	S		S	P		∅
boarding house				P			
dwelling unit (ground floor)				S			
dwelling unit (upper floors)				P	P		∅
dwelling, multiple-family (3 units)	P	P		S			∅
dwelling, multiple-family (4 units)	S	P		S			∅
dwelling, multiple-family (5-8 units)	S	P		S			∅
dwelling, multiple-family (9+ units)		S					∅
dwelling, single-family	P	P		S			∅
dwelling, two-family	P	P		S			∅
fair housing facility (large)	S	S					∅
fair housing facility (small)	P	P		S			∅
*manufactured home park		P					∅
*short-term rental	P	P		P			∅
*short-term rental (owner occupied)	P	P		P			∅
*tiny home or tiny home development	S	P					∅

P Permitted

S Special Exception

∅ Expressly Prohibited

\* Indicates that special development, operational, and/or procedural standards will apply to the use. See Chapter 4: Standards for Specific Uses.