

**#ZORD-2025-0015**

**BILL NO. G-26-01-07**

**ORDINANCE NO. Z-\_\_\_\_\_**

**AN ORDINANCE amending Chapter 157  
of the City of Fort Wayne Municipal Code**

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,  
INDIANA:

SECTION 1. That the current Chapter 157, Section 157.200 (Zoning Districts); Section  
157.400 (Additional General Standards); Section 157.500 (Administration) are hereby  
amended as follows.

Amendment PU1 - § 157.203 (B) through §157.211

It is unclear what common areas can be used for;  
To make it clear what common areas are used for, permitted uses language has been  
updated to "Common areas used for a clubhouse, neighborhood center, swimming pool,  
tennis court, indoor recreation or similar assembly" in AR RI, R2, R3, MHS, MHP

Amendment SU3 - § 157.203

Recreation Hall is not a defined term in the ordinance;  
Removed recreation hall and updated special use to "Reception hall, meeting hall or  
clubhouse" in AR

Amendment SU6 - § 157.203 (C) through § 157.224

Recreation terms need updated to align with new terms;  
Replaced "Recreation area" with new term "Recreation, outdoor" and replaced "Recreation  
facility" with new term "Recreation, indoor"

Amendment SU7 § 157.206 (C) through § 157.212

The term "Recreation Uses, Outdoor" has been removed;  
Removed "Recreation use, outdoor (athletic field, riding stable, swim club, tennis court)" in  
RI, R2, R3, RP, MHS, CI and listed athletic field, swim club, tennis court individually as  
special uses.

Amendment DS1 - § 157.206(E) through § 157.211

There was a question about whether the square footage requirement applies to structures  
or buildings in residential districts.R2;  
Updated language for Accessory Structures Building size requirement in RI, R2, R3,  
RP, MHS and MHP to: "Total detached accessory building square footage shall be less  
than the square footage of the primary building"

Amendment SU8 - § 157.207 (C) through § 157.210

Recreation use, outdoor has been replaced with Recreation, outdoor which does not include Riding Stable as part of the definition;  
Listed Riding Stable, Residential in districts RI, R2, R3, RP, MHS where it had previously been part of "Recreation use, outdoor"

Amendment SU9 - § 157.206 (C) through § 157.210

It is not clear what public park/recreation area means in regard to Wind Energy Conversion system standard;  
Removed /recreation area from Wind energy conversion system standard in RI, R2, R3, RP, MHS. Public Park points to the definition of "Park or Recreation Area, Public"

Amendment SU10 - § 157.212 (C) through § 157.219

Manufactured Home Type II should not be a Special Use in Commercial Districts;  
Removed MH Type II as a Special Use in CI, C2, NC, SC, C3, C4 and DE

Amendment PU2- § 157.213 (B) through § 157.224

Banquet hall is not a defined term and is listed in the same districts as Reception Hall which is defined;  
Removed Banquet Hall from C2,NC, SC, C3, C4, DC, DE, UC, I1, 12,13 permitted use tables.

Amendment PU3- § 157.213 through § 157.410

Movie Rental is an outdated use;  
Removed movie rental from permitted uses table throughout the ordinance.

Amendment PU4 § 157.213 (B) through § 157.506

Tavern definition points to Bar definition;  
Removed Tavern from permitted uses tables and throughout ordinance.

Amendment PU5 § 157.215 (C) through § 157.224

There is an issue with footnote "No gas station canopy shall be located between the primary building and a residential district" in SC, C3, C4 and 13;  
Revised footnote to say, "A gas station canopy shall meet primary building setbacks. "

Amendment PU6 § 157.216 through § 157.224

Recreation terms need updated to align with new terms in the permitted uses tables;  
Replaced "Recreation area" with "Recreation, outdoor" and replaced "Recreation facility" with "Recreation, indoor" in C3, C4,I1, I3



Amendment PU7 § 157.216 (B) through § 157.224

"Recreation uses" is not a defined term;  
Removed term "recreation uses" from permitted uses table in C3, C4, I1, I2, 13

Amendment PU8 § 157.215 (B) through § 157.410

Entertainment facility definition has been updated to include both indoor and outdoor use;  
Removed (including outdoor) from "Entertainment facility" in SC, DC, DE and RO districts  
permitted use tables.

Amendment PU9 § 157.216 (B) through § 157.224

"Golf Driving Range" is included in the definition of "Recreation, Outdoor";  
Removed "Golf Driving Range" from Permitted Uses table in C3, C4, I2 (FW only) and 13.

Amendment PU10 § 157.216 (B) through § 157.224.  
There is confusion on what type of riding stables are permitted in some commercial districts;  
Added "nonresidential" to "Riding Stable" in C3, C4, DC, DE, UC, I2 , 13

Amendment SU10 § 157.216 (C) through § 157.217

Term "Recreation uses, Outdoor" has  
been removed;  
Replaced "Recreation use, outdoor (amusement park go cart facility... if adjacent to  
residential" with "**Recreation, outdoor** (if adjacent to a residential district)" and listed  
amusement park, go-kart facility, stadium/race track, and water park (if adjacent to a  
residential district) separately as special uses in C3 and C4

Amendment SU11 § 157.212 (B)

Riding stables should not be a Special  
Use in CI; Removed Riding stable as a special use by removing "Recreation use"

Amendment SU12 § 157.218 (C)(7)

There is an issue with the special use, "Homeless shelter (accessory to a religious  
institution)" in the DC district;  
Removed "accessory to a religious institution" from "Homeless shelter" special use.

Amendment PU11 § 157.223 (B) through § 157.224

Previous determinations put ammunition assembly or manufacturing it within I2 and or I3;  
Added "ammunition" under I2 and 13 as permitted use table under "Assembly facility  
for/manufacturing of"

Amendment PU12 § 157.216 (B) through § 157.224

To be consistent with how other sales/repair uses are permitted in the ordinance, gun repair  
should align with where gun sales are permitted; Added "Gun repair" as a permitted use in  
districts where "Gun Sales" are already permitted; C3, C4, 12, 13

Amendment DS2 § 157.220 (E) (1)

UC Height should revert back to 60-  
Feet; Changed height standard for primary and accessory building or structure from  
80' to 60'.

Amendment DDS1 § 157.404 (O)(1)(b)

The Residential Impact Mitigation Exception standards don't apply to UC;  
Removed UC from Residential Impact Mitigation standards exception.

Amendment DDS2 § 157.404(U)(6)(b)(ii)

There is confusion about when stub streets are required for future access in major  
subdivisions;

Updated standard to: (ii) Provide stub streets to allow at least one future access to  
adjoining vacant parcels of land per-after 50 lots ~~(or part thereof)~~ in the proposed  
Major Subdivision..."

Amendment PARK1 § 157.407

New recreation terms need to be added to parking requirements;  
Updated Minimum Off-Street Parking Requirements table to reflect changes to  
recreation terms: Replaced "Recreation/tourism" with **Recreation, indoor** and replaced  
"Recreation, general" with **Recreation, outdoor**

Amendment LAND1 § 157.408 (e)

There are no landscaping standards for Gas Station Canopies;  
Added "**Gas Station Canopy**" to Code A-5 landscaping standards and updated  
standard to say, "Continuous 6' high **solid fence**, on the property line may be  
immediately around the eating/drinking smoking area. <sup>(1)</sup>

Amendment AO1 § 157.411 (I)

New recreation terms have been added to the ordinance; Updated recreation terms  
in AO district Special Use Table

Amendment PRO1 § 157.503 (B)(b)

There is confusion about if an ILP can be issued when construction encroaches on a  
front build line; Removed, "unless the applicant documents that the restrictive  
covenants for the subdivision allow such an encroachment. This prohibition shall also  
apply to all non-allowed construction that does not require an Improvement Location  
Permit."



Amendment PRO2 § 157.503 (D)(1)

Special Use Zoning Districts in the Special Uses Table need to be updated;  
Updated Special Uses Table Accordingly.

Amendment PRO4 § 157.503 (2)(d)

Recreation terms with additional Criteria for Approval of Special Use need to be updated;  
Removed "Recreation facility or use (not otherwise permitted)" and replaced with new rec terms: (iii) Recreation, indoor (iv) Recreation, outdoor

Amendment DEF1 § 157.506 (B)

"Abut" is used several times in the ordinance when "adjacent" is not appropriate;  
Added new term and definition; "Abut: Lots or parcels that have a common lot line with each other. Lots or parcels that have a common lot line with streets, alleys, and rights-of-way."

Amendment DEF2 § 157.506 (B)

Meals should be included as part of  
"Bed and Breakfast"; Replaced "with or without" with "and" in the definition of Bed and Breakfast.

Amendment DEF3 § 157.506 (B)

The definition of canopy should not include gas station canopies;  
Added, "A gas station canopy is not included in this definition (see "Gas Station")" to the definition of Canopy.

Amendment DEF4 § 157.506 (B)

A definition for Enclosed Area (Enclosure) is only found in the Floodplain Section of the ordinance;  
Added a Definition of Enclosed Area (Enclosure) to the overall ordinance. "Enclosed Area (Enclosure): A structure that has two or more exterior walls."

Amendment DEF5 § 157.506 (B)

Including "indoor or outdoor" in the definition limits the facility to being one or the other; Removed  
"indoor or outdoor" from

Entertainment Facility definition

Amendment DEF6 § 157.506 (B)

A "gas station canopy" should be included in the definition of Gas Station;  
Added, "A gas station canopy is included in this definition" to the definition of Gas Station.

Amendment DEF7 § 157.506 (B)

The use of the term "recreational facility" in the definition of miniature golf course causes confusion; Removed "recreational facility" and replaced with from "area or facility".

Amendment DEF8 § 157.506 (B)

"Recreational facilities" is not defined and does not need to be included in the definition of; Removed "recreational facilities" from Hotel definition.

Amendment DEF9 § 157.506 (B)

Park or Recreation Area (Private) is only found in the Definitions section of the Zoning Ordinance; Removed Park or Recreation Area (Private) definition.

Amendment DEF10 § 157.506 (B)

Recreation Area has been replaced with Recreation, Outdoor; Removed Recreation Area. These uses are now addressed under Recreation, outdoor. Added new term and definition; "Recreation, outdoor: A private outdoor establishment that is maintained or operated for the amusement, patronage, or recreation of the general public, members, or paying customers. Structures are typically required by or are part of the use. Recreation areas shall include athletic fields, boating, campgrounds, canoeing, golf driving range, fishing, golf courses, non-motorized trail riding, swimming pools, swimming beaches, outdoor games and sports, volleyball or tennis courts, zip lining and similar uses. This use shall not include public parks."

Amendment DEF11 § 157.506 (B)

Recreation Facility has been replaced with Recreation, indoor; Removed "Recreation Facility". These uses are now addressed under Recreation, indoor. Added new term and definition; "Recreation, indoor: A private indoor establishment that is maintained or operated for the amusement, patronage, or recreation of the general public, members, or paying customers, including axe throwing, bowling alleys, ping pong, rock climbing, skating rinks, swimming pools, tennis clubs, trampoline parks and other similar use. This use shall not include public parks."

Amendment DEF12 § 157.506 (B)

Recreation, General is only found in the definition section and minimum parking requirements table; Removed "Recreation, General" definition from ordinance. These uses are addressed under other terms.

Amendment DEF13 § 157.506 (B)

Recreation/Tourism, Limited is only found in the definition section and minimum parking requirements table; Removed "Recreation/Tourism, Limited" definition from ordinance. These uses are addressed under new term "Recreation, indoor"



Amendment DEF14 § 157.506 (B)

Recreation Uses, Outdoor has been replaced with Recreation, outdoor;  
Removed, "Recreation Uses, Outdoor: Outdoor recreation uses may include athletic fields, riding stables, swimming pools, tennis courts, and similar uses." These uses are addressed in new Recreation, outdoor definition

Amendment DEF15 § 157.506 (B)

The use of the defined term "common areas" in the definition of Retirement Facility is confusing;  
Added the word "living" between common and areas.

Amendment DEF16 § 157.506 (B)

"Riding Stable, Nonresidential" and "Riding Stable, Private" do not need separate definitions;  
Removed "Riding Stable, Private" definition and added "*as part of a private club or*" to "Riding Stable, Nonresidential"

Amendment DEF17 § 157.506 (B)

Use of the term "park or recreation area" in the definition of Universally Permitted use is confusing;  
Replaced "park or recreation area (public county, municipal, state, or township)" with the term "**public park**", which points to the definition of "park of recreation area, public" in the ordinance.

SECTION 2. That this Ordinance, after its passage and approval by the Mayor, shall be in full force and effect starting on March 1, 2026.

\_\_\_\_\_  
Council Member

APPROVED AS TO FORM AND LEGALITY:

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Malak Heiny, City Attorney

City of Fort Wayne Common Council  
**DIGEST SHEET**

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**Department of Planning Services**

Title of Ordinance:	Zoning Ordinance Amendment
Case Number:	ZORD-2025-0015
Bill Number:	G-26-01-07
Council District:	All

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Introduction Date:	January 13, 2026
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Plan Commission Public Hearing Date:	January 12, 2026 (not heard by Council)
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Next Council Action:	Ordinance will return to Council after recommendation by the Plan Commission
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Synopsis of Ordinance:	A proposal to amend the Fort Wayne Zoning Ordinance (Chapter 157)
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Location:	Fort Wayne Planning Jurisdiction
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Applicant:	Department of Planning Services
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Related Petitions:	N/A
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Effect of Passage:	This set of amendments is proposed to:  1) Clarify language that is not clear based on the use of the ordinances so far; 2) Address issues that have come up since the effective date of the last technical amendment March 26, 2025;
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Effect of Non-Passage:	The City of Fort Wayne will not address the issues identified with regard to the zoning ordinance.
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# Memo

To: Fort Wayne Plan Commission

From: Laura Oberholtzer, Principal Land Use Planner – Special Projects Division

Date: 11/7/2025

Subject: Technical Amendment Initiation

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The Department of Planning Services is requesting the Fort Wayne Plan Commission to initiate a set of technical amendments for the Fort Wayne Zoning Ordinance. These proposed technical amendments for the Fort Wayne Zoning Ordinance are to clarify language and address issues that have come up since the effective date of the last technical amendment, March 1, 2025.

If you have any follow up questions or comments, please feel free to reach out to me directly at [lauraoberholtzer@allencounty.us](mailto:lauraoberholtzer@allencounty.us). Thank you for your consideration.

FORT WAYNE ZONING ORDINANCE

§ 157.203 AR LOW INTENSITY RESIDENTIAL

(A) Purpose

The Low Intensity **Residential district** is intended to create areas for both low intensity residential and **agricultural uses**. The purpose of this **district** is to allow for the continuation of agricultural land **uses** while also allowing low intensity residential **development** and certain additional **uses** where adequate **infrastructure** is available.

(B) Permitted Uses

The following **uses** are permitted as a matter of right in an AR **district**:

- (1) **Accessory building, structure, or use** as set forth in §157.203(D);
- (2) Agricultural uses and buildings, including:
  - (a) **agronomic crop production**, along with the operation of any machinery or vehicles necessary for the crop production; **apiculture**; floriculture; forestry and tree farming; horticulture; and viticulture; and
  - (b) **low intensity livestock operation**, on properties of two (2) acres or more in size.
- (3) **Common areas** used for a **clubhouse, neighborhood center, swimming pool, tennis court, or other similar assembly/recreation, indoor or other similar assembly facility or use, in association with a minor plat or an existing single family subdivision;**
- (4) **Group residential facility (small);**
- (5) **Model home** (in association with a **minor plat**, permitted for up to two (2) years);
- (6) Riding stable, residential (shall be located on a lot with a single family dwelling);
- (7) Single family dwelling (detached);
- (8) Universally permitted use;
- (9) Wind energy conversion system, micro (on unplatted parcels); and
- (10) Wind energy conversion system, standard (on parcels of over five (5) acres not adjacent to platted lots or residential zoning districts).



## FORT WAYNE ZONING ORDINANCE

### (C) Special Uses

The following **uses** may be approved by the **Board of Zoning Appeals** after the filing of a **special use** petition:

- (1) **Accessory building**, as a **primary building**, on a site of at least five (5) acres;
- (2) **Airstrip/heliport** (corporate or multiple **owner use**);
- (3) **Accessory dwelling unit** (freestanding);
- (4) Bed and breakfast;
- (5) Boarding house;
- (6) Class II child care home;
- (7) Community garden that includes a structure;
- (8) **Container home** (see §157.503(D)(3)(h) for additional standards);
- (9) Country club;
- (10) **Educational institution** (not otherwise permitted);
- (11) **Educational institution**-associated facilities, **uses**, and areas (on non-contiguous properties);
- (12) Funeral home;
- (13) Group residential facility (large);
- (14) **Home business** (see §157.503(D)(3)(b) for additional standards);
- (15) **Home enterprise** (see §157.503(D)(3)(c) for additional standards);
- (16) **Home workshop** (see §157.503(D)(3)(d) for additional standards);
- (17) **Homeless shelter** (accessory to a **religious institution**, for up to eight (8) individuals);
- (18) **Manufactured home, Type II** (see §157.503(D)(3)(e) for additional standards);
- (19) **Model home** (for an extension of time or expansion of scope);
- (20) Nature preserve (that includes a structure or parking area);
- (21) Neighborhood facility;
- (22) **Nonconforming use** (expansion of existing **nonconforming use**, or allow conforming status to existing **use**, excluding **gas station uses**);
- (23) **Reception hall, meeting hall, or ~~recreation hall~~; clubhouse;**
- ~~(24) Recreation area;~~ **Recreation, outdoor;**
- ~~(25) Recreation facility;~~ **Recreation, indoor;**
- ~~(26)(24)~~ Religious institution or non-public school illuminated athletic field(s);
- ~~(27)(25)~~ Residential facility for a court-ordered re-entry program;
- ~~(28)(26)~~ Residential facility for homeless individuals (for up to eight (8) individuals);
- ~~(29)(27)~~ **Riding stable, nonresidential** (on a **lot** with no **residential building**; the stable shall be located on a **tract** of at least five (5) acres);
- ~~(30)(28)~~ **Sign** (temporary **subdivision** direction);
- ~~(31)(29)~~ Solar panel (ground-mounted);

FORT WAYNE ZONING ORDINANCE

§ 157.206 R1 SINGLE FAMILY RESIDENTIAL

(A) Purpose

The Single **Family Residential district** is intended to create and maintain areas for single **family** residential **uses** on individual **lots** or **tracts** and to provide for a variety of areas for single **family** neighborhoods, along with certain additional **uses**.

(B) Permitted Uses

The following **uses** are permitted as a matter of right in an R1 **district**:

- (1) **Accessory building, structure, or use** as set forth in §157.206(D);
- (2) Common areas used for a clubhouse, neighborhood center, swimming pool, tennis court, ~~or other similar assembly or indoor recreation or other similar assembly facility, including structures and uses typically associated with a single family subdivision;~~
- (3) **Group residential facility (small);**
- (4) **Model home** (permitted for up to two (2) years);
- (5) Single family dwelling (detached); and
- (6) Universally permitted use.

(C) Special Uses

The following **uses** may be approved by the **Board of Zoning Appeals** after the filing of a **special use** petition:

- (1) **Accessory dwelling unit** (freestanding);
- ~~(2)~~ **Animal keeping** (outdoor, small animal);
- ~~(2)(3)~~ **Athletic field;**
- ~~(3)(4)~~ Bed and breakfast;
- ~~(4)(5)~~ Boarding house;
- ~~(5)(6)~~ Class II child care home;
- ~~(6)(7)~~ **Club, private (transitional use);**
- ~~(7)(8)~~ Community facility not otherwise permitted (**transitional use**);
- ~~(8)(9)~~ Community garden that includes a structure;
- ~~(9)(10)~~ **Container home** (see §157.503(D)(3)(h) for additional standards);
- ~~(10)(11)~~ Country club;
- ~~(11)(12)~~ **Educational institution** (not otherwise permitted);
- ~~(12)(13)~~ **Educational institution**-associated facilities, **uses**, and areas (on non-contiguous properties);
- ~~(13)(14)~~ Emergency response facility (**transitional use**);
- ~~(14)(15)~~ Funeral home;
- ~~(15)~~ ~~Golf course;~~
- (16) Group residential facility (large);



**Same changes made in R2, R3, RP, MHS**  
**FORT WAYNE ZONING ORDINANCE**

- (17) **Heliport** (private individual or accessory to permitted **nonresidential use**, excluding **hospital uses**);
- (18) **Home business** (see §157.503(D)(3)(b) for additional standards);
- (19) **Homeless shelter** (accessory to a **religious institution**, for up to eight (8) individuals);
- (20) Instruction/training/education (**transitional use**);
- (21) **Live-work unit** (**transitional use**);
- (22) **Manufactured home, Type II** (see §157.503(D)(3)(e) for additional standards);
- (23) Medical office (**transitional use**);
- (24) **Model home** (for extension of time or expansion of scope);
- (25) Museum;
- (26) Nature preserve (that includes a structure or parking area);
- (27) Neighborhood facility;
- (28) **Nonconforming use** (expansion of existing **nonconforming use**, or allow conforming status to existing **use**, excluding **gas station uses**);
- (29) **Personal service** (**transitional use**, excluding copy/duplicating service, **health club**/fitness center, or social service agency);
- (30) **Professional office/business service** (**transitional use**, excluding bank, credit union, loan office, or savings and loan);
- ~~(31) Recreation use, outdoor (athletic field, riding stable, swim club, tennis club);~~
- ~~(32)~~(31) Religious institution or non-public school illuminated athletic field(s);
- ~~(33)~~(32) Residential facility for a court-ordered re-entry program;
- (33) **Residential facility for homeless individuals** (for up to eight (8) individuals; the facility shall be located a minimum of 3,000 feet from a small **group residential facility**, a large **group residential facility**, a court-ordered re-entry program **residential facility**, or another **residential facility for homeless individuals**, as measured from the closest property lines of the facilities);
- (34) **Riding stable, residential;**
- (35) **Sign** (temporary **subdivision** direction);
- (36) **Solar panel** (ground mounted);
- (37) **Subdivision clubhouse, meeting hall, neighborhood center**, or swim/tennis facility, if not previously approved as part of the **subdivision**;
- (38) Studio (**transitional use**);
- (39) **Swim club;**
- ~~(38)~~(40) **Tennis club;**
- ~~(39)~~(41) **Two family dwelling** (to allow conforming status for existing **nonconforming uses**);
- ~~(40)~~(42) **Utility facility, private** (not otherwise permitted or exempt);
- ~~(41)~~(43) **Wind energy conversion system, micro** (for single family detached dwellings on unplatted land); and

**FORT WAYNE ZONING ORDINANCE**

(E) Development Standards

- (1) The standards in the following table shall apply in the R1 **district**; all are minimum standards unless otherwise noted (the table continues onto the next page).

<b>R1 SINGLE FAMILY RESIDENTIAL DEVELOPMENT STANDARDS</b>	
<b>Building size (square feet)</b>	
Single family dwelling	700 <sup>(1)</sup>
Accessory structures	Total <b>detached accessory building</b> square footage shall be less than the <b>square footage of the primary building</b>
<b>Number of buildings permitted on a lot</b>	
One primary <b>residential building</b> per lot	
Multiple primary <b>nonresidential buildings</b> are permitted per lot	
<b>Height (maximum) <sup>(2)</sup></b>	
Accessory building	25'
Primary building	40'
<b>Lot area (square feet)</b>	
Public sewer ( <b>interior lot</b> )	6,000
Public sewer ( <b>corner lot</b> )	8,500
Private sewage disposal	87,120 (2 acres)
<b>Lot width (at front building line and at front lot line unless otherwise stated)</b>	
Public sewer ( <b>interior lot</b> )	50' (25' at front lot line)
Public sewer ( <b>corner lot</b> )	70'
Private sewage disposal	120'
<b>Front yard <sup>(3)</sup></b>	
Platted lot	25' (or platted <b>building</b> line setback, whichever is greater)
Unplatted lot if <b>adjacent to:</b> Arterial/collector street Local or private street PC-approved easement	115' from the centerline of the <b>street</b> 25' from the <b>street right-of-way</b> 30' from the <b>easement</b>
Flag Lot	30' <b>Flag lots</b> shall have two (2) required front yards (see definition of <b>lot line, front</b> )
Through lot	At each end of the <b>lot</b> , based on the <b>street</b> classification/type the <b>yard</b> is <b>adjacent</b> to, except that: <ul style="list-style-type: none"><li>• If no access is permitted to the rear of the <b>lot</b>, then a detached <b>accessory structure</b> shall be permitted as set forth below, and a <b>fence</b> shall be permitted with no <b>setback</b>; or</li><li>• If access is permitted to the rear of the <b>lot</b>, then a detached <b>accessory structure</b> shall be permitted with a 10' <b>setback</b> and a <b>fence</b> shall be permitted with a 5' <b>setback</b></li></ul>
If there is an existing residence on an <b>adjacent parcel</b> on the same side of the <b>street</b> with a nonconforming front <b>setback</b> , and the existing residence is within 300' of the proposed residence	The minimum <b>front yard</b> shall be the smallest existing nonconforming <b>setback</b> on the <b>adjacent parcel(s)</b>



## Same change made in R3, RP, MHS

### FORT WAYNE ZONING ORDINANCE

~~(41)~~(44) **Wind energy conversion system, micro** (for single family detached dwellings on unplatted land only); and

~~(42)~~(45) **Wind energy conversion system, standard** (for fire/police station, public park/~~recreation~~  
~~area~~, religious institution, or school uses; or unplatted residential land over five (5) acres).

## FORT WAYNE ZONING ORDINANCE

### (C) Special Uses

The following **uses** may be approved by the **Board of Zoning Appeals** after the filing of a **special use** petition:

- (1) Animal service, indoor;
- ~~(1)~~(2) **Athletic field**;
- ~~(2)~~(3) Automatic teller machine (ATM) (stand-alone);
- ~~(3)~~(4) Club, private;
- ~~(4)~~(5) **Commercial communication tower** (see §157.503(D)(3)(a) for additional standards);
- ~~(5)~~(6) Community garden that includes a structure;
- ~~(6)~~(7) **Educational institution-associated uses** (on non-contiguous properties, not otherwise permitted);
- ~~(7)~~(8) Group residential facility (large) (if adjacent to a residential district);
- ~~(8)~~(9) **Home business** (in an existing **single family detached dwelling** only; see §157.503(D)(3)(b) for additional standards);
- ~~(9)~~(10) Homeless shelter (if adjacent to a residential district, or accessory to a religious institution);
- ~~(10)~~ **Manufactured home, Type II** (see §157.503(D)(3)(e) for additional standards);
- (11) **Nonconforming use** (expansion of existing **nonconforming use**, or allow conforming status to existing **use**, excluding **gas station uses**);
- (12) **Parking area** (as a **primary use**, a **special use** shall not be required for a universally permitted **off-site parking area**);
- ~~(13)~~ **Recreation use, outdoor** (~~athletic field, riding stable, swim club, tennis club~~);
- ~~(14)~~(13) Religious institution or non-public school illuminated athletic field(s);
- ~~(15)~~(14) Residential facility for a court-ordered re-entry program;
- ~~(16)~~(15) Residential facility for homeless individuals (for up to eight (8) individuals, if adjacent to a residential district);
- ~~(17)~~(16) Retail: **art gallery**, **bakery goods**, **coffee shop**, candy store, delicatessen, florist, ice cream store, jewelry sales, medical supply sales, musical instrument store, sandwich **shop**, tea room (this **special use** shall only be permitted to allow for the conversion of an existing **building**; allowed up to 2,500 square feet; **drive-through facilities** shall not be permitted as part of this **special use**);
- ~~(18)~~(17) **Sign** (temporary **subdivision** direction);
- (18) **Solar panel (ground mounted)**;
- (19) **Swim club**;
- ~~(19)~~(20) **Tennis club**;
- ~~(20)~~(21) Tattoo establishment;
- ~~(21)~~(22) **Utility facility, private** (not otherwise permitted or exempt);
- ~~(22)~~(23) **Wind energy conversion system, standard** (or more than one (1) micro system); and

**FORT WAYNE ZONING ORDINANCE**

**§ 157.213 C2 LIMITED COMMERCIAL**

**(A) Purpose**

The Limited Commercial **district** is intended to provide areas for moderate intensity business, community, office, **personal service**, and **limited retail uses**, along with certain residential facilities. Neighborhood-oriented **uses** are encouraged.

**(B) Permitted Uses**

The following **uses** are permitted as a matter of right in a C2 **district**. Unless otherwise noted or defined, all **primary uses** shall be conducted indoors. In C2 **districts**, **outdoor display** shall be permitted within ten (10) feet of the **primary structure** on the front or **street side(s)**; or beneath a **gas station canopy**. **Outdoor storage** shall: be located behind the **primary structure**, or on the internal side of a **corner lot**; meet **primary building setback** standards; and be located on a paved or permitted gravel surface.

<b>C2 LIMITED COMMERCIAL SPECIFIC PERMITTED USES</b>	
<b>Accessory building/structure/use</b>	<b>Automobile sales (indoor)</b>
Accountant	Bait sales
Adoption service	<b>Bakery goods</b>
<b>Adult care center</b>	<b>Bank</b>
Advertising	Bankruptcy service
Air conditioning sales	<del>Banquet hall</del>
Alteration service	<b>Bar</b>
Animal grooming (indoor)	<b>Barber shop</b>
<b>Animal hospital (indoor)</b>	<b>Barber/beauty school</b>
<b>Animal kennel (indoor)</b>	<b>Beauty shop</b>
Animal obedience <b>school (indoor)</b>	<b>Bed and breakfast</b>
Answering service	Bicycle sales and repair <b>shop</b>
<b>Antique shop</b>	Billiard or pool hall
<b>Apparel and accessory store</b>	Bingo establishment
Appliance store	Blood bank
Appraiser	Blood or plasma donor facility
<b>Arcade</b>	Boarding house
Architect	Book store
<b>Art gallery</b>	Bookkeeping service
<b>Art instruction</b>	Bowling alley
<b>Art studio</b>	<b>Brewery (micro)</b>
Art supply store	Broadcast studio
<b>Assisted living facility</b>	Broker
Attorney	Business <b>training</b>
Auction service	<b>Campus housing (off-site)</b>
Audiologist	Candy store
Audio-visual <b>studio</b>	Catalog showroom
<b>Automatic teller machine</b>	Caterer
<b>Automobile accessory store (indoor)</b>	<b>Child care center</b>
<b>Automobile rental (indoor)</b>	<b>Child care home (class I or II)</b>

# FORT WAYNE ZONING ORDINANCE

<b>C2 LIMITED COMMERCIAL SPECIFIC PERMITTED USES</b>	
Interior decorating store	<b>Parking structure</b>
Interior design service	<b>Pet store</b>
Internet service	Pharmacy
Investment service	Photography studio
Jewelry sales	Photography supply store
<b>Laboratory</b>	Photography training
<b>Land surveyor</b>	Physical therapy facility
<b>Laundromat</b>	Picture framing facility
Leather goods store	Pilates instruction
Legal service	Planetarium
<b>Live-work unit</b>	Planner
<b>Loan office</b>	Podiatrist
Luggage store	Pottery sales
Marketing agency	Public transportation facility
Martial arts <b>training</b>	<b>Radio station</b>
<b>Massage therapy</b>	Real estate
Meat/fish market	Reception hall
Medical supply sales	Recording studio
<b>Medical training</b>	<b>Recreation, indoor facility</b> <sup>(1)</sup>
<b>Model unit</b>	<b>Rental store</b>
Mortgage service	<b>Residential dwelling unit</b> <sup>(3)</sup>
<b>Motel</b>	<b>Residential facility for homeless individuals (up to 8)</b> <sup>(1)</sup>
<del>Movie rental</del>	<b>Restaurant, including drive-through</b>
Movie sales	<b>Retirement facility</b>
<b>Multiple family complex</b> <sup>(4)</sup>	Sandwich shop
<b>Multiple family dwelling</b> <sup>(4)</sup>	<b>Savings and loan</b>
<b>Museum</b>	Sculpture studio
<b>Music instruction</b>	Security service
Music store	Shoe repair <b>shop</b>
<b>Music studio</b>	Shoe store
Musical instrument store	<b>Sign sales store</b>
Nail salon	Skating rink
<b>Neighborhood facility</b>	Sleep disorder facility
<b>Nursing home</b>	Social service agency
Nutrition service	<b>Sorority house</b>
<b>Office, professional</b>	Sporting goods sales
Ophthalmologist	Stained glass <b>studio</b>
Optician	Stationery store
Optometrist	Stock and <b>bond</b> broker
Package liquor store	Surgery center
Paint store	Swim <b>club</b>
Painting studio	<b>Swimming pool</b> sales
<b>Parking area</b> <sup>(1)</sup>	Tailor
<b>Parking area (off-site)</b> <sup>(2)</sup>	Tanning salon



## Same changes made in NC and SC

### FORT WAYNE ZONING ORDINANCE

#### (C) Special Uses

The following **uses** may be approved by the **Board of Zoning Appeals** after the filing of a **special use** petition:

- (1) Automobile maintenance (quick service);
- (2) **Commercial communication tower** (see §157.503(D)(3)(a) for additional standards);
- (3) **Educational institution-associated uses** (on non-contiguous properties, not otherwise permitted);
- (4) **Gas station** (except when a **gas station** site is **adjacent** to a **residential district**, or is on a **street** that is directly opposite from a **residential district**);

The **Board** may consider the **gas station** size, **building/canopy** orientation, general **design standards**, and specific **primary building** orientation design requirements set forth for **gas stations** in §157.219(C)(7) (Downtown Edge **district**);

- (5) **Greenhouse** (retail);
- (6) Group residential facility (large) (if adjacent to a residential district);
- (7) **Home business** (in an existing **single family detached dwelling** only; see §157.503(D)(3)(b) for additional standards);
- (8) Homeless shelter (if adjacent to a residential district, or accessory to a religious institution);
- ~~(9) **Manufactured home, Type II** (see §157.503(D)(3)(e) for additional standards);~~
- ~~(10)(9) **Nonconforming use** (expansion of existing **nonconforming use**, or allow conforming status to existing **use**, excluding **gas station uses**);~~
- ~~(11)(10) **Outdoor use** (in conjunction with a permitted **primary use**);~~
- ~~(12)(11) **Parking area** (as a primary use, if adjacent to a residential district); a special use shall not be required for a universally permitted off-site parking area;~~
- ~~(12) **Plant nursery**;~~
- ~~(13) **Recreation, indoor** (if **adjacent** to a residential district);~~
- ~~(13)(14) **Recreation, outdoor**;~~
- ~~(14) **Recreation area** (including accessory recreation areas);~~
- ~~(15) **Recreation facility** (if adjacent to a residential district);~~
- ~~(16)(15) **Religious institution** or non-public school illuminated athletic field(s);~~
- ~~(17)(16) **Residential facility** for a court-ordered re-entry program;~~
- ~~(18)(17) **Residential facility** for homeless individuals (for up to eight (8) individuals, if adjacent to a residential district);~~
- ~~(19)(18) **Shooting range** (indoor);~~
- ~~(20)(19) **Sign** (temporary **subdivision** direction);~~
- ~~(21)(20) **Solar panel** (ground mounted);~~
- ~~(22)(21) **Utility facility, private** (not otherwise permitted or exempt);~~
- ~~(23)(22) **Wind energy conversion system, standard** (or more than one (1) micro system); and~~

**Same changes made in SC**  
**FORT WAYNE ZONING ORDINANCE**

<b>NC NEIGHBORHOOD CENTER SPECIFIC PERMITTED USES</b>	
Interior decorating store	Physical therapy facility
Interior design service	Picture framing facility
Internet service	Pilates instruction
Investment service	Planetarium
Jewelry sales	Planner
<b>Laboratory</b>	Podiatrist
<b>Land surveyor</b>	Pottery sales
<b>Laundromat</b>	Public transportation facility
Leather goods store	<b>Radio station</b>
Legal service	Real estate
<b>Live-work unit</b>	Reception hall
<b>Loan office</b>	Recording studio
Luggage store	<b>Recreation, indoor facility</b> <sup>(1)</sup>
Marketing agency	<b>Rental store</b>
Martial arts <b>training</b>	<b>Residential dwelling unit</b> <sup>(3)</sup>
<b>Massage therapy</b>	<b>Residential facility for homeless individuals (up to 8)</b> <sup>(1)</sup>
Meat/fish market	<b>Restaurant, including drive-through</b>
Medical supply sales	<b>Retirement facility</b>
Medical <b>training</b>	Sandwich shop
<b>Model unit</b>	<b>Savings and loan</b>
Mortgage service	Sculpture studio
<b>Motel</b>	Security service
<del>Movie rental</del>	Shoe repair <b>shop</b>
Movie sales	Shoe store
<b>Multiple family complex</b> <sup>(4)</sup>	<b>Sign sales store</b>
<b>Multiple family dwelling</b> <sup>(4)</sup>	Skating rink
<b>Museum</b>	Sleep disorder facility
Music <b>instruction</b>	Social service agency
Music store	<b>Sorority house</b>
Music <b>studio</b>	Sporting goods sales
Musical instrument store	Stained glass <b>studio</b>
Nail salon	Stationery store
<b>Neighborhood facility</b>	Stock and <b>bond</b> broker
<b>Nursing home</b>	Surgery center
Nutrition service	Swim <b>club</b>
<b>Office, professional</b>	<b>Swimming pool</b> sales
Ophthalmologist	Tailor
Optician	Tanning salon
Optometrist	Tattoo establishment
Package liquor store	<del><b>Tavern</b></del>
Paint store	Tax consulting
Painting studio	Taxi service
<b>Parking area</b> <sup>(1)</sup>	Tea room
<b>Parking area (off-site)</b> <sup>(2)</sup>	Telephone sales
<b>Parking structure</b>	Telephone service
<b>Pet store</b>	<b>Television station</b>
Pharmacy	Tennis <b>club</b>
Photography studio	<b>Theater</b>
Photography supply store	<b>Tire sales</b>
Photography <b>training</b>	Title company

**Same changes made in DC an DE**  
**FORT WAYNE ZONING ORDINANCE**

<b>SC SHOPPING CENTER SPECIFIC PERMITTED USES</b>	
Bookkeeping service	Dialysis center
Bowling alley	Diaper service facility
<b>Brewery (micro)</b>	Dinner theater
Broadcast studio	<b>Distillery (micro)</b>
Broker	Doctor
Business <b>training</b>	<b>Dormitory</b>
<b>Campus housing</b> (off-site)	Driving instruction
Candy store	Drug store
Catalog showroom	<b>Dry cleaning store</b>
Caterer	<b>Educational institution</b>
<b>Child care center</b>	Embroidery
<b>Child care home</b> (class I or II)	<b>Employment agency</b>
Chiropractor	<b>Engineer</b>
<b>Clinic</b>	<b>Entertainment facility</b> ( <del>including outdoor</del> )
Clock sales	Fabric shop
Clothing alterations	<b>Farmers market</b> (including outdoor sales)
Clothing rental	Finance agency
Clothing store	<b>Financial planning service</b>
<b>Club, private</b>	Fireworks sales (indoor)
<b>Coffee shop</b>	Fitness center
Coin shop	Flea market (indoor)
Collection agency	Floor covering store
<b>Community garden</b> (including outdoor)	Florist
Computer sales and service	Foundation office
Computer software store	<b>Fraternity house</b>
Computer <b>training</b>	Fruit/vegetable store (indoor)
Consignment shop	<b>Funeral home</b>
Consulting service	<b>Furniture store</b>
Consumer electronics sales	Furrier
Consumer electronics service	Game rental
<b>Convenience store</b>	Game sales
Copy service	<b>Gas station</b> <sup>(1)</sup>
<b>Correctional services facility</b>	Gift shop
Cosmetic store	Glass cutting/glazing shop
Costume rental	Graphic design service
Counseling service	<b>Grocery store or supermarket</b>
Craft <b>instruction</b>	<b>Group residential facility (large)</b> <sup>(2)</sup>
Craft <b>studio</b>	<b>Group residential facility (small)</b>
Craft supply store	Gymnastics instruction
Credit service	Hardware store
<b>Credit union</b>	Haunted house
<b>Customer service facility</b>	<b>Health club</b>
Dance <b>instruction</b>	Heating sales
Data processing facility	Hobby shop
Data storage facility	Home improvement business
<b>Day care</b>	Home improvement store
Day spa	Home repair
Delicatessen	<b>Homeless shelter</b> <sup>(2)</sup>
Dentist	<b>Hospice care center</b>
<b>Department store</b>	<b>Hospital</b>
Diagnostic center	Hot tub sales

## FORT WAYNE ZONING ORDINANCE

SC SHOPPING CENTER SPECIFIC PERMITTED USES	
Telephone service	Universally permitted use <sup>(4)</sup>
Television station	Variety store
Tennis club	Veterinary clinic
Theater	Warehouse/storage facility
Tire sales	Watch sales
Title company	Website service
Tobacco store	Wedding consultant
Townhouse complex <sup>(3)</sup>	Weight loss service
Toy store	Wind energy conversion system (micro) <sup>(2)</sup>
Travel agency	Window sales
Treatment center	Yoga instruction
Tutoring service	Zoo
Notes: (1) <del>No A gas station canopy</del> shall <u>meet primary building setbacks</u> <del>be located between the primary building and a residential district</del> (2) If not adjacent to a residential district (3) See multiple family building and complex perimeter setback and building separation requirements in R3 district (§157.208(E)(1)) (4) See <b>universally permitted use</b> definition for additional standards (5) Above, to the rear of, or attached to a permitted <b>nonresidential use</b>	



# Same changes made in C4

## FORT WAYNE ZONING ORDINANCE

<b>C3 GENERAL COMMERCIAL SPECIFIC PERMITTED USES</b>	
<b>Greenhouse</b> (retail)	<del>Movie rental</del>
<b>Grocery store or supermarket</b>	Movie sales
<b>Group residential facility</b> (large) <sup>(1)</sup>	<b>Multiple family complex</b> <sup>(3)</sup>
<b>Group residential facility</b> (small)	<b>Multiple family dwelling</b> <sup>(3)</sup>
<del>Gun repair</del>	
Gun sales	<b>Museum</b>
Gymnastics <b>instruction</b>	Music <b>instruction</b>
Hardware store	Music store
Haunted house	Music <b>studio</b>
<b>Health club</b>	Musical instrument store
Heating sales	Nail salon
Heating service	<b>Neighborhood facility</b>
Hobby <b>shop</b>	<b>Nursing home</b>
Home improvement business	Nutrition service
<b>Home improvement store</b>	<b>Office, professional</b>
Home repair	Ophthalmologist
<b>Homeless shelter</b> <sup>(1)</sup>	Optician
<b>Hospice care center</b>	Optometrist
<b>Hospital</b>	Package liquor store
Hot tub sales	Paint store
<b>Hotel</b>	Painting studio
Household appliance store	<b>Parking area</b> <sup>(1)</sup>
Ice cream store	<b>Parking area (off-site)</b> <sup>(4)</sup>
Insurance agency	<b>Parking structure</b>
Interior decorating store	<b>Pawn shop</b>
Interior design service	Pest control
Internet service	<b>Pet store</b>
Investment service	Pharmacy
Jewelry sales	Photography studio
<b>Laboratory</b>	Photography supply store
<b>Land surveyor</b>	Photography <b>training</b>
Landscape contracting service	Physical therapy facility
<b>Laundromat</b>	Picture framing facility
Leather goods store	Pilates instruction
Legal service	Planetarium
<b>Live-work unit</b>	Planner
<b>Loan office</b>	<b>Plant nursery</b>
Luggage store	Plumbing sales
<b>Manufactured home sales</b>	Plumbing service
Marketing agency	Podiatrist
Martial arts <b>training</b>	Pottery sales
<b>Massage therapy</b>	Propane sales
Meat/fish market	Public transportation facility
Medical supply sales	<b>Radio station</b>
Medical <b>training</b>	Real estate
<b>Model unit</b>	Reception hall
Mortgage service	Recording studio
<b>Motel</b>	<del>Recreation area</del> <b>Recreation, outdoor</b> <sup>(1)</sup>
<b>Motor vehicle</b> auction	<del>Recreation facility</del> <b>Recreation, indoor</b>
<b>Motor vehicle</b> rental	<del>Recreation uses</del>
<b>Motor vehicle</b> repair	<b>Rental store</b>
<b>Motor vehicle</b> sales	<b>Residential dwelling unit</b> <sup>(5)</sup>

# Same changes made in C4

## FORT WAYNE ZONING ORDINANCE

<b>C3 GENERAL COMMERCIAL SPECIFIC PERMITTED USES</b>	
<b>Residential facility for homeless individuals (up to 8) <sup>(1)</sup></b>	Telephone sales
<b>Restaurant, including drive-through</b>	Telephone service
<b>Retirement facility</b>	<b>Television station</b>
<b>Riding stable, <del>nonresidential</del></b>	Tennis <b>club</b>
Sandwich shop	<b>Theater</b>
<b>Savings and loan</b>	<b>Tire sales</b>
Sculpture studio	Title company
Seasonal sales	Tobacco store
Security service	Towing service (with no <b>storage yard</b> )
Shoe repair <b>shop</b>	<b>Townhouse complex <sup>(3)</sup></b>
Shoe store	Toy store
<b>Shooting range (indoor)</b>	Trade show facility
<b>Sign sales store</b>	<b>Travel agency</b>
Skating rink	<b>Treatment center</b>
Sleep disorder facility	<b>Truck fueling station</b>
Social service agency	<b>Truck stop</b>
<b>Sorority house</b>	Tutoring service
Sporting goods sales	<b>Universally permitted use <sup>(4)</sup></b>
<b>Stadium/racetrack <sup>(1)</sup></b>	Variety store
Stained glass <b>studio</b>	<b>Veterinary clinic</b>
Stationery store	<b>Warehouse/storage facility</b>
Stock and <b>bond</b> broker	Watch sales
<b>Storage shed sales</b>	Water park <sup>(1)</sup>
Surgery center	Watercraft sales
Swim <b>club</b>	Website service
Swimming pool sales	Wedding consultant
Tailor	Weight loss service
Tanning salon	<b>Wholesale facility</b>
Tattoo establishment	<b>Wind energy conversion system (micro) <sup>(1)</sup></b>
<del><b>Tavern</b></del>	<b>Window repair</b>
Tax consulting	<b>Window sales</b>
Taxi service	Yoga <b>instruction</b>
Taxidermist	Zipline
Tea room	<b>Zoo</b>
Notes: (1) If not <b>adjacent</b> to a <b>residential district</b> (2) <del>No <b>A</b> gas station canopy shall be located between the primary building and a <b>residential district</b></del> <u><b>primary building setbacks</b></u> (3) See multiple family building and complex perimeter setback and building separation requirements in R3 district (§157.208(E)(1)) (4) See <b>universally permitted use</b> definition for additional standards (5) Above, to the rear of, or attached to a permitted <b>nonresidential use</b>	

## Same changes made in C4

### FORT WAYNE ZONING ORDINANCE

#### (C) Special Uses

The following **uses** may be approved by the **Board of Zoning Appeals** after the filing of a **special use** petition:

- (1) Amusement park (if adjacent to a residential district);
- ~~(4)(2)~~ **Commercial communication tower** (see §157.503(D)(3)(a) for additional standards);
- (3) Educational institution-associated uses (on non-contiguous properties, not otherwise permitted);
- ~~(2)(4)~~ Go-kart facility (if adjacent to a residential district);
- ~~(3)(5)~~ **Group residential facility (large)** (if adjacent to a residential district);
- ~~(4)(6)~~ **Home business** (in an existing single **family detached** dwelling only; see §157.503(D)(3)(b) for additional standards);
- ~~(5)(7)~~ **Homeless shelter** (if adjacent to a residential district, or accessory to a religious institution);
- ~~(6) — Manufactured home, Type II (see §157.503(D)(3)(e) for additional standards);~~
- ~~(7)(8)~~ **Nonconforming use** (expansion of existing **nonconforming use**, or allow conforming status to existing **use**);
- (9) Parking area (as a **primary use**, if adjacent to a **residential district**); a special use shall not be required for a universally permitted off-site parking area;
- ~~(8)(10)~~ Recreation, outdoor (if adjacent to a residential district);
- ~~(9) — Recreation use, outdoor (amusement park, go-cart facility, stadium/race track, and water park, only; if adjacent to a residential district);~~
- ~~(10)(11)~~ **Residential facility for a court-ordered re-entry program;**
- ~~(11)(12)~~ **Residential facility for homeless individuals** (for up to eight (8) individuals, if adjacent to a residential district);
- ~~(12)(13)~~ **Sign** (temporary subdivision direction);
- (14) Solar panel (ground mounted);
- ~~(13)(15)~~ Stadium/racetrack (if adjacent to a residential district);
- ~~(14)(16)~~ **Tree service;**
- (17) Utility facility, private (not otherwise permitted or exempt);
- ~~(15)(18)~~ Water park (if adjacent to a residential district);
- ~~(16)(19)~~ **Wind energy conversion system, standard** (or more than one (1) micro system); and
- ~~(17)(20)~~ **Wind energy conversion system, micro** (on land adjacent to a residential district).

# Same changes made in DE and UC

## FORT WAYNE ZONING ORDINANCE

DC DOWNTOWN CORE SPECIFIC PERMITTED USES	
Hobby shop	Photography studio
Hospice care center	Photography supply store
Hospital	Photography training
Hotel	Physical therapy facility
Ice cream store	Picture framing facility
Insurance agency	Pilates instruction
Interior decorating store	Planetarium
Interior design service	Planner
Internet service	Podiatrist
Investment service	Public transportation facility
Jewelry sales	Radio station
Laboratory	Real estate
Land surveyor	Reception hall
Laundromat	Recording studio
Leather goods store	Photography studio
Legal service	Photography supply store
Live-work unit	Rental store
Loan office	Residential dwelling unit <sup>(4)</sup>
Luggage store	Restaurant
Marketing agency	Retirement facility
Martial arts training	Riding stable, <u>nonresidential</u>
Massage therapy	Sandwich shop
Meat/fish market	Savings and loan
Medical training	Sculpture studio
Model unit	Security service
Mortgage service	Self-service storage facility <sup>(3)</sup>
<del>Movie rental</del>	Shoe repair shop
Movie sales	Shoe store
Multiple family complex <sup>(1)</sup>	Sign sales store
Multiple family dwelling <sup>(1)</sup>	Skating rink
Museum	Sleep disorder facility
Music instruction	Social service agency
Music store	Sorority house
Music studio	Sporting goods sales
Musical instrument store	Stadium
Nail salon	Stained glass studio
Neighborhood facility	Stationery store
Nursing home	Stock and bond broker
Nutrition service	Surgery center
Office, professional	Swim club (indoor)
Ophthalmologist	Tailor
Optician	Tanning salon
Optometrist	Tattoo establishment
Package liquor store	<del>Tavern</del>
Paint store	Tax consulting
Painting studio	Taxi service
Parking area (off-site) <sup>(2)</sup>	Tea room
Parking structure <sup>(3)</sup>	Telephone sales
Pet store	Telephone service
Pharmacy	Television station



## FORT WAYNE ZONING ORDINANCE

### (C) Special Uses

The following **uses** may be approved by the **Board of Zoning Appeals** after the filing of a **special use** petition:

- (1) **Animal keeping** (outdoor, small animal);
- (2) Artisan space (available in the **Riverfront Overlay District** only, to allow for an artisan space **use** not otherwise listed);
- (3) Community garden that includes a structure;
- (4) Group residential facility (large);
- (5) Group residential facility (small);
- (6) **Home business** (see §157.503(D)(3)(b) for additional standards);
- (7) **Homeless shelter** ~~(accessory to a religious institution)~~;
- (8) **Model unit** (for extension of time or expansion of scope);
- (9) **Nonconforming use** (expansion of existing **nonconforming use**, or allow conforming status to existing **use**, excluding **gas station uses**);
- (10) **Parking structures** (public or private) if not integrated within the footprint of a new **building** for a permitted **primary use** (in addition to the standards in §157.503(D)(2), **the Board** shall evaluate the request based on the standards and guidelines in §157.404(X)(n)(iv));
- (11) Pawn shop;
- (12) Religious institution or non-public school illuminated athletic field(s);
- (13) Residential facility for a court-ordered re-entry program;
- (14) Residential facility for homeless individuals (for up to eight (8) individuals);
- (15) **Restaurant with drive-through facility** (shall only be permitted to be considered as a **special use** on **lots** which adjoin a principal arterial roadway);
- (16) Self-service storage (mini-warehouse) facility (as a primary use);
- (17) **Solar panel (ground mounted)**; and
- (18) **Utility facility, private** (not otherwise permitted or exempt).

## FORT WAYNE ZONING ORDINANCE

(ii) **Canopy** location and design

Under this design option the **canopy** shall have a varied roofline and **use** similar forms and materials as those used on the **primary building** and utilize decorative designs for the **canopy** columns. Materials used for the **canopy** columns shall consist of brick or stone or other material to achieve a similar decorative affect. Attached **canopies** meeting the standards noted in this section shall be considered a part of the **primary structure** for the purposes of determining **building setbacks**.

(iii) Front and side **wall** design

The front and any side **wall** of the **primary building** that faces a **street** shall have **windows** or the appearance of **windows**;

- (11) Group residential facility (large);
- (12) Group residential facility (small);
- (13) **Home business** (in an existing single **family detached** dwelling only; see §157.503(D)(3)(b) for additional standards);
- (14) **Homeless shelter** (accessory to a religious institution);
- ~~(15) **Manufactured home, Type II** (see §157.503(D)(3)(e) for additional standards);~~
- ~~(16)~~**(15) Model unit** (for extension of time or expansion of scope);
- ~~(17)~~**(16) Nature preserve** (that includes a structure or **parking area**);
- ~~(18)~~**(17) Nonconforming use** (expansion of existing **nonconforming use**, or allow conforming status to existing **use**, excluding **gas station uses**);
- ~~(19)~~**(18) Parking structures** (public or private) if not integrated within the footprint of a new **building** for a permitted **primary use** (in addition to the standards in §157.503(D)(2), **the Board** shall evaluate the request based on the standards and guidelines in §157.404(X)(n)(iv));
- ~~(20)~~**(19) Pawn shop**;
- ~~(21)~~**(20) Religious institution or non-public school illuminated athletic field(s)**;
- ~~(22)~~**(21) Residential facility for a court-ordered re-entry program**;
- ~~(23)~~**(22) Residential facility for homeless individuals** (for up to eight (8) individuals);
- ~~(24)~~**(23) Restaurant with drive-through facility** (shall only be permitted to be considered as a **special use** on **lots** which adjoin a principal arterial roadway);
- ~~(25)~~**(24) Single family dwelling (detached)**;
- ~~(26)~~**(25) Solar panel (ground mounted)**;
- ~~(27)~~**(26) Sorority house**; and
- ~~(28)~~**(27) Utility facility, private** (not otherwise permitted or exempt).

## FORT WAYNE ZONING ORDINANCE

<b>UC URBAN CORRIDOR SPECIFIC PERMITTED USES</b> (drive-through facilities, gas stations and/or gas pumps/canopies shall not be permitted as either a primary or an accessory use)	
Title company	Variety store
Tobacco store	<b>Veterinary clinic</b>
<b>Townhouse complex</b> <sup>(1)</sup>	Watch sales
<b>Townhouse dwelling</b>	Website service
Toy store	Wedding consultant
<b>Travel agency</b>	Weight loss service
Tutoring service	<b>Window sales</b>
<b>Two family dwelling</b>	Yoga <b>instruction</b>
<b>Universally permitted use</b> <sup>(2)</sup>	<b>Zoo</b>
Notes: (1) See multiple family complex building separation requirements in R3 district (§157.208(E)(1)) (2) See <b>universally permitted use</b> definition for additional standards (3) If integrated within the footprint of a new <b>building</b> for a permitted <b>primary use</b> (4) New tattoo facilities shall be located a minimum of 500' from any existing facility, as measured from the closest property lines	

### (C) Special Uses

- (1) **Accessory dwelling unit** (freestanding);
- (2) **Animal keeping** (outdoor, small animal);
- (3) Child care home (class II);
- (4) Community garden (that includes a structure);
- (5) **Container home** (see §157.503(D)(3)(h) for additional standards);
- (6) **Educational institution-associated uses** (on non-contiguous properties, not otherwise permitted);
- (7) Fraternity house;
- (8) Group residential facility (large);
- (9) Group residential facility (small);
- (10) **Home business** (for single **family detached** dwellings only; see §157.503(D)(3)(b) for additional standards);
- (11) **Homeless shelter** (accessory to a religious institution);
- (12) **Manufactured home, Type II** (see §157.503(D)(3)(e) for additional standards);
- (13) **Nature preserve** (that includes a structure or **parking area**);
- (14) **Nonconforming use** (expansion of existing **nonconforming use**, or allow conforming status to existing **use**, excluding **gas station uses**);
- (15) **Parking structures** (public or private) if not integrated within the footprint of a new building for a permitted primary use (in addition to the standards in §157.503(D)(2), the Board shall evaluate the request based on the standards and guidelines in §157.404(X)(n)(iv));
- ~~(16) **Recreation area (including accessory recreation areas);**~~
- (16) **Recreation, outdoor;**

## FORT WAYNE ZONING ORDINANCE

### (E) Development Standards

- (1) The standards in the following table shall apply in the UC **district**; all standards are minimum standards unless otherwise noted (see also the permitted **yard** projections and additional location standards on the following page).

UC URBAN CORRIDOR DEVELOPMENT STANDARDS	
Height (maximum) <sup>(1)</sup>	
Primary building <sup>(2)</sup>	<del>80</del> 60'
Accessory building or structure <sup>(3)</sup>	<del>80</del> 60'
Front yard	
Primary buildings and structures <sup>(4)</sup>	0' minimum 10' maximum
Side yard <sup>(4)</sup>	
Accessory and primary buildings and structures – interior side yard	0' minimum
Accessory and primary buildings and structures – corner lot side street	0' minimum 20' maximum
Rear yard	
Primary building	25'
Accessory building or structure	25' <sup>(4)</sup>
Notes:	
(1) See §157.405(C) ( <b>Development Standards Waivers and Exceptions</b> ) for exceptions; §157.409 ( <b>Signs</b> ) for maximum <b>sign heights</b> ; and §157.404(O) (Residential Impact <b>Mitigation</b> ) and §157.411 ( <b>Airport Overlay Districts</b> ) for additional restrictions (2) New <b>primary structures</b> shall be a minimum of 20'. in height have two occupiable stories (3) <b>Accessory structures</b> shall not exceed 25% of the <b>ground floor area</b> of the <b>primary building</b> (4) <b>Accessory buildings or structures</b> shall be located on the side of or to the rear of the <b>primary building</b> (if located on the side of the <b>building</b> , the <b>accessory building or structure</b> shall be located no closer to the <b>front lot line</b> than the <b>primary building</b> )	

# FORT WAYNE ZONING ORDINANCE

<b>I1 LIMITED INDUSTRIAL SPECIFIC PERMITTED USES</b>	
Marketing agency	Product research and <b>development</b>
Martial arts <b>training</b>	Public transportation facility
<b>Massage therapy</b>	<b>Radio station</b>
Meat/fish market	Real estate
Medical device technology	Reception hall
Medical supply sales	Recording studio
Medical <b>training</b>	<del>Recreation area</del> <b>Recreation, outdoor</b>
<b>Model unit</b>	<del>Recreation facility</del> <b>Recreation, indoor</b>
Mortgage service	<del>Recreation uses</del>
<b>Motel</b>	Refurbishing facility (household items)
<del>Movie rental</del>	Rental store
Movie sales	<b>Research and development facility</b>
<b>Multiple family complex</b> <sup>(2)</sup>	<b>Residential dwelling unit</b> <sup>(4)</sup>
<b>Multiple family dwelling</b> <sup>(2)</sup>	<b>Residential facility for homeless individuals (up to 8)</b> <sup>(1)</sup>
<b>Museum</b>	<b>Restaurant, including drive-through</b>
Music <b>instruction</b>	<b>Retirement facility</b>
Music store	Sandwich shop
Music <b>studio</b>	<b>Savings and loan</b>
Musical instrument store	Sculpture studio
Nail salon	Security service
<b>Neighborhood facility</b>	Shoe repair shop
<b>Nursing home</b>	Shoe store
Nutrition service	<b>Sign sales store</b>
<b>Office, professional</b>	Skating rink
Ophthalmologist	Sleep disorder facility
Optician	Social service agency
Optometrist	<b>Sorority house</b>
Package liquor store	Sporting goods sales
Paint store	Stained glass studio
Painting studio	Stationery store
<b>Parking area</b> <sup>(1)</sup>	Stock and <b>bond</b> broker
<b>Parking area (off-site)</b> <sup>(3)</sup>	Surgery center
<b>Parking structure</b>	Swim <b>club</b>
<b>Pet store</b>	Swimming pool sales
Pharmaceutical product compounding	Tailor
Pharmacy	Tanning salon
<b>Photography studio</b>	Tattoo establishment
Photography supply store	<del>Tavern</del>
Photography <b>training</b>	Tax consulting
Physical therapy facility	Tea room
Picture framing facility	Telephone sales
Pilates instruction	Telephone service
Planetarium	<b>Television station</b>
Planner	Tennis <b>club</b>
Podiatrist	<b>Theater</b>
Pottery sales	Title company
Printing facility	Tobacco store
Printing press	Tool and die facility



**FORT WAYNE ZONING ORDINANCE**

**§ 157.223 I2 GENERAL INDUSTRIAL**

**(A) Purpose**

The General Industrial **district** is intended to provide areas for assembly, distribution, fabricating, **manufacturing**, and processing industries where the operation is enclosed within a **building** and conducted in such a manner that no adverse impacts are created or emitted outside of the **building(s)**.

**(B) Permitted Uses**

The following **uses** are permitted as a matter of right in an I2 **district**. Except for **automobile**, boat, and similar vehicle sales **uses**, **outdoor display** shall meet the **building setback** standards; display area shall be limited to a maximum of 10% of the **primary structure** or tenant space; **outdoor storage** shall be allowed between the front **façade** of the **building** and the **rear lot line** and shall be screened from **adjacent residential zoning districts** and **public street rights-of-way**.

<b>I2 GENERAL INDUSTRIAL SPECIFIC PERMITTED USES</b>	
<b>Accessory building/structure/use</b>	<b>Art instruction</b>
Accountant	<b>Art studio</b>
Adoption service	Art supply store
<b>Adult care center</b>	Assembly facility for/manufacturing of:
Advertising	Adhesive/glue
Agricultural equipment sales	Agricultural implements
Agricultural equipment service	Aircraft
	<u><b>Ammunition</b></u>
Agricultural supply sales	Animal feed
Air conditioning sales	Appliances
Air conditioning service	<b>Automobiles</b>
<b>Air freight service</b>	Bicycles
Alteration service	Boats
Animal grooming	Carbon steel pipe and tubing
<b>Animal hospital</b>	Computers
<b>Animal kennel</b>	Concrete and concrete products
Animal obedience <b>school</b>	Electronics
Animal <b>slaughter house</b> (indoor)	Insulation
Answering service	<b>Manufactured homes</b>
<b>Antique shop</b>	Modular <b>buildings</b>
<b>Apparel and accessory store</b>	Motorcycles
<b>Apparel fabrication and processing</b>	Motors
Appliance store	Paper/paper products
Appraiser	<b>Recreational vehicles</b>
<b>Aquaculture</b>	Spas
<b>Aquaponics</b>	Stainless steel
<b>Arcade</b>	Steel
Architect	Tile
<b>Arena</b>	Tires
<b>Art gallery</b>	Valves

**FORT WAYNE ZONING ORDINANCE**

<b>12 GENERAL INDUSTRIAL SPECIFIC PERMITTED USES</b>	
Gift shop	Legal service
Glass cutting/glazing shop	<b>Limited assembly and fabrication of:</b>
Go-kart facility <sup>(1)</sup>	Bio-medical/orthopedic products
<b>Golf course, miniature</b>	Communication and computation equipment
<del>Golf driving range</del>	Computers and electronics
Graphic design service	Computer hardware products
<b>Greenhouse</b> (retail)	Industrial controls
<b>Greenhouse</b> (wholesale)	Medical devices
<b>Grocery store or supermarket</b>	Optical instruments
<b>Group residential facility (large)</b> <sup>(1)</sup>	Orthopedic devices
<b>Group residential facility (small)</b>	Scientific and precision instruments
Growing/processing/raising of natural products	Service industry machines
<del>Gun repair</del>	
Gun sales	Specialty equipment
Gymnastics instruction	<b>Live-work unit</b>
Hardware store	Loan office
Haunted house	Luggage store
<b>Health club</b>	Machine design facility
Heating sales	<b>Machine tool shop</b>
Heating service	Magnet wire facility
Hobby shop	Maintenance or repair facility
Home improvement business	<b>Manufactured home sales</b>
<b>Home improvement store</b>	Marketing agency
Home repair	Martial arts <b>training</b>
<b>Homeless shelter</b>	<b>Massage therapy</b>
<b>Hospice care center</b>	Meat/fish market
<b>Hospital</b>	Medical device technology
Hot tub sales	Medical supply sales
<b>Hotel</b>	Medical <b>training</b>
Household appliance store	Metal cutting
<b>Hydroponics</b>	Metal extrusion
Ice cream store	Metal fabricating
Information technology	Metal molding
Insurance agency	<b>Model unit</b>
Interior decorating store	Mortgage service
Interior design service	<b>Motel</b>
Internet applications/products	<b>Motor vehicle auction</b>
Internet service	<b>Motor vehicle rental</b>
Investment service	<b>Motor vehicle repair</b>
<b>Jewelry sales</b>	<b>Motor vehicle sales</b>
<b>Junk yard</b> (indoor)	<del>Movie rental</del>
<b>Laboratory</b>	Movie sales
<b>Laboratory</b> (testing)	<b>Multiple family complex</b> <sup>(2)</sup>
<b>Land surveyor</b>	<b>Multiple family dwelling</b> <sup>(2)</sup>
Landscape contracting service	<b>Museum</b>
Lathe/screw machine products	Music <b>instruction</b>
<b>Laundromat</b>	Music store
Laundry facility (central)	Music <b>studio</b>
Leather goods store	Musical instrument store

# FORT WAYNE ZONING ORDINANCE

12 GENERAL INDUSTRIAL SPECIFIC PERMITTED USES	
Nail salon	Reception hall
Neighborhood facility	Recording studio
Nursing home	<del>Recreation area</del> <b>Recreation, outdoor</b>
Nutrition service	<del>Recreation facility</del> <b>Recreation, indoor</b>
Office, professional	<del>Recreation uses</del>
Ophthalmologist	<b>Recycling processing facility</b>
Optician	Refractory
Optometrist	Refurbishing facility
Package liquor store	<b>Rental store</b>
Packaging facility	<b>Research and development facility</b>
Paint store	<b>Residential dwelling unit</b> <sup>(4)</sup>
Painting studio	<b>Residential facility for homeless individuals</b> (up to 8) <sup>(1)</sup>
<b>Parking area</b> <sup>(1)</sup>	<b>Restaurant</b> , including <b>drive-through</b>
<b>Parking area (off-site)</b> <sup>(3)</sup>	<b>Retirement facility</b>
<b>Parking structure</b>	<b>Riding stable, nonresidential</b>
<b>Pawn shop</b>	<b>Sales yard for:</b>
Pest control	<b>Building materials</b>
<b>Pet store</b>	Lumber
Pharmacy	Sand, gravel, stone
<b>Photography studio</b>	Salvage yard (indoor)
Photography supply store	Sandwich shop
Photography training	Savings and loan
Physical therapy facility	Sculpture studio
Picture framing facility	Seasonal sales
Pilates instruction	Security service
Planetarium	Sheet metal fabrication
Planner	Sheet metal processing
<b>Plant nursery</b>	Shoe repair <b>shop</b>
Plastic extrusion	Shoe store
Plastic molding	<b>Shooting range</b> (indoor)
Plumbing sales	<b>Sign</b> fabricating
Plumbing service	<b>Sign sales store</b>
Podiatrist	Skating rink
Pottery sales	Sleep disorder facility
Printing facility	Social service agency
Printing press	<b>Sorority house</b>
Processing facility for:	Sporting goods sales
Animals (indoor: includes skins, hides, or reduction of animal matter)	<b>Stadium/racetrack</b> <sup>(1)</sup>
Animal products (indoor)	Stained glass studio
Lumber	Stationery store
Metal (anodizing, buffing, galvanizing, plating, polishing)	Stock and <b>bond</b> broker
Raw Materials	<b>Storage shed</b> sales
Timber	Surgery center
Product <b>research and development</b>	Swim <b>club</b>
Propane facility	Swimming pool sales
Propane sales	Tailor
Public transportation facility	Tanning salon
<b>Radio station</b>	Tattoo establishment
Real estate	<del>Tavern</del>

# FORT WAYNE ZONING ORDINANCE

<b>I3 INTENSIVE INDUSTRIAL SPECIFIC PERMITTED USES</b>	
<b>Music instruction</b>	<b>Radio station</b>
Music store	Propane facility
<b>Music studio</b>	Real estate
Musical instrument store	Reception hall
Nail salon	Recording studio
<b>Neighborhood facility</b>	<del>Recreation area</del> <b>Recreation, outdoor</b>
<b>Nursing home</b>	<del>Recreation facility</del> <b>Recreation, indoor</b>
Nutrition service	<del>Recreation uses</del>
<b>Office, professional</b>	<b>Recycling processing facility</b>
Ophthalmologist	Refractory
Optician	Refurbishing facility
Optometrist	<b>Rental store</b>
Package liquor store	<b>Research and development facility</b>
Packaging facility	<b>Residential dwelling unit</b> <sup>(3)</sup>
Paint store	<b>Residential facility for homeless individuals</b> (up to 8) <sup>(1)</sup>
Painting studio	<b>Restaurant</b> , including drive-through
<b>Parking area</b>	<b>Retirement facility</b>
<b>Parking area (off-site)</b> <sup>(2)</sup>	<b>Riding stable, nonresidential</b>
<b>Parking structure</b>	<b>Sales yard for:</b>
<b>Pawn shop</b>	<b>Building materials</b>
Pest control	Lumber
<b>Pet store</b>	Sand, gravel, stone
Pharmacy	<b>Salvage yard</b>
<b>Photography studio</b>	Sandwich shop
Photography supply store	<b>Savings and loan</b>
Photography <b>training</b>	Sculpture studio
Physical therapy facility	Seasonal sales
Picture framing facility	Security service
Pilates instruction	Sheet metal fabrication
Planetarium	Sheet metal processing
Planner	Shoe repair shop
<b>Plant nursery</b>	Shoe store
Plastic extrusion	<b>Shooting range</b> (indoor)
Plastic molding	<b>Sign fabricating</b>
Plumbing sales	<b>Sign sales store</b>
Plumbing service	Skating rink
Podiatrist	Sleep disorder facility
Pottery sales	Social service agency
Printing facility	<b>Solid waste transfer station</b>
Printing press	<b>Sorority house</b>
Processing facility for:	Sporting goods sales
Animals (includes skins, hides, or reduction of animal matter)	<b>Stadium/racetrack</b> <sup>(1)</sup>
Animal products	Stained glass <b>studio</b>
Lumber	Stationery store
Metal (anodizing, buffing, galvanizing, plating, polishing)	Stock and <b>bond</b> broker
Raw materials	<b>Storage shed</b> sales
Timber	Surgery center
Product research and <b>development</b>	Swim <b>club</b>
Propane sales	Swimming pool sales
Public transportation facility	Tailor

# FORT WAYNE ZONING ORDINANCE

I3 INTENSIVE INDUSTRIAL SPECIFIC PERMITTED USES	
Tanning salon	Truck fueling station
Tattoo establishment	Truck stop
<del>Tavern</del>	Tutoring service
Tax consulting	Universally permitted use <sup>(2)</sup>
Taxi service	Utility facility (private)
Taxidermist	Variety store
Tea room	Vehicle technology (advanced)
Telephone sales	Veterinary clinic
Telephone service	Warehouse/storage facility
Television station	Watch sales
Tennis club	Watercraft sales
Theater	Website service
Tire sales	Wedding consultant
Title company	Weight loss service
Tobacco store	Welding service
Tool and die facility	Wholesale facility
Towing service	Wind energy conversion system (micro) <sup>(1)</sup>
Townhouse complex <sup>(6)</sup>	Wind energy conversion system (standard) <sup>(4)</sup>
Toy store	Window repair
Trade show facility	Window sales
Travel agency	Winery
Treatment center	Woodworking
Tree service	Yoga instruction
Truck depot/terminal	Zoo
Notes: (1) If not <b>adjacent</b> to a <b>residential district</b> (2) See <b>universally permitted use</b> definition for additional standards (3) Above, to the rear of, or attached to a permitted nonresidential use (4) If on land of over two acres not <b>adjacent</b> to a <b>residential district</b> (5) <del>No A gas station canopy shall be located between the primary building and a residential district meet</del> <b>primary building setbacks</b> (6) See multiple family building and complex perimeter setback and building separation requirements in R3 district (§157.208(E)(1))	



## FORT WAYNE ZONING ORDINANCE

- (ix) Religious institution;
- (x) School; and
- (xi) **Uses in the DC/Downtown Core, DE/Downtown Edge, or UC/Urban Corridor districts.**

<b>MINIMUM OFF-STREET PARKING REQUIREMENTS</b> (see the table below for specific use additional stacking space standards)	
Use	Parking Standard (spaces per measurement type)
Animal service	1 per 400 square feet
Assisted living facility	1 per 3 sleeping rooms
Athletic field (indoor)	1 per 6 seats
Athletic field (outdoor)	30 per field
Auditorium	1 per 400 square feet
Automobile service	1 per 400 square feet
Bed and breakfast	1 per sleeping room
Business service	1 per 400 square feet
Campus housing (off-site)	1 per 3 sleeping rooms
Educational institution (business school, college, medical training, university, or similar post-secondary use)	1 per 400 square feet
Golf course	4 per golf hole
Group residential facility	1 per 3 sleeping rooms
Hotel	1 per sleeping room
Industrial	1 per 1,000 square feet, or 1 per employee at largest shift (whichever is less; however, a minimum of 3 spaces shall be provided)
Instruction/training	1 per 400 square feet
Library	1 per 400 square feet
Live-work unit	1 per 400 square feet
Medical office	1 per 400 square feet
Mixed-use project (uses with different parking requirements)	The greatest number of spaces required by any individual use
Motel	1 per sleeping room
Multiple family	1 per 1-2 bedroom dwelling unit 2 per 3+ bedroom dwelling unit 1 per dwelling unit (UC district only)
Multiple tenant nonresidential building	1 per 400 square feet (regardless of individual uses)
Museum	1 per 400 square feet
Nursing home	1 per 3 sleeping rooms
Personal service	1 per 400 square feet
Professional office	1 per 400 square feet
<del>Recreation/tourism, limited</del>	<del>1 per 400 square feet</del>
<del>Recreation, general</del>	<del>1 per 400 square feet, plus 1 per 400 square feet of developed outdoor facilities</del>
<del>Recreation, indoor</del>	<del>1 per 400 square feet</del>
<del>Recreation, outdoor</del>	<del>1 per 400 square feet, plus 1 per 400 square feet of developed outdoor facilities</del>
Restaurant	1 per 400 square feet
Retail	1 per 400 square feet
Retirement facility	1 per dwelling unit
Self-storage	1 per 400 square feet of office
Single family	1 per dwelling unit
Stadium/racetrack	1 per 6 seats
Studio	1 per 400 square feet

## FORT WAYNE ZONING ORDINANCE

- (e) The following landscape codes shall be applicable to the noted **building** types and other landscape situations:

LANDSCAPE CODES – BUILDINGS AND OUTDOOR ACTIVITY AREAS			
Building Type		Landscape Code, if Adjacent To:	
		Residential districts	Nonresidential districts
Office, Personal Service or Other C1 Use Building		B-1	No requirement
Commercial, Retail, Industrial, or Universally Permitted Use Building		B-2	No requirement
Multiple Family Building/Complex, or Manufactured Home Park		B-3	B-4
Nonresidential Outdoor Activity Areas	Driveway	A-1	No requirement
	Drive-through	A-2	A-6
	Other activity area	A-3	A-7
	Storage area	A-4	No requirement
	Eating/drinking/smoking area or gas station canopy	A-5	No requirement

- (f) The following landscape codes shall be applicable to the noted surface **parking area** situations:

LANDSCAPE CODES – SURFACE PARKING AND OUTDOOR DISPLAY AREAS	
Site Situation	Landscape Code
Adjacent to public street or private access drive	P-1
Adjacent to residential district	P-2
Adjacent to commercial district	P-3
Parking areas more than 50 spaces (shall not apply to outdoor display areas)	P-4

- (g) The following landscape code shall be applicable to the noted parking structure situations:

LANDSCAPE CODES – PARKING STRUCTURES – DC AND DE DISTRICTS ONLY	
Site Situation	Landscape Code
Adjacent to public street or private access drive if setback is greater than zero feet	PS-1

# FORT WAYNE ZONING ORDINANCE

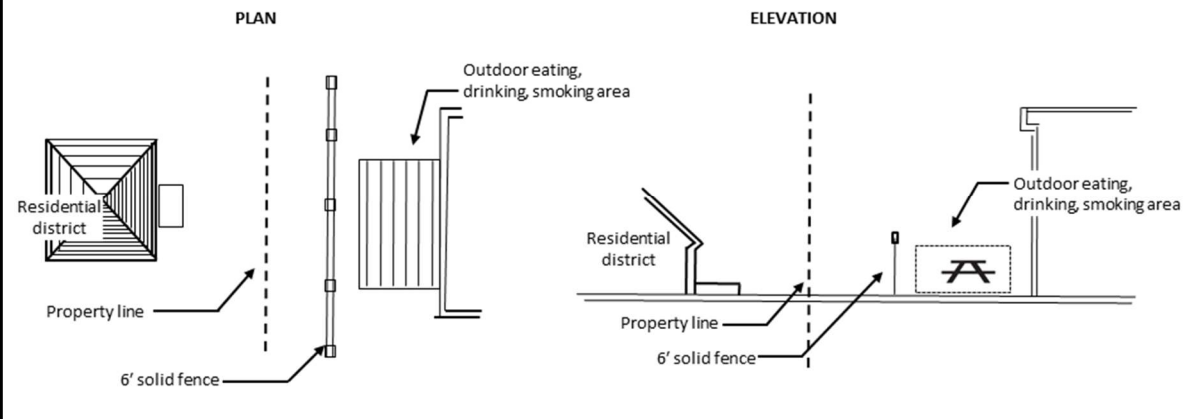
## OUTDOOR ACTIVITY AREA BUFFER YARD STANDARDS

### Code A-5

Outdoor Eating/Drinking/Smoking Areas or Gas Station Canopy Adjacent to a Residential District

### REQUIRED SCREENING

Continuous 6' high **solid fence**, ~~either~~ on the property line ~~or~~ may be immediately around the eating/drinking smoking area. <sup>(1)</sup>



(1) A **fence** shall always be required to screen an eating/drinking/smoking area.

# FORT WAYNE ZONING ORDINANCE

RO Primary Frontage Ground Floor Permitted Uses (continues onto next page)		
Accessory building/structure/use	Coffee shop	Game sales
Accountant	Coin shop	Gift shop
Adoption service	Community garden	Glass cutting/glazing shop
Advertising	Computer sales and service	Graphic design service
Air conditioning sales	Computer software store	Grocery store or supermarket
Alteration service	Computer training	Gymnastics instruction
Answering service	Consignment shop	Hardware store
Antique shop	Consulting service	Health club
Apparel and accessory store	Consumer electronics sales	Heating sales
Appraiser	Consumer electronics service	Hobby shop
Arcade	Convenience store	Hotel
Architect	Copy service	Ice cream store
Art gallery	Cosmetic store	Insurance agency
Art instruction	Costume rental	Interior decorating store
Art studio	Counseling service	Interior design service
Art supply store	Craft instruction	Internet service
Attorney	Craft studio	Investment service
Audiologist	Craft supply store	Jewelry sales
Audio-visual studio	Credit service	Land surveyor
Automobile accessory store (indoor)	Credit union	Laundromat
Bait sales	Customer service facility	Leather goods store
Bakery goods	Dance instruction	Legal service
Bank	Day spa	Live-work unit
Bankruptcy service	Delicatessen	Loan office
<del>Banquet hall</del>	Dentist	Luggage store
Bar	Department store	Marketing agency
Barber shop	Dinner theater	Martial arts training
Barber/beauty school	Distillery (micro)	Massage therapy
Beauty shop	Doctor	Meat/fish market
Bed and breakfast	Drug store	Medical training
Betting or other gambling facility	Dry cleaning store	Mortgage service
Bicycle sales and repair shop	Educational institution	<del>Movie rental</del>
Billiard or pool hall	Embroidery	Movie sales
Bingo establishment	Employment agency	Museum
Book store	Engineer	Music instruction
Bookkeeping service	Entertainment facility (including outdoor)	Music store
Botanical conservatory	Exhibit hall	Music studio
Bowling alley	Fabric shop	Musical instrument store
Brewery (micro)	Farmers market (with outdoor uses)	Nail salon
Broadcast studio	Finance agency	Nutrition service
Broker	Financial planning service	Office, professional
Business training	Fireworks sales (indoor)	Ophthalmologist
Candy store	Fitness center	Optician
Caterer	Flea market (indoor)	Optometrist
Child care center	Floor covering store	Package liquor store
Chiropractor	Florist	Paint store
Clinic	Foundation office	Painting studio
Clock sales	Fruit and/or vegetable store	Parking area (off-site) <sup>(1)</sup>
Clothing alterations	Furniture store	Parking structure <sup>(2)</sup>
Clothing rental	Furrier	Pet store
Clothing store	Game rental	Pharmacy

## FORT WAYNE ZONING ORDINANCE

RO Primary Frontage Ground Floor Permitted Uses (continued from previous page)		
Photography <b>studio</b>	Sculpture studio	Tea room
Photography supply store	Security service	Telephone sales
Photography <b>training</b>	Shoe repair shop	Telephone service
Physical therapy facility	Shoe store	<b>Television station</b>
Picture framing facility	<b>Sign sales store</b>	<b>Theater</b> (indoor)
Pilates <b>instruction</b>	Skating rink	Title company
Planetarium	Sleep disorder facility	Tobacco store
Planner	Social service agency	Toy store
Podiatrist	Sporting goods sales	<b>Travel</b> agency
Public transportation facility	Stained glass <b>studio</b>	Tutoring service
<b>Radio station</b>	Stationery store	<b>Universally permitted use</b> <sup>(1)</sup>
Real estate	Stock and <b>bond</b> broker	Variety store
Reception hall	Tailor	Watch sales
Recording studio	Tanning salon	Website service
<b>Rental store</b>	Tattoo establishment	Wedding consultant
<b>Restaurant</b>	<del>Tavern</del>	Weight loss service
Sandwich shop	Tax consulting	<b>Window</b> sales
<b>Savings and loan</b>	Taxi service	Yoga <b>instruction</b>
<b>Artisan Space</b>		
3D printing	electronic components and accessories	silicone rolling
apparel fabrication and processing	glass blowing	soap making
aquaculture	haberdasher	taffy making/pulling
aquaponics	jewelry making studio	toy making
bakery	milliner	vinyl record making
clock repair shop	modiste	watchmaker
cobbler	pottery making studio	weaver
creamery (micro)	shoemaker	
Notes:		
(1) See <b>universally permitted use</b> definition for additional standards		
(2) If integrated within the footprint of a new building for a permitted primary <b>use</b>		



# FORT WAYNE ZONING ORDINANCE

RO Secondary Frontage Ground Floor Permitted Uses (continues onto next page)		
<b>Accessory building/structure/use</b>	<b>Business training</b>	<b>Employment agency</b>
Accountant	Candy store	<b>Engineer</b>
Adoption service	Catalog showroom	<b>Entertainment facility</b> ( <del>including outdoor</del> )
<b>Adult care center</b>	Caterer	<b>Exhibit hall</b>
Advertising	<b>Child care center</b>	<b>Fabric shop</b>
Air conditioning sales	<b>Child care home (class I)</b>	<b>Farmers market</b> (with outdoor uses)
Alteration service	Chiropractor	Finance agency
Animal grooming (indoor)	<b>Clinic</b>	<b>Financial planning service</b>
<b>Animal hospital</b> (indoor)	Clock sales	Fireworks sales (indoor)
<b>Animal kennel</b> (indoor)	Clothing alterations	Fitness center
Animal obedience <b>school</b> (indoor)	Clothing rental	Flea market (indoor)
Answering service	Clothing store	Floor covering store
<b>Antique shop</b>	<b>Club, private</b>	Florist
<b>Apparel and accessory store</b>	<b>Coffee shop</b>	Foundation office
Appraiser	Coin <b>shop</b>	Fruit and/or vegetable store
<b>Arcade</b>	Collection agency	<b>Funeral home</b>
Architect	<b>Community garden</b>	<b>Furniture store</b>
<b>Arena</b>	Computer sales and service	Furrier
<b>Art gallery</b>	Computer software store	Game rental
<b>Art instruction</b>	Computer <b>training</b>	Game sales
<b>Art studio</b>	Consignment <b>shop</b>	<b>Gift shop</b>
Art supply store	Consulting service	Glass cutting/glazing <b>shop</b>
Attorney	Consumer electronics sales	Graphic design service
Audiologist	Consumer electronics service	<b>Grocery store or supermarket</b>
Audio-visual <b>studio</b>	<b>Convenience store</b>	Gymnastics <b>instruction</b>
<b>Automobile</b> accessory store (indoor)	Copy service	Hardware store
<b>Automobile rental</b> (indoor)	Cosmetic store	<b>Health club</b>
<b>Automobile sales</b> (indoor)	Costume rental	Heating sales
Bait sales	Counseling service	<b>Hobby shop</b>
<b>Bakery goods</b>	Craft <b>instruction</b>	<b>Hospice care center</b>
<b>Bank</b>	Craft <b>studio</b>	<b>Hospital</b>
Bankruptcy service	Craft supply store	<b>Hotel</b>
Banquet hall	Credit service	Ice cream store
<b>Bar</b>	<b>Credit union</b>	Insurance agency
<b>Barber shop</b>	<b>Customer service facility</b>	Interior decorating store
<b>Barber/beauty school</b>	Dance <b>instruction</b>	Interior design service
<b>Beauty shop</b>	<b>Day care</b>	Internet service
<b>Bed and breakfast</b>	Day spa	Investment service
Betting or other gambling facility	Delicatessen	<b>Jewelry sales</b>
Bicycle sales and repair <b>shop</b>	Dentist	<b>Laboratory</b>
Billiard or pool hall	<b>Department store</b>	<b>Land surveyor</b>
Bingo establishment	Diagnostic center	<b>Laundromat</b>
Blood bank	Dialysis center	Leather goods store
Blood or plasma donor facility	Dinner <b>theater</b>	Legal service
Book store	<b>Distillery (micro)</b>	<b>Live-work unit</b>
Bookkeeping service	Doctor	<b>Loan office</b>
Botanical conservatory	Driving <b>instruction</b>	Luggage store
Bowling alley	Drug store	Marketing agency
<b>Brewery (micro)</b>	<b>Dry cleaning store</b>	Martial arts <b>training</b>
Broadcast <b>studio</b>	<b>Educational institution</b>	<b>Massage therapy</b>
Broker	Embroidery	Meat/fish market

# FORT WAYNE ZONING ORDINANCE

RO Secondary Frontage Ground Floor Permitted Uses (continued from previous page)		
Medical <b>training</b>	Physical therapy facility	Surgery center
<b>Model unit</b>	Picture framing facility	Swim <b>club</b> (indoor)
Mortgage service	Pilates <b>instruction</b>	Tailor
<del>Movie rental</del>	Planetarium	Tanning salon
Movie sales	Planner	Tattoo establishment
<b>Multiple family complex</b> <sup>(1)</sup>	Podiatrist	<del>Tavern</del>
<b>Multiple family dwelling</b> <sup>(1)</sup>	Public transportation facility	Tax consulting
<b>Museum</b>	<b>Radio station</b>	Taxi service
Music <b>instruction</b>	Real estate	Tea room
Music store	Reception hall	Telephone sales
Music <b>studio</b>	Recording studio	Telephone service
Musical instrument store	<b>Rental store</b>	<b>Television station</b>
Nail salon	<b>Residential dwelling unit</b> <sup>(1)</sup>	Tennis <b>club</b> (indoor)
<b>Neighborhood facility</b>	<b>Restaurant</b>	<b>Theater</b> (indoor)
<b>Nursing home</b>	<b>Retirement facility</b>	Title company
Nutrition service	Sandwich shop	Tobacco store
<b>Office, professional</b>	<b>Savings and loan</b>	<b>Townhouse complex</b>
Ophthalmologist	Sculpture studio	Toy store
Optician	Security service	<b>Travel agency</b>
Optometrist	Shoe repair shop	<b>Treatment center</b>
Package liquor store	Shoe store	Tutoring service
Paint store	<b>Sign sales store</b>	<b>Universally permitted use</b> <sup>(2)</sup>
Painting <b>studio</b>	Skating rink	Variety store
<b>Parking area (off-site)</b> <sup>(2)</sup>	Sleep disorder facility	<b>Veterinary clinic</b>
<b>Parking structure</b> <sup>(3)</sup>	Social service agency	Watch sales
<b>Pet store</b>	Sporting goods sales	Website service
Pharmacy	<b>Stadium</b>	Wedding consultant
Photography <b>studio</b>	Stained glass <b>studio</b>	Weight loss service
Photography supply store	Stationery store	<b>Window sales</b>
Photography <b>training</b>	Stock and <b>bond broker</b>	Yoga <b>instruction</b>
<b>Artisan Space</b>		
3D printing	electronic components and accessories	silicone rolling
apparel fabrication and processing	glass blowing	soap making
aquaculture	haberdasher	taffy making/pulling
aquaponics	jewelry making studio	toy making
bakery	milliner	vinyl record making
clock repair shop	modiste	watchmaker
cobbler	pottery making studio	weaver
creamery (micro)	shoemaker	
Notes:		
(1) Above, to the rear of, or attached to a permitted nonresidential <b>use</b>		
(2) See <b>universally permitted use</b> definition for additional standards		
(3) If integrated within the footprint of a new building for a permitted primary <b>use</b>		

## FORT WAYNE ZONING ORDINANCE

- (I) In the Areas established within the **Airport Overlay Districts**, in addition to the **special uses** set forth in §157.503(D), the following **uses** shall require approval of a **special use** from the **Board of Zoning Appeals**, even in cases where the **use** is a permitted **use** in the existing underlying **zoning district**.

<b>TABLE 3 – AIRPORT OVERLAY DISTRICT SPECIAL USES</b>	
<b>Area 1 and Area 2</b>	<b>Area 3</b>
Assisted living facility	Manufactured home park
Arena	Recycling collection point
Batting cages	
Campus housing	<b>Area 4</b>
Country club	Arena
Day care center	Batting cages
Fireworks sales	Fireworks sales
Fuel storage facility	Fuel storage facility
Gas station	Golf course (including driving range)
<del>Golf course (including driving range)</del>	Hospital
Group residential facility	Manufactured home park
Hospital	Propane/bottled gas facility
Hotel	Recreational uses, outdoor
Manufactured home park	Recycling collection point
Motel	Stadium/racetrack
Multiple family complex	Subdivision plat
Multiple family dwelling	Swim club (outdoor)
Museum	Theater (outdoor)
<del>Park/recreation area</del> Park or Recreation Area, Public	Tennis club (outdoor)
Propane/bottled gas facility	
Radio station	
Recreational uses, outdoor	<b>Area 5</b>
Recycling collection point	Manufactured home park
Religious institution	
Residential facility for the developmentally disabled	
Residential facility for the mentally ill	
Retirement facility	
Salvage yard	
Single family dwelling (Area 1 only)	
Solid waste transfer station	
Stadium/racetrack	
Subdivision plat	
Swim club (outdoor)	
Television station	
Tennis club (outdoor)	
Theater (outdoor)	
Truck fueling station	

## FORT WAYNE ZONING ORDINANCE

### (B) Improvement Location Permit

#### (1) General Provisions

An **Improvement Location Permit** shall be required for the construction, reconstruction, enlargement, or relocation of any **building** or **structure** (including a non-temporary **sign**), unless specifically excluded by this ordinance. No **building** or **structure** shall be erected, constructed, reconstructed, enlarged, or moved prior to the issuance of an **Improvement Location Permit**.

- (a) No **Improvement Location Permit** shall be issued unless the proposed **development** conforms with the provisions and requirements of this ordinance.
- (b) No **Improvement Location Permit** shall be issued for construction that would encroach over a platted front **building** line except for ornamental fences and open decks, open porches, or stoops, ~~unless the applicant documents that the restrictive covenants for the subdivision allow such an encroachment. This prohibition shall also apply to all non-allowed construction that does not require an Improvement Location Permit.~~
- (c) No **Improvement Location Permit** shall be issued for the construction, reconstruction, enlargement, or relocation of a **building** or **structure**, or any part of a **building** or **structure** (except for **fences** or **signs**), within a utility or surface drainage **easement**, unless the **easement** has been vacated (if the **easement** is a platted **easement**) or otherwise released.
- (d) No **Improvement Location Permit** shall be issued for construction that would encroach into a **corner visibility area** as defined herein. This prohibition shall also apply to construction that does not require an **Improvement Location Permit**.
- (e) If an application requires the approval of a Development Plan or a Site Plan Review, that approval shall have been granted and all **conditions** of approval satisfied prior to the approval and issuance of any **Improvement Location Permit(s)**.
- (f) Projects meeting the definition of **major façade renovation** shall be required to be reviewed through the Design Review process as described in §157.404 and the **Commission's** rules prior to the application for an **Improvement Location Permit** application.
- (g) Notwithstanding the other **Improvement Location Permit** validity provisions included herein, any application for a non-Site Plan Review **Improvement Location Permit** shall be void if a complete application is not submitted within three (3) months of the submission of an **ILP** incomplete application.

## FORT WAYNE ZONING ORDINANCE

### (D) Special Uses

#### (1) List of Special Uses

The following **special uses** may be permitted by the **Board of Zoning Appeals** in the **zoning districts** shown in the table below, after public hearing pursuant to §157.503(A)(1). To approve a **special use**, the **Board** shall determine that the application meets the criteria in §157.503(D)(2) below and any other requirements stated for the specific **use** in this ordinance. The **Board** may impose reasonable **conditions** as part of its approval.

In addition, as set forth in §157.411(I) of the **Airport Overlay Districts** provisions, certain **uses** shall also require approval of a **special use**, even in cases where the **use** is a permitted **use** in the existing underlying **zoning district**.

SPECIAL USES	
Special Use	District(s) Where Allowed
Accessory building, as a primary building, on a site of at least five (5) acres	AR
Accessory dwelling unit (freestanding)	AR, R1, R2, R3, RP, MHS, DE, and UC
Airstrip/heliport (for corporate or multiple owner use)	AR
Amusement park (if adjacent to a residential district)	C3 and C4
Animal keeping (outdoor, small animal)	R1, R2, R3, RP, MHS, DC, DE and UC
Animal service, indoor	C1
Athletic field	R1, R2, R3, RP, MHS and C1
Automatic teller machine (ATM) (stand-alone)	C1
Automobile maintenance (quick service)	C2, NC, and SC
Automobile Service, General (excluding gas station uses)	I1
Bed and breakfast	AR, R1, R2, R3, RP and MHS
Boarding house	AR, R1, R2, R3, RP, MHS and DE
Child care home (class II)	AR, R1, R2, R3, RP, MHS, DE and UC
Club, private <sup>(1)</sup>	R1, R2, R3, RP, MHS and C1
Commercial communication tower <sup>(2)</sup>	C1, C2, NC, SC, C3, C4, BTI, I1, I2 and I3
Community facility not otherwise permitted (transitional use)	R1, R2, R3, RP and MHS
Community garden that includes a structure	AR, R1, R2, R3, RP, MHS, C1, DC, DE and UC
Container home <sup>(2)</sup>	AR, R1, R2, R3, RP, MHS, DE and UC
Country club	AR, R1, R2, R3, RP and MHS
Educational institution (not otherwise permitted)	AR, R1, R2, R3, RP and MHS <sup>(1)</sup>
Educational institution associated facilities, uses, and areas (on noncontiguous properties)	AR, R1, R2, R3, RP and MHS
Educational institution-associated uses (on non-contiguous properties, not otherwise permitted)	C1, C2, NC, SC, C3, C4, DE, and UC
Emergency response facility (transitional use)	R1, R2, R3, RP and MHS
Flood control improvement project/non-permitted fill, private	Any district
Fraternity house	DE and UC
Fuel storage facility	I2
Funeral home	AR, R1, R2, R3, RP and MHS



# FORT WAYNE ZONING ORDINANCE

SPECIAL USES	
Special Use	District(s) Where Allowed
Gas station	C2 and NC (except when a <b>gas station</b> site is <b>adjacent</b> to a <b>residential district</b> , or is on a <b>street</b> that is directly opposite from a <b>residential district</b> ), and DE, I1 and I2
<u>Go-kart facility (if adjacent to a residential district)</u>	<u>C3 and C4</u>
<del>Golf course</del>	<del>R1, R2, R3, RP, and MHS</del>
Greenhouse (retail)	C2, NC, and SC
Group residential facility (large) <sup>(1)</sup>	AR, R1, R2, R3, RP, MHS, DC, DE and UC
Group residential facility (large) (if adjacent to a residential district)	C1, C2, NC, SC, C3, C4, I1, I2 and I3
Group residential facility (small)	DC, DE and UC
Growing/processing/raising of natural products	I1
Heliport (private individual or accessory to permitted nonresidential use, excluding hospital uses)	R1, R2, R3, RP, and MHS
Home business <sup>(2)</sup>	AR, R1, R2, R3, RP, MHS and DC
Home business (in an existing single family detached dwelling only) <sup>(2)</sup>	C1, C2, NC, SC, C3, C4, DE, and UC
Home enterprise <sup>(2)</sup>	AR
Home workshop <sup>(2)</sup>	AR
Homeless shelter (accessory to a <b>religious institution</b> , for up to eight (8) individuals)	AR, R1, R2, R3, RP and MHS
Homeless shelter (accessory to a <b>religious institution</b> )	<del>DC</del> , DE and UC
Homeless shelter (if adjacent to a residential district or accessory to a <b>religious institution</b> )	C1, C2, NC, SC, C3 and C4
Illuminated <b>recreation field</b> (if <b>adjacent</b> to a <b>residential district</b> )	BTI, I1, I2 and I3
Instruction/training/education (transitional use)	R1, R2, R3, RP and MHS
Junk yard (outdoor)	I2
Live-work unit (transitional use)	R1, R2, R3, RP and MHS
Manufactured home, Type II <sup>(2)</sup>	AR, R1, R2, R3, RP, <del>C1, C2, NC, SC, C3, C4, DE and UC</del>
Medical office (transitional use)	R1, R2, R3, RP and MHS
Metal and plastic extrusion and molding	I1
Metal cutting facility	I1
Metal fabricating facility	I1
Metal processing facility	I1
Model home (for an extension of time or expansion of scope)	AR, R1, R2, R3, RP and MHS
Model unit (for an extension of time or expansion of scope)	DC and DE
Motor vehicle storage yard	I2
Multiple Family Dwelling (transitional use, up to ten (10) units)	R2
Museum	R1, R2, R3, RP and MHS
Nature preserve (that includes a <b>structure</b> or <b>parking area</b> )	AR, R1, R2, R3, RP, MHS, DE and UC
Neighborhood facility	AR, R1, R2, R3, RP and MHS

# FORT WAYNE ZONING ORDINANCE

SPECIAL USES	
Special Use	District(s) Where Allowed
<b>Nonconforming use</b> (expansion of existing <b>nonconforming use</b> , or allow conforming status to existing <b>use</b> ; this <b>special use</b> shall not be available for <b>gas station uses</b> )	AR, R1, R2, R3, RP, MHS, C1, C2, NC, SC, C3, C4, DC, DE, UC, BTI, I1, I2 and I3
<b>Open use of land</b> (not otherwise permitted)	I3
Outdoor <b>use</b> (in conjunction with a permitted <b>primary use</b> )	C2 and NC
<b>Parking area</b> (as a primary use), a special use shall not be required for a universally permitted <b>off-site parking area</b>	C1
<b>Parking area</b> (as a primary use, if adjacent to a residential district), a special use shall not be required for a universally permitted <b>off-site parking area</b>	C2, NC, SC, C3, C4, I1 and I2
<b>Parking or outdoor display area, gravel</b> (not otherwise permitted)	I2 and I3
<b>Parking structures</b> (public or private)	DC, DE and UC
<b>Pawn shop</b>	DC and DE
<b>Personal service</b> (transitional use, excluding copy/duplicating service, health club/fitness center, or social service agency)	R1, R2, R3, RP and MHS
<b>Plant nursery</b>	C2, NC and SC
Processing facility (small scale)	I1
<b>Professional office/business service</b> (transitional use, excluding bank, credit union, loan office, or savings and loan)	R1, R2, R3, RP and MHS
<b>Reception hall, meeting hall, or <del>recreation hall</del>; clubhouse</b>	AR
<b>Recreation, outdoor area</b>	AR
<b>Recreation, outdoor area</b> (including accessory recreation areas)	C2, NC, SC and UC
<b>Recreation, indoor facility</b>	AR
<b>Recreation, indoor facility</b> (if adjacent to a residential district)	C2, NC and SC
<del><b>Recreation use, outdoor</b> (amusement park, go-cart facility, stadium/race track, and water park, only; if adjacent to a residential district)</del>	<del>C3 and C4</del>
<del><b>Recreation use, outdoor</b> (athletic field, riding stable, swim club, tennis club)</del>	<del>R1, R2, R3, RP, MHS and C1</del>
<b>Religious institution</b> or non-public <b>school</b> illuminated athletic field(s)	AR, R1, R2, R3, RP, MHS, C1, C2, NC, SC, DC, DE and UC
<b>Residential facility for a court-ordered re-entry program</b>	AR, R1, R2, R3, RP, MHS, C1, C2, NC, SC, C3, C4, DC, DE, UC, I1, I2 and I3
<b>Residential facility for homeless individuals</b> (for up to eight (8) individuals)	AR, R1, R2, R3, RP, MHS, DC, DE and UC
<b>Residential facility for homeless individuals</b> (for up to eight (8) individuals, if adjacent to a residential district)	C1, C2, NC, SC, C3, C4, I1, I2 and I3
Retail ( <b>art gallery, bakery goods, coffee shop, candy store, delicatessen, florist, ice cream store, jewelry sales, medical supply sales, musical instrument store, sandwich shop, tea room</b> )	C1
<b>Riding stable, nonresidential</b>	AR
<b><u>Riding stable, residential</u></b>	<u>R1, R2, R3, MHS</u>
<b>Salvage yard</b> (outdoor)	I2

# FORT WAYNE ZONING ORDINANCE

SPECIAL USES	
Special Use	District(s) Where Allowed
Sawmill	I2 and I3
Self-service storage (mini-warehouse) facility (as a primary use)	DC
Sheet metal fabrication and/or processing	I1
<b>Shooting range</b> (indoor)	C2 and SC
<b>Shooting range</b> (outdoor)	C4
<b>Sign</b> (temporary <b>subdivision</b> direction)	AR, R1, R2, R3, RP, MHS, C1, C2, NC, SC, C3, C4, BTI, I1, I2 and I3
<b>Single family dwelling</b> (detached)	DE
<b>Solar panel</b> (ground mounted)	AR, R1, R2, R3, RP, MHS, C1, C2, NC, SC, C3, C4, DC, DE, UC, BTI, I1, I2 and I3
<b>Solid waste transfer station</b> <sup>(2)</sup>	I2
<b>Sorority house</b>	DE and UC
<b>Studio</b> (transitional use)	R1, R2, R3, RP and MHS
<b>Stadium/racetrack</b> (if adjacent to a residential district)	<u>C3 and C4</u>
<b>Subdivision</b> amenity	UC
<b>Subdivision clubhouse, meeting hall, neighborhood center, or swim/tennis facility</b> , if not previously approved as part of the <b>subdivision</b>	R1, R2, R3, RP and MHS
<b>Swim club</b>	<u>R1, R2, R3, RP, MHS and C1</u>
Tattoo establishment	C1
<b>Tennis club</b>	<u>R1, R2, R3, RP, MHS and C1</u>
Tree service	C3 and C4
<b>Two family dwelling</b> (to allow conforming status for existing nonconforming uses)	AR, R1, and MHS
<b>Utility facility, private</b> (not otherwise permitted or exempt)	AR, R1, R2, R3, RP, MHS, C1, C2, NC, SC, C3, C4, DC, DE and UC
<b>Water park</b> (if adjacent to a residential district)	<u>C3 and C4</u>
<b>Wind energy conversion system</b> (micro) <sup>(1)</sup>	AR, R1, R2, R3, RP, MHS, C1, C2, NC, SC, C3, C4, BTI, I1, I2 and I3
<b>Wind energy conversion system</b> (standard) <sup>(1)</sup>	AR, R1, R2, R3, RP, MHS, C1, C2, NC, SC, C3, C4, BTI, I1, I2 and I3
Notes:	
(1) See the individual <b>zoning districts</b> for possible additional <b>use</b> standards	
(2) See §157.503(D)(3) for additional <b>use</b> standards	

## FORT WAYNE ZONING ORDINANCE

### (2) Criteria for Approval of **Special Use**

In reviewing an application for any **special use**, the **Board** may consider the location and size of the **use**; the nature and intensity of the operations involved in or conducted in connection with it; and its site layout, including access provisions and parking requirements, and may approve a **special use** if the **Board** determines that:

- (a) The proposed **use** will not be unduly detrimental to the **use**, value, pattern of **development**, or growth of the surrounding area;
- (b) The location, size, intensity, site design, and operation of the proposed **use** will be compatible with the immediate area;
- (c) Adequate storm drainage, water, sanitary disposal, other utility, and transportation **infrastructure** either currently exists or will be provided to serve the proposed **use**; and
- (d) If the application is for one of the following listed **uses**, in addition to the criteria above, the **Board** shall also determine that the proposed **use** will not be injurious to the public health, safety, or welfare of the community:
  - (i) **Airstrip/heliport** (corporate/multiple **owner use**);
  - (ii) **Arena**;
  - ~~(iii) **Recreation facility or use** (not otherwise permitted);~~ **Recreation, indoor**
  - ~~(iii)~~(iv) **Recreation, outdoor**;
  - ~~(iv)~~(v) **Sanitary landfill**;
  - ~~(v)~~(vi) **Shooting range** (indoor or outdoor);
  - ~~(vi)~~(vii) **Solid waste transfer station**;
  - ~~(vii)~~(viii) **Stadium/racetrack**;
  - ~~(viii)~~(ix) **Utility facility, private**.

### (3) Additional **Special Use** Standards and Provisions

The following standards shall apply as applicable to applications for the noted **special use** approvals.

- (a) **Commercial communication tower**
  - (i) A **special use** shall not be required for a wireless support **structure**, as defined in I.C. 8-1-32,3-14, if the proposed wireless support **structure** is located within the **City right-of-way**.
  - (ii) A **special use** shall not be required for the location of additional cabinets or shelters for an existing tower
  - (iii) A **special use** shall not be required for the co-location of antennae in any **district** on an existing **building** or **structure**. Antennae shall be permitted to extend up to twenty (20) feet above the existing **building** or **structure**. A **Certificate of Compliance** shall be obtained for all antennae locations and co-locations.

# FORT WAYNE ZONING ORDINANCE

## § 157.506 DEFINITIONS

For the purpose of this ordinance, the following rules of usage and definitions shall apply:

(A) Rules of Usage

- (1) Words used in the present tense shall also include the future tense.
- (2) The singular shall include the plural; and the plural shall include the singular.
- (3) The word "shall" is mandatory; the words "may" or "should" are permissive.
- (4) The word "used" or "occupied" as applied to any land or **buildings** shall be construed to include the words "intended, arranged or designed to be used or occupied."

(B) Defined terms

The following terms shall have the following meaning, unless a contrary meaning is required by the context or specifically otherwise prescribed:

**Abut**

**Lots or parcels that have a common lot line with each other. Lots or parcels that have a common lot line with streets, alleys, and right-of-ways.**

**Access Ramp**

A ramp or similar **structure** that provides wheelchair or similar access to a **building**.

**Accessory Building**

A **building detached** from a **primary building** or **structure** and customarily used with, and clearly incidental and subordinate to, the **primary building, structure, or use**, and ordinarily located on the same **lot** with that **primary building, structure, or use**.

**Accessory Dwelling Unit (ADU)**

An additional **dwelling** unit with separate cooking, sleeping, and sanitation (bathroom) facilities. An **accessory dwelling unit** shall be subordinate to a primary residential **structure**. An ADU shall not be subdivided or otherwise separated in ownership from the primary residential structure. Where permitted, only one freestanding or integrated **accessory dwelling unit** shall be allowed per property. The ADU shall be less than 700 square feet of gross floor area, not including attached garage space if applicable. An integrated **accessory dwelling unit** shall include no separate entrance on the front-facing façade of the building. A freestanding accessory dwelling unit may be constructed as a new detached structure or created as part of the renovation of a detached accessory structure. An ADU shall not be constructed of portable storage containers, shipping containers, truck bodies, other abandoned vehicles, or portions of vehicles.

**Accessory Living Quarters**

Living quarters within an **accessory building** for the sole **use** of **persons** employed on the **lot**; such quarters having no kitchen facilities and not rented or otherwise used as a separate **dwelling**.

**Accessory Structure (see Floodplain regulations - §157.412(B), Definitions)**

**Accessory Structure, Nonresidential**

A **structure** or combination of **structures** that:

- (1) Are located on the same **lot, tract, or development site** as the primary **nonresidential building or use**;

Are clearly incidental to and customarily found in connection with a **primary building or use**; and



# FORT WAYNE ZONING ORDINANCE

## Board

The Fort Wayne **Board of Zoning Appeals**. This term shall not include the Allen **County Board of Commissioners** or the Fort Wayne **Board of Public Works**. For purposes of granting a **special use**, **use variance**, or variance of **development** standards for a wireless service provider, the **Board** shall be the “permit authority” under I.C. 8-1-32.3, et seq.

## Board of Public Works

The Fort Wayne **Board of Public Works**.

## Board of Zoning Appeals (BZA) (see “Board”)

## Boarding House

A **residential building** containing rooms for accommodating, for compensation, three or more **persons**. Lodging may include the serving of meals to the lodgers. Facilities for lodgers may include sleeping or living quarters, or individual bathrooms, but shall not include individual cooking facilities.

## Bond

Any form of security, including cash, surety **bond**, or financial instrument of credit, as approved by the appropriate agency, for the purpose of guaranteeing that improvements will be made in a **subdivision** according to the standards as adopted by the **Plan Commission**.

## Bottling Facility

A facility where soft drinks, juice, water, milk, alcoholic drinks, or other liquids are placed in bottles or cans for shipment. This **use** may include the combination of liquids or syrups to produce new liquids for placement in bottles or cans, the shipping and receiving of cans and bottles related to the operation, and incidental sales of bottled or canned liquids to the public, but shall not include the fabrication of bottles or cans.

## Boundary River (see Floodplain regulations - §157.412(B), Definitions)

## Boundary River Floodway (see Floodplain regulations - §157.412(B), Definitions)

## Brewery

A facility that brews ales, beers, meads and/or similar beverages on-site.

## Brewery (Micro)

An establishment where ale, beer, mead and/or similar beverages are brewed, typically in conjunction with a **bar**, ~~**tavern**~~ or **restaurant use**. Annual production will typically not exceed 15,000 barrels per year. A micro winery or similar use shall also be included under this definition.

## Buffer (Airport) (see Airport Overlay District definitions)

## Buffer Yard

For the purposes of the landscape standards, an area between a **building**, **structure**, or **use** and an **adjacent** property or **street right-of-way**. The area shall be available for berms/mounding, **fences**, plants, and/or **walls** to provide adequate screening and buffering between **buildings**, **structures**, **parking areas**, **driveways**, and activity areas and **adjacent uses**, **buildings**, **structures**, and **streets**, to promote compatibility between different land uses; conserve energy and moderate the effects of sun and wind; decrease storm water runoff and erosion; conserve or enhance property values; and improve the appearance of individual **developments**. A **buffer yard** may be located within a required front, side, or rear **yard building setback**.

# FORT WAYNE ZONING ORDINANCE

## Campus Housing

For purposes of parking requirements, this category includes **campus housing** (off-site), **dormitories** and **fraternity/sorority houses**, and other housing with the primary purpose of housing students of an educational or institutional campus.

## Candelas

A unit of luminous intensity, which is the amount of luminous flux (total luminous power emitted from a source and expressed as **lumens**) per unit solid angle in a given direction.

## Canopy

A fixed cover that projects from a **wall** of a **building** over a **window** or entrance to provide weather protection and architectural spatial definition. A **canopy** typically projects at a 90-degree (perpendicular) or similar angle. Freestanding **canopies** may also be permitted. A **canopy** may be completely supported by the **building**, or completely or partially supported by columns, poles, posts, or similar supports. A gas station canopy is not included in this definition (see “Gas Station”).

## Carport

A **structure** or part of a **structure** used for the parking, **storage**, or keeping of vehicles by the **owner** or tenant of the **lot** as an **accessory use** to a permitted residential **use**, and that does not include a **wall** between the ground and the roof on at least one side that is not a vehicle entryway.

## Casino

A structure or facility in which gaming operations are performed by a for-profit or non-profit organization, where permanent tables are present. This definition does not include betting or gambling facility.

## Cemetery (Private and Public)

Land used for burial of the dead and dedicated for related purposes, including **crematories**, offices and maintenance facilities, mausoleums and mortuaries when operated in conjunction with and within the boundaries of a **cemetery**.

## Certificate of Compliance

A certificate issued by the **Zoning Administrator** stating that the occupancy and **use** of land or a **building** or **structure** referred to in the certificate complies with the provisions of this ordinance and any **conditions** of the **Improvement Location Permit** (if applicable).

## Certificate of Occupancy

A certificate issued by the Allen **County Building Department** or successor agency, allowing the occupancy or **use** of a **building** and certifying that the **structure** or **use** has been constructed and will be used in compliance with the applicable codes and ordinances.

## Certificate of Use

A certificate issued by the **Zoning Administrator** certifying that a proposed or existing **use** is a permitted **use** in the **zoning district** where the **use** is located.

## Change of Use

Any **use** that is a **substantial change** from the previous **use** of a **building**, **structure**, or land.

## FORT WAYNE ZONING ORDINANCE

### Easement, Roadway

A roadway, approved by the **Commission** over private property, that permits a specific and limited **use** of that thoroughfare to the grantee of the **easement**.

### Easement, Utility and Service

A portion or strip of land that is part of a **lot** or **parcel** but that has been reserved for the specific purpose of utilities and related services.

### Educational Institution

**Public**, non-public, parochial, or other post-secondary **school**, junior college, college or university, other than a **business school**; the **use** may also include recreational **uses**, living quarters, dining rooms, heating plants and other incidental facilities for students, teachers and employees.

### Elevation Certificate (see Floodplain regulations - §157.412(B), Definitions)

### Emergency Response Facility

A **building** used for police, fire, and/or medical equipment and personnel.

### Emergency Shelter

A facility that provides temporary housing without charge for persons:

- (1) Whose regular residence has become uninhabitable due to fire, flood, or Act of God, while that residence can be repaired or replaced, or until other permanent housing arrangements can be made, but not to exceed a period of six months, or
- (2) Persons who have no regular residence that could be endangered during periods of weather and health events where lack of shelter would create a significant risk to their health.

### Employment Agency

An agency that specializes in matching individuals' skill sets to particular jobs or finds jobs for unemployed individuals.

### Enclosed Area (Enclosure) (~~see Floodplain regulations — §157.412(B), Definitions~~)

A structure that has two or more exterior walls.

### Engine Repair

A facility used for the repair of small engines or motors.

### Engineer (see “Professional Engineer”)

### Entertainment Facility

A facility that offers ~~indoor or outdoor~~ entertainment **uses**, including performing arts **theaters**, cinemas, concert venues, or circus/festivals, but does not include any **sexually oriented business use**.

### Equipment Rental, General

The rental of supplies and large equipment primarily for intended for use by construction, general, landscaping, or industrial contractors, including, including but not limited to hoists, lifts, forklifts, and commercial capacity generators and compressors, but not including car or truck rentals.

### Equipment Rental, Limited

The rental of supplies and equipment primarily intended for homeowner **use** and minor residential gardening and construction projects, but not including car or truck rentals. All maintenance of equipment

## FORT WAYNE ZONING ORDINANCE

### Furniture Store

An establishment that specializes in the sale of any or all of the following: new, used, finished or unfinished furniture including kitchen cabinets and related items.

### Garage (see “Garage, Residential”)

#### Garage, Residential

A detached **accessory structure** or portion of a **primary building** used for personal **storage**, the **storage** of **motor vehicles** and other similar accessory residential **uses**.

### Garage Sale (see “Yard Sale”)

### Garbage

Animal or vegetable waste resulting from the handling, preparation, cooking, and consumption of food; or other business or household waste materials.

### Garden Equipment Supply

An establishment that specializes in the retail of nursery plants or related items, which may include: plants that have been grown on the property or imported, nursery products and stock, potting soil, hardware, power equipment and machinery, hoes, rakes, shovels, and other garden and farm variety tools and utensils.

### Gas Pump Embellishment

Letters, figures, characters or representatives in irregular forms that used as a supplement to permitted gas pump signage.

### Gas Station

A facility where fuel is sold, which may also include a **convenience store**. A **gas station use** shall be considered a **primary use** of a property. A gas station canopy is included in this definition.

### Gateway

A point along a roadway at which a motorist or pedestrian gains a sense of having entered the **City** or a particular part of the **City**. This impression can be imparted through such things as **signs**, **monuments**, landscaping, a change in **development** character, or a natural feature.

### Gazebo

A freestanding, roofed, usually open-sided **structure** providing seating or an area for gathering.

### Glacial Stone (see Floodplain regulations - §157.412(B), Definitions)

### Glare

A situation created when illumination sources shine with visibly harsh, uncomfortably bright light that: causes discomfort; distracts attention; or leads to reduction or loss of visibility or visual performances (up to and including situations of blinding **glare**, as defined in the Illuminating Engineering Society of North America’s current Lighting Handbook). These situations are typically caused by insufficiently shielded light sources, or high luminance (luminance that is sufficiently greater than the luminance to which the eyes are adapted).

### Golf Course

A **tract** of land typically laid out for playing the game of golf that may include a **clubhouse**, dining and snack **bars**, pro **shop**, and practice facilities.

## FORT WAYNE ZONING ORDINANCE

### Golf Course (Miniature)

An ~~area or recreational~~ facility, typically comprised of small putting greens, each with a “cup” or “hole,” where patrons in groups pay a fee to move in consecutive order from the first hole to the last.

### Golf Driving Range

A **tract** of land devoted as a practice range for practicing golf shots.

### Government Facility

An institution operated by a federal, state, **county**, town, township or **city** government, or by a special purpose **district**.

### Greenhouse

An establishment, including a **building**, part of a **building** or open space, for the growth, display and/or sale of plants, trees, and other materials used in indoor or outdoor planting for retail and wholesale sales.

### Grocery Store

A retail sales establishment selling primarily food and beverages for off-site preparation and consumption that maintains a sizable inventory of fresh fruits, vegetables, fresh-cut meats, or fresh seafood or specialize in the sale of one type of food item. This **use** may also include sales of personal convenience and small household goods.

### Gross Floor Area

The total floor area of all stories of a **building** or **buildings**, measured by taking the outside dimensions of the **building** at each floor level intended for occupancy or **storage** (including basements), but not including any uncovered or unenclosed **porches**, **patios**, or **decks**.

### Ground Floor Area

The **gross floor area** of a **building** exclusive of basements and floors above the ground floor.

### Group Residential Facility (Large)

A facility providing housing for over eight (8) unrelated individuals, with or without supervisory staff. This definition shall include a **residential facility** for individuals who are **developmentally disabled** or **mentally ill**, or other similar **residential facility** if the facility houses more than eight (8) individuals (excluding supervisory staff, counselors, or resident managers). This definition shall not include a facility that serves individuals under a court-ordered re-entry program or homeless individuals. A large **group residential facility for mentally ill individuals** shall be located at least 3,000 feet from any other **group residential facility for mentally ill individuals**.

### Group Residential Facility (Small)

A facility providing housing for up to eight (8) unrelated individuals, with or without supervisory staff. This definition shall include a **residential facility** for individuals who are **developmentally disabled** or **mentally ill** or any **other residential facility** that houses up to eight (8) individuals (excluding supervisory staff, counselors, or resident managers) who are members of a **protected class** as set forth under the federal Fair Housing Act. This definition shall not include a facility that serves individuals under a court-ordered re-entry program or homeless individuals. A **residential facility for mentally ill individuals** shall be located at least 3,000 feet from any **other residential facility for mentally ill individuals**.

### Growth (see Airport Overlay District definitions)

### Hardship (see Floodplain regulations - §157.412(B), Definitions)

# FORT WAYNE ZONING ORDINANCE

## Home Occupation

An **accessory use** of a **dwelling** unit, or a **use** of an attached **structure** accessory to a **dwelling** unit, where business activities are conducted which do not change the residential character of the **structure** or property, or adversely impact **adjacent** properties. Clients or customers shall not come to the home, and on-site retail sales shall not be permitted. No outside employees may be permitted. A **home occupation** shall be permitted in conjunction with a single **family**, two **family**, or **multiple family dwelling** unit where the business **owner** lives, and shall be operated entirely within a primary or attached **accessory structure**.

## Home Workshop

A **use** of a single **family** property, where business activities are conducted. **Home workshops** are intended to permit **uses** which are more intensive than a **home business**, including **uses** which produce or repair a product, but which do not adversely impact **adjacent** properties. **Home workshops** may include limited assembly, fabricating, **manufacturing**, processing, or repair activities (excluding **automobile repair**). A **home workshop** shall be permitted in conjunction with a **single family dwelling** unit where the business **owner** lives, and shall be conducted entirely within a primary or **accessory structure**. The **gross floor area** of the workshop shall not exceed two thousand (2,000) square feet. To allow for the mixing of **uses** in rural areas, outside employees shall be permitted to work at the **home workshop**, clients or customers shall be permitted to come to the property, and on-site sales of items either produced or value-added on the property, along with accessory retail sales, shall be permitted.

## Homeless Shelter

A supervised private facility that provides temporary living accommodations, and that may provide additional support services, for homeless individuals. A homeless shelter may be a primary or accessory use of a lot.

## Hospice Care Center

A facility providing in-patient care for individuals suffering from a terminal illness; overnight patient stays shall be permitted as part of this **use**.

## Hospital

An institution providing primary health services and medical or surgical care to **persons**, primarily inpatients, suffering from illness, disease, injury, deformity, and other abnormal physical or mental conditions and including, as an integral part of the institution, related facilities, such as laboratories, outpatient facilities, **training** facilities, **medical offices**, and staff residences. Overnight patient stays shall be permitted as part of this **use**.

## Hotel

A **building** providing, for compensation, sleeping accommodations and customary lodging services where guests enter through a main lobby of the **building** to get to each rental unit. Related ancillary **uses** may include but shall not be limited to conference and meeting rooms, **restaurants** ~~and~~, **bars**, ~~and~~ **recreational facilities**. An extended stay **hotel** is included in this definition.

## Hydrologic and Hydraulic Engineering Analysis (see Floodplain regulations - §157.412(B), Definitions)

## Hydroponics

The cultivation of plants by placing the roots in liquid nutrient solutions rather than in soil, or similar soilless growth of plants.



# FORT WAYNE ZONING ORDINANCE

## Parcel

An individual unplatted piece of land, that was either: created by a deed recorded prior to April 3, 2014 in compliance with the **Subdivision** Control Ordinance in effect at the time of recordation; created as an **exempt division of land/excluded conveyance** by a deed recorded after September 1, 2007, in compliance with the **Subdivision** Control Ordinance in effect at the time of recording; or created by a **Plan Commission**-approved Development Plan. When a piece of land is titled in the name of the same landowner, but is divided by an improved public **right-of-way**, waters of the United States, or **waters of the State** of Indiana, then that piece of land shall be deemed to be more than one **parcel**.

## ~~Park or Recreation Area (Private)~~

~~A natural, landscaped, or developed area, which may include **buildings, structures, or athletic fields**, owned or controlled and used by private or semi-public **persons, entities, or groups** for active and/or passive recreational purposes.~~

## Park or Recreation Area<sub>2</sub> (Public)

A natural, landscaped, or developed area, which may include **buildings, structures, or athletic fields**, provided by a unit of government to meet the active and/or passive recreational needs of the public.

## Parking Area

A public or private area designed and used for the temporary parking of **automobiles** or **motor vehicles**, including parking **lots** and **driveways**.

## Parking Area (Off-Site)

A **parking area** for a **religious institution** or **school** which is located directly across an **alley right-of-way** from that **religious institution** or **school** (see “Universally Permitted Use”).

## Parking Space (Off-Street)

A space other than on a **street**, passageway, or **alley** designed for **use** or used for the temporary parking of a **motor vehicle**, including **driveways** and **garages** on private residential property.

## Parking Structure

A **structure** designed to accommodate vehicular **parking spaces** that are fully or partially enclosed or located on the **deck** surface of a **building**, including parking **garages** and **deck** parking.

## Patio

A slab on grade located in the **front, rear, or side yard** of a property.

## Pawn Shop

A place where money is loaned on security of personal property left in pawn and pledged as collateral for the loan and where that property may be redeemed by the seller in a fixed period of time or sold to the general public.

## Pedestrian Friendly (see “Pedestrian Oriented”)

### Pedestrian Oriented

Areas that accommodate pedestrians in a manner that is safe, functional, and aesthetically pleasing.

**Pedestrian oriented** areas generally separate pedestrian and **automobile** traffic, as well as offer designs that are more human-scaled.

## FORT WAYNE ZONING ORDINANCE

### **Recreation Area**

~~Private or non-profit outdoor recreation uses. Structures are typically required by or are part of the primary use of the use. Recreation areas shall include athletic/recreation fields, golf courses, swimming pools, swimming beaches, volleyball or tennis courts, and similar uses. This use shall not include public parks or public recreation areas.~~

### **Recreation Facility**

~~A private or non-profit indoor establishment that is maintained or operated for the amusement, patronage, or recreation of the general public, members, or paying customers, including bowling alleys, tennis clubs, skating rinks, swimming pools, and other similar uses.~~

### **Recreation, General**

~~A commercial use that provides indoor or outdoor amusement, entertainment, recreation, or sport for consumers, including amusement park, athletic field, arena, batting cages, betting or other gambling facility, country club, entertainment facility, golf course (miniature), golf driving range, go-kart facility, haunted house, recreation uses, riding stable, skating rink, stadium/race track, swim club, tennis club, and theater.~~

### **Recreation/Tourism, Limited**

~~A commercial use that provides indoor amusement, entertainment, recreation, or sport for consumers, including arcade, billiard or pool hall, bingo establishment, bowling alley, dinner theater, entertainment facility, haunted house, hotel, motel, skating rink, swim club, tennis club, and theater.~~

### **Recreation Uses, Outdoor**

~~Outdoor recreation uses may include athletic fields, riding stables, swimming pools, tennis courts, and similar uses.~~

### **Recreation, Indoor**

A private indoor establishment that is maintained or operated for the amusement, patronage, or recreation of the general public, members, or paying customers, including axe throwing, bowling alleys, ping pong, rock climbing, skating rinks, swimming pools, tennis clubs, trampoline parks and other similar use. This use shall not include public parks.

### **Recreation, Outdoor**

A private outdoor establishment that is maintained or operated for the amusement, patronage, or recreation of the general public, members, or paying customers. Structures are typically required by or are part of the use. Recreation areas shall include athletic fields, boating, campgrounds, canoeing, golf driving range, fishing, golf courses, non-motorized trail riding, swimming pools, swimming beaches, outdoor games and sports, volleyball or tennis courts, zip lining and similar uses. This use shall not include public parks.

### **Recreational Vehicle (see Floodplain regulations - §157.412(B), Definitions)**

### **Recycling Collection Point**

An accessory use, structure, or enclosed area that serves as a neighborhood drop-off point for temporary storage of recyclable materials. A recycling collection point may also include a facility for the temporary collection of used clothing and household goods.

### **Recycling Processing Facility**

A recycling facility that receives distinct and recognizable solid waste items such as metal, computer, and electronic equipment, newspapers, magazines, books, and other paper products, glass, metal cans, and

## FORT WAYNE ZONING ORDINANCE

### Riding Stable, Nonresidential

Any **lot** or portions of a **lot** on which horses or other similar animals are maintained as part of a private club or for the public to ride in return for monetary remuneration or other forms of compensation.

Nonresidential stables may be located on a **parcel** with no **primary structure**.

### ~~Riding Stable, Private~~

~~Any **lot** or portions of a **lot**, on which a **private club**, association, or other private organization maintains horses or other similar animals to be ridden exclusively by its membership and guests of the membership.~~

### Riding Stable, Residential

An area for riding or housing/boarding horses, used as an **accessory use** and located on a property with a single **family** dwelling.

### Right-of-Way

A dedicated strip of land that may be occupied or may be intended to be occupied by transportation facilities, **public utilities**, or other public **uses**.

### Riverine (see Floodplain regulations - §157.412(B), Definitions)

### Root Parcel of Land

Any separate and distinct quantity of land located within a registered **metes and bounds subdivision** created by virtue of a legally recorded deed. For purposes of determining the duration of existence of a **root parcel**, a quantity of land shall not lose its character as a **root parcel** because of later **conveyances** of land from that **parcel**; provided, however, that any **parcel** legally created from a **root parcel of land** by **conveyance** within a registered nonconforming **metes and bounds subdivision** shall, after the expiration of twelve (12) months from the recordation of the deed evidencing that **conveyance**, be construed as a new **root parcel**.

### Runway (see Airport Overlay District definitions)

### Runway Protection Zone (RPZ) (see Airport Overlay District definitions)

### Sales Yard

An outdoor area for the sale of **building** materials, lumber, sand, gravel, stone, and similar materials used in construction projects.

### Salvage Yard

A **lot**, **parcel**, **development site**, **structure**, or business operation that is primarily used for sales of, processing, or dismantling **junk**, **building/infrastructure** construction material, or similar material.

### Sanitary Landfill

A **solid waste** disposal facility designed to accommodate and dispose of certain types of **solid waste** as defined and described in 329 IAC 10-2 (excluding **hazardous waste** regulated by 329 IAC 3.1). The facility shall be operated by spreading the waste in layers, compacting to the smallest practical volume, and covering with material at the end of each operating day. The facility shall be operated under permits issued by the appropriate government agencies.

### Satellite Dish, Large

A parabolic (dish shaped) **structure** with an antennae or similar apparatus or device designed for the purpose of receiving radio, television or similar communications which is more than two (2) feet in diameter.

**Department of Planning Services**  
**Zoning Ordinance Amendment Application**

Project Name 2025 Fort Wayne Technical Amendment  
Applicant Department of Planning Services  
Address 200 E Berry St, STE 150  
City Fort Wayne City Council State IN  
Telephone 260-449-7607 Zip 46802  
Email lauraoberholtzer@allencounty.us

☐ Allen County Planning Jurisdiction ☒ City of Fort Wayne Planning Jurisdiction

☐ Other lauraoberholtzer@allencounty.us

Proposed Effective Date April 8, 2026

Legislative Body Fort Wayne City Council

**Brief Description of Zoning Ordinance Amendment**

*(Please attach full amendment document)*

This set of technical amendments is proposed to:

- 1) Clarify language that is not clear based on the use of the ordinances so far;
- 2) Address issues that have come up since the effective date of the last technical amendment March 26, 2025;



Signature of Applicant

Laura Oberholtzer

Printed Name

12/2/2025

Date