

ORDINANCE NO. 2022-04

**AN ORDINANCE AMENDING THE TOWN OF
NEW WHITELAND, INDIANA, ZONING ORDINANCE AND ZONE MAP**

WHEREAS, New Whiteland Advisory Plan Commission (“Plan Commission”), pursuant to Indiana Code Sections IC 36-7-4-602(b) and 607 has initiated proposed amendments to the Town’s Zoning Ordinance;

WHEREAS, the amendments to the Town’s Zoning Ordinance are consistent with the statutory purposes as enumerated in I.C. 36-7-4-601(c);

WHEREAS, the Plan Commission, on April 26, 2022, pursuant to IC 36-7-4-604, held a public hearing on its proposed amendments to the Town’s Zoning Ordinance;

WHEREAS, the Plan Commission, pursuant to IC 36-7-4-604, at least ten (10) days prior to its April 26, 2022 public hearing, published notice in the Daily Journal;

WHEREAS, the Plan Commission, after paying reasonable regard to applicable statutory criteria, voted by a majority to approve the proposed amendments to the Town’s Zoning Ordinance and has submitted to the New Whiteland Town Council (the “Council”) its favorable recommendation; and

WHEREAS, the Council, at its May 4, 2022 regular public meeting, considered the Plan Commission’s favorable recommendation and the proposed amendments to the Town’s Zoning Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of New Whiteland, Indiana, that:

1. The New Whiteland Zoning Ordinance is hereby amended as follows:

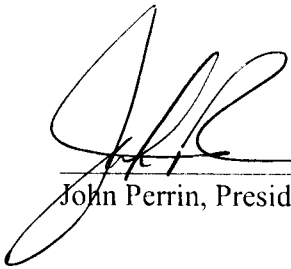
Section 6-100 Table of Uses is stricken in its entirety and replaced with the Table Attached hereto.

2. All ordinances and sections of ordinances in conflict herewith are hereby repealed to the extent that they conflict with any of the provisions contained herein.

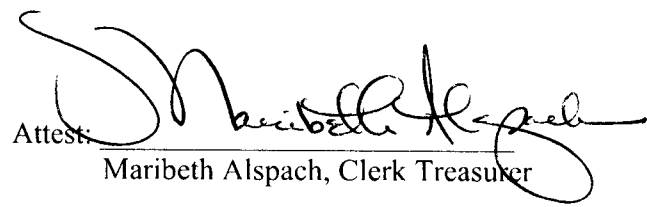
3. The New Whiteland Plan Commission is hereby authorized and instructed to make the above-described changes to the Town’s Zoning Ordinance and the Town’s Zoning Map.

4. This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

This Ordinance has been adopted by affirmative vote of the Town Council of the Town of New Whiteland, Indiana, at its regular meeting on May 4, 2022



John Perrin, President of the Town Council.

Attest: 

Maribeth Alspach, Clerk Treasurer

GENERAL DISTRICT REGULATIONS

§ 156.170 Permitted Uses And Special Exceptions. The permitted uses for each district are listed in the following Table A, OFFICIAL SCHEDULE OF USES. A proposed use not specifically listed shall not be permitted, unless the Plan Commission determines, in its discretion, that it is similar enough to a listed use that it should be permitted and deems it to be a permitted use. In which case, the proposed use will be permitted only in those zoning classifications in which the use to which it is deemed to be most similar is permitted. The special exceptions for each district that may be permitted by the Board of Zoning Appeals are also shown in Table A. The Board shall follow provision of this and other applicable Sections when considering any application for a special exception.

TABLE A: OFFICIAL SCHEDULE OF USES

DISTRICTS:	RS1	RS2	RS3	RF1	MH	F.	GB1	GB2	GBM	M
AGRICULTURAL USES										
Agricultural Crop Production						P				
Agricultural Crop Production, Organic						P				
Agricultural Products, Processing						P				
Agricultural Products, Sales						P		S	S	P
Agricultural Products, Storage								S	S	P
Bio-diesel Production (Micro)										S
Cider Mill										S
Forestry						P				
Grain Elevator										
Hobby Gardening	P	P	P	P		P	S	S	S	P
Plant Nursery, Wholesale						P		S	S	P
Tree Farm, Wholesale								S	S	P
Vineyard								S	S	S

DISTRICTS:	RS1	RS2	RS3	RF1	MH	F.	GB1	GB2	GBM	M
RESIDENTIAL USES										
Assisted Living Facility				S			S	P	P	
Bed and Breakfast								P	P	
Boarding House							P	P	P	
Dwelling, Accessory	P	P	P	P	P		P	P	P	
Dwelling, Duplex (2 Units)	S	S	S	P			S	S	S	
Dwelling, Manufactured Home					P					
Dwelling, Multiple-family (3-4 Units)			S	S						
Dwelling, Multiple-family (5-8 Units)			S	S				S	S	
Dwelling, Multiple-family (9-16 Units)			S	S				S	S	
Dwelling, Multiple-family (17+ Units)				S				S	S	
Dwelling, Single-family attached	P	P	P	P				S	S	
Dwelling, Single-family detached	P	P	P	P				S	S	
Garage Sales	P	P	P	P	P	P				
Home Occupations	S	S	S	S	S		P	P	P	
Manufactured Home Park					P					
Retirement Community				S				S	S	

DISTRICTS:	RS1	RS2	RS3	RF1	MH	F.	GB1	GB2	GBM	M
INSTITUTIONAL USES										
Arena								P	P	S

Cemetery/Mausoleum	S	S	S	S	S	S	S	S	S	S
Community Center						S	S	S	S	
Fire/Police Station	S	S	S	S	S	S	S	S	S	S
Government Office	S	S	S	S	S	S	P	P	P	S
Hospice Facility								P	P	S
Hospital								P	P	S
House of Worship, Church	S	S	S	S	S	S	P	P	P	
Landscaping contractor										P
Library							S	S	S	
Museum							S	S	S	S
Nature Preserve	S	S	S	S	S	S				
Park, public	S	S	S	S	S	S	S	S	S	
Post Office	S	S	S	S			P	P	P	
Recreational Field	S	S	S	S	S	S				
Rehabilitation Clinic							S	S	S	
Retirement Community	S	S	S			S	S	S	S	S
School, public	S	S	S			S	S	S	S	S
Sewer Treatment Facility public	S	S	S	S	S	S	S	S	S	S
Water Tower	S	S	S	S	S	S	S	S	S	S
Water Treatment Facility public	S	S	S	S	S	S	S	S	S	S
Wellhead, Public	S	S	S	S	S	S	S	S	S	S

	DISTRICTS:										
	RS1	RS2	RS3	RF1	MH	F.	GB1	GB2	GBM	M	
COMMERCIAL USES											
Airport, Private								S	S	S	
Amusement Park								S	S		
Animal Care/Grooming (no kennel)							P	P	P		
Auction (Indoor)								S	S	S	
Auction (Outdoor)								S	S	S	
Automobile Sales, Cars & Light Trucks								P	P	S	
Automobile Repair, Cars & Light Trucks								P	P	S	
Automobile Washing								S	S	S	
Bakery							P	P	P		
Bank							P	P	P		
Bank/ATM, Drive-up							P	P	P		
Bank/ATM, Walk-up							P	P	P		
Banquet Hall								P	P		
Bar or Tavern								P	P		
Barber or Beauty Shop							P	P	P		
Billiard Hall or Arcade								S	S		
Bowling Alley								S	S		
Brew Pub								S	S	S	
Broadcast Studio								P	P		
Car and Truck Rental								P	P		
Catering Service								P	P	S	
Check Cashing Service							P	P	P		
Club or Lodge							P	P	P		
Coffee Shop							P	P	P		
Coin Laundry							P	P	P		
Computer Service							P	P	P		
Copy Center							P	P	P		
Convenience Store								S	S		
Counseling Center							P	P	P		

DISTRICTS:	RS1	RS2	RS3	RF1	MH	F.	GB1	GB2	GBM	M
Country Club								S	S	
Crematory								S	S	
Dance Studio								P	P	
Day Care							P	P	S	
Delicatessen							P	P	P	
Design Services							P	P	P	
Donation Collection Point							P	P	P	S
Driving Range								S	S	S
Dry Cleaning Pickup and Drop-off							P	P	P	S
Express Shipping Center							P	P	P	S
Exterminator								S	S	S
Farmers Market						S		S	S	S
Filling Station								P	P	S
Funeral Home							P	P	P	
Hotel								P	P	
Ice Cream Shop							P	P	P	
Kennel								S	S	S
Landscaping, retail materials and supplies								P	P	S
Lumberyard									S	P
Martial Arts School								P	P	
Media Rental							P	P	P	
Medical Clinic							P	P	P	
Mobile Device Dealer							P	P	P	S
Nail Salon							P	P	P	
Night Club								S	S	
Office, Construction Trade								P	P	P
Office, General							P	P	P	S
Office, Medical							P	P	P	
Paintball Facility								S	S	
Parcel Shipping							P	P	P	
Parking Lot, Pay								P	P	S
Party Facility								P	P	
Pharmacy							P	P	P	
Photography Studio							P	P	P	
Printing, Commercial								P	P	S
Real Estate Office							P	P	P	S
Recreation Center								S	S	
Recreational vehicle (RV) sales and service								S	S	S
Rehabilitation Clinic, Medical							P	P	P	S
Repair Shop, Electronics							P	P	P	S
Repair Shop, Equipment								P	P	S
Repair Shop, General							P	P	P	S
Restaurant							P	P	P	
Restaurant, Drive-In								S	S	
Restaurant, Drive-Through Only								S	S	
Restaurant with Drive-Up Window								S	S	
Retail, Agriculture Related (plants and produce)								P	P	
Retail Sales, General							P	P	P	
Seamstress/Tailor							P	P	P	
Self-Storage Warehouse								S	S	S

	DISTRICTS:										
	RS1	RS2	RS3	RF1	MH	F.	GB1	GB2	GBM	M	
Shoe Repair							P	P	P		
Shooting Range (Indoor)								S	S		
Software Development							P	P	P	P	
Spa								P	P		
Sports Field (Indoor)								S	S		
Sports Field (Outdoor)								S	S		
Studio Arts music, dance, art							P	P	P		
Tanning Salon							P	P	P		
Tattoo/Piercing Parlor							S	S	S		
Theater, Movie (Indoor)								S	S		
Title Company							P	P	P		
Tool/Equipment Sales and/or Rental (Indoor)								P	P	S	
Tool/Equipment Sales and/or Rental (Outdoor)								S	S	S	
Trade or Business School								P	P	S	
Travel Agency							P	P	P		
Truck Sales								S	S	S	
Veterinary Clinic							P	P	P		

	DISTRICTS:										
	RS1	RS2	RS3	RF1	MH	F.	GB1	GB2	GBM	M	
INDUSTRIAL USES											
Bottling/Canning											P
Brewery											P
Broadcast Facility											P
Chemical Manufacturing											S
Coatings and Finishes											S
Composting Facility											S
Distribution Facility											P
Dry Cleaning Processing											S
Electrical Generation Plant											S
Fireworks Manufacturing											S
Fleet Vehicle Storage											P
Food Processing											P
Freight Terminal											P
Heavy Equipment Repair											P
Industrial Park											P
Liquid Fertilizer Distribution											S
Meat Processing											S
Metal Casting											S
Motor Sports Team											P
Outdoor Storage											P

	DISTRICTS:										
	RS1	RS2	RS3	RF1	MH	F.	GB1	GB2	GBM	M	
Printer, Industrial											P
Produce Terminal											P
Research Center, General											P
Research Center, Medical											P
Rock Crushing											S
Sawmill											S
Scrap Metal Yard											S
Sign Fabrication											P
Stone Cutting											S
Storage Tanks (Hazardous)											S
Storage Tanks (Non-hazardous)											P

Telecommunication Facility											P
Testing Lab, Electronics											P
Testing Lab, Materials											P
Tool and Die Shop											P
Transfer Station											S
Utility Facility, Above-ground											P
Warehouse											P
Welding Service											P
Wholesale Business											P