

the tax base and further support community services, while creating jobs and providing goods and services to the residents and businesses of White County.

2.4.4 **Overlay districts**

An overlay district is a semi-transparent zoning district that is placed on top of one or more underlying existing zoning districts. The presence of the overlay district means that there are additional standards and restrictions with which development within that area must comply. Landowners within an overlay district must first comply with the provisions of the underlying, base zoning district and then the provisions of the overlay district. Overlay districts are typically used to: (1) create a location for premier or targeted businesses; (2) unify streetscape and architecture without monotony; (3) control traffic problems and/or signage; (4) require open space and landscaping. In any instance, the requirements of an overlay district may be more or less restrictive than the underlying base zoning district. In addition to bulk use standards, overlay districts typically govern the following types of standards and regulations: lighting, signage, access points on major roads, uses, accessory buildings, architectural design, landscaping, storage and loading areas, and parking.

2.5 **STANDARDS AND REGULATIONS BY DISTRICT**

Included on the following pages are descriptions of the intent of each zoning district governed by this Ordinance and any additional regulations and/or standards that apply to parcels within a given district.

2.5.1 **A-1 General Agricultural District**

A. Purpose and Intent

White County is one of the largest crop producers across the State of Indiana. The purpose of the A-1 General Agricultural District is to provide for and protect substantial areas of contiguous land where little or no urbanization has occurred or is planned to occur. It is the intent of this district to limit residential uses, thereby discouraging the development of residential subdivisions, in order to provide for adequate land which is necessary to protect the farming industry and overall economy of White County.

B. Additional standards and regulations

All applicants, developers, landowners who develop any use in any district which abuts an A-1 district shall be required to enter into an agreement acknowledging the County's Right to Farm Ordinance provisions.

For subdivision of a parcel into new parcels, lots or tracts refer to the White County Subdivision Control Ordinance.

For CFO or CAFO operations see Chapter 3 for additional developmental and use standards.

2.5.2 A-2 Agricultural Industry District

A. Purpose and Intent

The purpose of the A-2 Agricultural Industry District is to provide adequate land for more intense agricultural uses and agricultural related industries. This includes, but is not limited to: confined feeding operations, digesters and livestock auction yards. Residential subdivisions are prohibited in order to prevent conflicts with the otherwise intense uses intended for an A-2 District. Physical separation between an A-2 District and other residential and non-residential districts may also be necessary in order to further reduce conflicts between otherwise incompatible land uses, to the extent that all future A-2 Districts will require a rezoning to provide for an additional layer of review for the purposes of adequately addressing any issues specific to a proposed use.

B. Setbacks

For the purpose of satisfying the setback requirements of this Section, any building or structure used in conjunction with an existing Digester or CFO/CAFO, shall be allowed to expand or reconstruct facilities, their zoning district boundaries and/or operations as long as such expansion or reconstruction occurs no closer to the setback standards than those physically in place as of July 1, 2016 or as provided below, whichever are least restrictive.

The setback requirements established by this Section shall not be applied to any new residential construction or rezoning occurring after July 1, 2016, excluding reconstruction on a site with existing residential use.

1. Those structures used in confined feeding operations, auction yards and digester operations shall have a setback of one thousand three hundred twenty (1,320) feet from any other non-agricultural district, residence or business, unless located on the same property.
2. The District cannot be located within one (1) mile of an incorporated municipality or the unincorporated town areas of Idaville and Buffalo utilizing such boundary lines as provided for on the White County Official Zoning Map.
3. The District cannot be located within one and one-half (1 ½) miles from any Lake Shafer, Big Monon, Tippecanoe River or Lake Freeman shoreline boundary as provided for on the White County Official Zoning Map.
4. The District cannot be located within one thousand seven hundred sixty (1,760) feet from the property line of any parcel of land legally platted within a recorded subdivision and which subdivision has at least six (6) lots developed with residential dwelling units.

C. All A-2 District uses must provide documentation demonstrating compliance with all Local, State and Federal laws, codes and ordinances including valid permits in cases where permits are required prior to issuance of any Improvement Location Permits or Building Permits.

D. All applicants, developers, landowners who develop any use in this district or within one (1) mile of this district shall be required to enter into an agreement acknowledging the County's Right to Farm Ordinance provisions.

- E. Major drainage system and water wells shall be in compliance with IDEM standards.
- F. Setbacks shall not apply to fences for areas where animals graze.
- G. For subdivision of parcels into new parcels, lots or tracts refer to the White County Subdivision Control Ordinance.
- H. Right to Waiver:

The setback standard for "distance to a residence", provided for in Subsection 3.17.1 & 2.5.2 B. 1 of this Ordinance, is subject to waiver under the guidelines provided for in this Section. A parcel with a waiver exempts the residence which is located upon that parcel from consideration in determining compliance to the standards established by Subsections 3.17.1 & 2.5.2 B. 1 of this Ordinance.

For the purposes of this section, a "Subject Parcel" is defined as:

- 1) A parcel of land designated with an A-2 District zoning assignment;
- 2) A parcel of land for which a rezone petition to change a parcel of land to an A-2 District zoning assignment has been officially filed with the Area Plan Department; or,
- 3) A parcel of land with an A-1 District zoning assignment and upon which a confined feeding operation has been grandfathered.

A) The owner of a Subject Parcel may request a waiver for a parcel of land with a unique Parcel Identification Number; hereafter referred to as a "PIN Parcel", under the following conditions:

- 1. The owner of the PIN Parcel is an individual or entity with legal connections to the Subject Parcel and/or its land use;
- 2. The PIN Parcel must be utilized, at least in part, for residency purposes;
- 3. The PIN Parcel must be designated with an RR, A-1 or A-2 zoning district;
- 4. Only one (1) PIN Parcel can be granted waiver rights in association with any given Subject Parcel;
- 5. The Waiver request must be submitted to the Area Plan Department on a form approved by the Staff; and,
- 6. Upon approval of the request by the Staff, the form must be recorded in the White County Recorder's Office by a party affiliated with the request and a copy of the recorded document provided to the Staff, all expenses of which are the responsibility of the party requesting the waiver.

A Waiver runs with the land until such time as an owner of the affected property revokes the Waiver via written notification to the Area Plan Department. Revocation of the Waiver does not affect a District assignment or Confined Feeding facilities established during the period of time the Waiver was in effect.

2.5.3 RR Rural Residential District

A. Purpose and Intent

The purpose of the RR Rural Residential District is to provide areas of land that will accommodate a variety of less intensive agricultural uses as well as some very low-density single-family residential subdivisions. Subdivisions are preferred over single lot splits to encourage more compact and contiguous development which in turn avoids the stripping out of county roads. While this district is not intended to be located within incorporated municipalities, the residential subdivisions of a RR District should be located near public utilities whenever possible.

B. Additional standards and regulations

As part of the subdivision process, all applicants, developers, landowners who develop a subdivision in this district shall be required to enter into an agreement acknowledging the County's Right to Farm Ordinance Provisions. A notation shall also be placed in covenant documents and on the subdivision plat.

Any subdivisions that have more than 25 lots within a subdivision shall provide at least twenty-five (25) percent open space. Refer to the White County Subdivision Control Ordinance.

Entrance for subdivisions shall be off a county or municipal road.

All driveways for residences located in subdivision shall be located off the subdivision road. No driveways shall be located off a county or municipal road.

For subdivision of parcels to create new parcels, lots or tracts refer to the White County Subdivision Control Ordinance.

2.5.4 L-1 Lake District

The purpose of the L-1 Lake District is to provide adequate land for residential development adjacent to lakes, rivers or other bodies of water in White County. The regulations of an L-1 District are intended to accommodate lakefront property while maintaining the scenic beauty and character of the surrounding area. They are further intended to protect properties along the water's edge from erosion. There are no additional standards or regulations for properties located with L-1 Lake District prescribed by this Ordinance.

2.5.5 R-1 Single-Family Residential District

The purpose of the R-1 Single-Family Residential District is to provide adequate land for low-density single-family residential uses. It is anticipated that because of the relatively smaller lot sizes all R-1 districts will be located within an incorporated municipality near existing residential areas. Uses within an R-1 District should primarily consist of relatively low-density single-family dwellings, accessory structures, and related recreational, religious, and educational facilities. Any subdivisions that have more than 25 lots within a subdivision shall provide at least twenty-five (25) percent open space. Refer to the White County Subdivision Control Ordinance.

2.5.6 R-2 Single and Two-Family Residential District

The purpose of the R-2 Single and Two-Family Residential District is to provide adequate land for single-family and two-family residential uses. It is anticipated that, like the R-1 District, the majority of R-2 Districts will be located within an incorporated municipality near existing residential areas. Uses within an R-2 District should primarily consist of relatively small to medium sized single-family and two-family dwellings, accessory structures, and related recreational, religious, and educational facilities. Any subdivisions that have more than 25 lots within a subdivision shall provide at least twenty-five (25) percent open space. Refer to the White County Subdivision Control Ordinance.

2.5.7 R-3 Multi-Family Residential District

The purpose of the R-3 Multi-Family Residential District is to provide adequate land for high-density residential uses. It is anticipated that because of the relatively higher residential density and the requirement that all multi-family development be connected to public sewer and water utilities, all R-3 Districts will be located within an incorporated municipality. Uses within an R-3 District should primarily consist of multi-family dwellings, which may include apartments, condominiums and townhouses. There are no additional standards or regulations for properties located with R-3 Multi-family Residential districts governed by this Ordinance.

2.5.8 R-4 Mobile & Manufactured Home Park Residential District

The purpose of the R-4 Mobile Home Park District is to provide adequate land for mobile and manufactured homes. It is anticipated that all mobile and manufactured residential development will be located within a coordinated park/subdivision development. Uses within an R-4 District should consist of those uses which are typically associated with a mobile or manufactured home park/subdivision.

2.5.9 B-1 Neighborhood Business District

The purpose of the B-1 Neighborhood Business District is to provide adequate land which will accommodate a mix of uses. It is anticipated that all B-1 Districts will be located in downtown areas of the incorporated municipalities or in commercial areas where a parcel of limited size exist and which is deserving of relieved standards. Uses within a B-1 District are typically centered on personal service needs, local retail needs and institutional/governmental uses, although each downtown is encouraged to identify its niche market. Residential uses located above ground floor uses are also appropriate for a B-1 District. There are no additional standards or regulations for properties located within B-1 Neighborhood Business districts governed by this Ordinance.

2.5.10 B-2 General Business District

The purpose of the B-2 General Business District is to provide adequate land for medium to larger scale business and service establishments that provide for the everyday shopping needs of the community. It is anticipated that B-2 Districts will be located near a B-1 District, or at the intersections of primary thoroughfares within or near a municipality. Uses within a B-2 District will vary; however, such uses typically serve the local population as opposed to travelers and motorists.

There are no additional standards or regulations for properties located with B-2 General Business districts governed by this Ordinance.

2.5.11 B-3 Highway Business District

The purpose of the B-3 Highway Business District is to provide adequate land for regional business and service establishments which are otherwise intended to serve the travelers and motorists as well as local residents. It is anticipated that all B-3 Districts will be located around an interstate highway interchange or state highway intersection.

There are no additional standards or regulations for properties located with B-3 Highway Business districts governed by this Ordinance.

2.5.12 B-4 General Business Dense Development District

The purpose of the B-4 General Business Dense Development District is to provide adequate land which will accommodate a mix of uses. It is anticipated that all B-4 Districts will be located in downtown areas of the incorporated municipalities or nearby to the downtown areas but which are dense development areas with characteristics of excessively small lot sizes combined with extreme lot coverage and with one or more shared walls with neighboring developments. Uses within a B-4 District are of a mixed use nature to provide diversity of use to the downtown areas. It would be expected to have residential and commercial business uses of a wide variety located within a B-4 District. There are no additional standards or regulations for properties located within B-4 General Business Dense Development Districts governed by this Ordinance.

2.5.13 I-1 Light Industrial District

The purpose of the I-1 Light Industrial District is to provide adequate land for less intensive industrial uses. It is anticipated that I-1 Districts will be located so as not to impede residential development. Uses within an I-1 District may include warehousing, office parks, bio-technology research and light manufacturing processes. The processing or manufacturing of materials or products from extracted or raw materials is strongly discouraged. To the extent possible, uses within an I-1 District should not be noxious or injurious to the surrounding areas by reason of emission or creation of noise, vibrations, smoke, dust or other particulate matter, toxic or noxious materials, odors, fire, explosive hazard, glare or heat. There are no additional standards or regulations for properties located with I-1 Light Industrial districts governed by this Ordinance.

2.5.14 I-2 Heavy Industrial District

The purpose of the I-2 Heavy Industrial District is to provide adequate land for more intense industrial uses. This includes, but is not limited to: the basic processing and manufacturing of materials or products predominately from extracted or raw materials; or are engaged in the storage or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions. It is anticipated that all I-2 Districts will be located so as to be buffered from any adjacent district. There are no additional standards or regulations for properties located with I-2 Heavy Industrial districts governed by this Ordinance.

2.5.15 I-3 Industrial Park District

The purpose of the I-3 Industrial Park district is to provide standards for the Industrial Park properties identified as part of the planned Mid-America Commerce Park area, including current and potential future areas.

A. The intent of the I-3 District is to provide for an industrial area with standards which accomplish the following:

1. Avoidance of pitfalls typically associated with interstate interchange development;
2. Assure development meets aesthetic and design quality objectives;
3. Encourage economic development and job growth as required to support advanced manufacturing and logistics industry requirements;
4. Establish a thriving business gateway to the greater White County community;
5. Protect the natural amenities of the Mid-America Commerce Park;
6. Promote well planned development of the I-3 District area;
7. Encourage and protect the capital investment of those companies desiring to locate and create jobs within White County;
8. Create a cohesive campus-like business park; and,
9. Establish resolution procedures for regulation conflict.

2.5.16 AED Amusement and Entertainment District

The purpose of the Amusement and Entertainment District (AED) is to provide adequate land which will accommodate a mix of intensive recreation, resort and entertainment uses in one district with the intent of preserving the tourist benefit of the AED District. The overall size, hours of operation, the wide range of uses and associated activities has the potential to negatively impact surrounding properties. The AED District accommodates these activities and provides flexibility in the expansion and continued use of the land.

A. Location

The district shall have frontage on and access to a federal or state highway or primary county or municipal street, provided that the highway authority with jurisdiction over the street may approve alternative access. All new lots that are created within this district shall have frontage on and access to a federal or state highway or a primary county or municipal road.

B. Site enclosures

Any main theme park or primary use area shall be enclosed by a minimum of six (6) foot woven-wire or solid fence. Off-street parking areas need not be included within the fenced in area.

C. Signs

All signage within an Amusement and Entertainment District are exempt from the signage regulations of this Ordinance.

D. Lighting

All lighting shall be reflected away from adjacent districts. Downward lighting shall be used on all lights used for signs, pathway and general lighting.

E. Federal and State Approval

Uses in this district shall comply with any and all federal and state regulations.

2.5.17 Overlay Districts

As prescribed in Chapter 6, Overlay Districts, of this Ordinance.