

## 3 PERMITTED USE TABLE

### 3-1 PERMITTED USES

A table of **primary uses** permitted in each kind of **zone** is shown in 3-2 which follows. Only one **primary use building** is permitted per **lot**. Within the jurisdiction of this ordinance, the **use** of land and the **buildings** and **structures** on it, and of any new or **altered buildings** or **structures** on it, shall conform to the listings of this table.

#### 3-1-1 USES PERMITTED BY RIGHT:

A **primary use** is permitted by right in a **zone** when the letter “P” appears in the Permitted **Use** Table at the intersection of the row containing the name of that **use** and the column containing the name of that **zone**. Please note that the permitted use is subject to:

- (a) the off-street auto and bicycle parking requirement referenced in the first column of the row on which the **use** appears;
- (b) any special conditions referenced in the second column of the row on which the **use** appears; and
- (c) any footnotes alongside the name of the use.

Requirements for all off-street parking groups listed in the first column are found in 4-6-3 through 4-6-9 below.

#### 3-1-2 USES PERMITTED BY SPECIAL EXCEPTION:

A **primary use** is permitted by **special exception** in a **zone** when the letter “S” appears in the Permitted **Use** Table at the intersection of the row containing the name of that **use** and the column containing the name of that **zone**. Please note that the permitted **use** must be granted a **special exception** by the **ABZA** as per 6-4-4 below, and is subject to:

- (a) the off-street auto and bicycle parking requirement referenced in the first column of the row on which the **use** appears;
- (b) any special conditions referenced in the second column of the row on which the **use** appears; and
- (c) any footnotes alongside the name of the **use**.

Requirements for all off-street parking groups listed in the first column are found in 4-6-3 through 4-6-9 below.

#### 3-1-3 ACCESSORY USES AND BUILDINGS:

A **use** or **building** which is incidental to, and located on the same premises as a **primary use**, may be permitted as an **accessory use** or **building**. Permitted **accessory uses** and **buildings** are found in 4-1 below. Also if multiple **buildings** on the same premises are engaged in the same **primary use**, all such **buildings** other than the one housing that **use’s** managing or operating office, shall be considered **accessory buildings**. Where multiple **primary use**

**buildings** in single ownership occupy the same premises and are managed or operated from an office in one of those **buildings**, all such **buildings** other than the one housing the operating or managing office shall be considered **accessory buildings**.

#### 3-1-4 USES NOT PERMITTED:

If neither a “P” nor an “S” appears in the Permitted **Use** Table at the intersection of the row containing the name of a **use** and the column containing the name of the **zone**, then that **use** is not permitted in that **zone**.

#### 3-1-5 PERMITTED USES IN PLANNED DEVELOPMENT ZONES:

Because **uses** in a PD **zone** are negotiated and included in the **zone** itself, the Permitted **Use** Table in 3-2 below does not apply.

#### 3-1-6 PERMITTED USE TABLE FORMAT:

- (a) Except for the section on residential **uses**, the Permitted **Use** Table is organized in conformance with the 1987 *Standard Industrial Classification Manual*, assembled and published by the federal Office of Management and Budget. The *SIC Manual*, hereby included by reference, is thus part of this ordinance which shall not be administered without it.
- (b) In this table, nearly every permitted **primary use** (except for residential **uses**) is assigned an SIC Group number of either 2, 3 or 4 digits. Four-digit groups are more specific than 3-digit groups, which in turn are more specific than 2-digit groups. For purposes of the Permitted **Use** Table, each **use** shall be classified in the most specific SIC Group listed.
- (c) **Uses** not assigned an SIC Group number are shown in quotes, and are defined in 1-10 above.
- (d) The word “except” followed by a colon, found directly under many SIC Group numbers, means that any indented listings of specifically named primary **uses** that follow “except:” shall be considered separately, and not as part of the listing from which they have been excepted.
- (e) For ease of use, some items in the table have been grouped together because of related functions. Thus **trash transfer stations** (which might otherwise be found under SIC 4212), and **junk yards** and scrap and waste material (which might otherwise be found under 5093), have been included below SIC 4953 with other forms of refuse management.
- (f) The major groupings of **uses** within the Permitted **Use** Table are as follows:
  - 3-2-1 Residential **Uses**
  - 3-2-2 Agriculture, Forestry and Fishing
  - 3-2-3 Mining
  - 3-2-4 Construction
  - 3-2-5 Manufacturing
  - 3-2-6 Transportation, Communications, Electric, Gas and Sanitary

- 3-2-7 Wholesale Trade Services
- 3-2-8 Retail Trade
- 3-2-9 Finance, Insurance and Real Estate
- 3-2-10 Services
- 3-2-11 Public Administration

### 3-1-7 PERMITTED *USE* TABLE ADMINISTRATION:

- (a) **Administrative Officers** shall determine the appropriate SIC Group for a given use by means of the Permitted **Use** Table and the *SIC Manual*. As a further aid, the Alphabetic Index in the *SIC Manual* lists a 4-digit number for virtually all activities.
- (b) The nature of **uses** will be as they are defined in the *SIC Manual*. Exceptions are those permitted **primary uses** listed in the table in quotes. These are defined in 1-10 above.
- (c) Where the name of a permitted **primary use** appears in the *SIC Manual* both as a title next to an SIC Group number and as a listing under that title, the item in the Permitted **Use** Table refers to the group title and all uses listed below it. It does not refer to the one specific listing below the title that shares its name.
- (d) SIC Major Groups 01 and 02 (Agricultural Production --- Crops, and Agricultural Production --- Livestock and Animal Specialties) are meant to identify **primary uses** operated for commercial purposes. The introductory paragraphs in the *SIC Manual* for these 2 groups dealing with classification based on "50 percent or more of the value of sales", are to be disregarded in favor of a measure based on predominant commercial **use** of the land.
- (e) **Primary uses** that are neither listed in the Permitted **Use** Table nor classified in the Alphabetic Index of the *SIC Manual*, may be permitted by an **Administrative Officer** in a **zone** in which similar uses are permitted. The **Administrative Officer** shall find the characteristics of such an unlisted **use** to be:
  - (1) consistent with the purpose and description of the **zone** as per Chapter 2 of this ordinance;
  - (2) compatible with the permitted **uses** in the **zone**; and
  - (3) similar in traffic generation, and noise, vibration, dust, odor, glare and heat producing properties.
- (f) Footnotes appearing in the Permitted **Use** Table are not subject to variance by the **ABZA** or its division. Doing so would create a **use variance**, prohibited by state statute (*I.C. 36-7-4-916 and 918.3*).
- (g) As used in the footnotes to the Permitted **Use** Table, the word "equipment" includes trucks, except all pick-up trucks and any other trucks with a hauling capacity up to one ton.































**FOOTNOTES TO 3-2:**

- 1 **Industrial zones** are differentiated by relative impact on surrounding **uses**, as measured by the amount of activity that is conducted outdoors. Thus, I1 = low impact = activities conducted entirely indoors with an attached loading facility; I2 = moderate impact = indoor activity except for outdoor loading operations; and, I3 = high impact = activities, including storage, conducted indoors or out.
- 2 Permitted in unincorporated Tippecanoe County only.
- 3 Permitted in **industrial zones** only without retail sales.
- 4 Boarding kennels, breeding of animals other than own stock (and other than cattle, hogs, sheep, goats and poultry), and training of pets and other animal specialties are classified in SIC 0752: Animal specialty services, except veterinary.
- 5 Permitted in designated **commercial zones** with no outdoor operation or storage of materials, chemicals or equipment and with no animals on premises, and in **industrial zones** only to the extent of outdoor activity indicated in Footnote 1.
- 6 May include grooming and boarding facilities as **accessory uses**.
- 7 May include grooming facilities as **accessory uses**.
- 8 Permitted in NB, NBU, OR, CB and CBW **zones** only with no outdoor operation or storage of materials and equipment, and maximum **gross floor area** of 5000 square feet. Permitted by Special Exception in A, AA and AW **zones** on 5 acres or more, with maximum **gross floor area** of 5000 square feet. (Amend 36)
- 9 Permitted by right in GB, I1 and I2 **zones** as offices only; batch plants in GB, I1 and I2 **zones** require **special exceptions**. Permitted by **special exception** in designated **rural zones** as temporary batch plants only.
- 10 Permitted in designated **commercial zones** only with no outdoor operation or storage of materials and equipment, and maximum first floor area of 5000 sq.ft. Maximum first floor area may be increased up to 10000 sq.ft. if there is a retail element included.
- 11 Railroad **right-of-way** permitted in all **zones**.
- 12 Permitted in GB **zones** only on **lots** up to 2 acres in area.
- 13 Permitted in NB, MR, CB and CBW **zones** only with no outdoor operation or storage of materials and equipment, and maximum **gross floor area** of 5000 sq.ft.
- 14 Permitted in OR, GB and HB **zones** only on **lots** up to 2 acres in area.
- 15 Permitted in NB, NBU, MR, CB, and CBW **zones** only with no outdoor operation or storage of materials and equipment, and maximum **gross floor area** of 5000 sq.ft.
- 16 Permitted in FP **zones** only as docking facilities.
- 17 Permitted in designated **commercial zones** as offices only.
- 18 In addition, government agencies may operate **primary communications towers** by right in all R3, R3U, R3W, R4W, **commercial** and **industrial zones**, and by **special exception** in all other **residential zones** and all **rural zones**.
- 19 Except (A) public utilities under the authority and continuing jurisdiction of the IURC, which shall include any business actively regulated by a government agency and required by law to (1) serve all members of the public, (2) charge reasonable rates subject to review by a regulatory body, (3) file tariffs specifying all of the charges, and (4) modify service only with the approval of the regulatory body, and except (B) utilities owned by municipalities (Amend 26).
- 20 Sludge disposal as an application to **farm** fields is **accessory** to the agricultural **use**.
- 21 Permitted in GB, I1 and I2 **zones** only if all processing of **recyclable materials** is performed inside a noiseproof **building** with no outdoor storage of **recyclable materials** or equipment. In I3 **zones**, if operations include outdoor storage of **recyclable materials**, then either an opaque fence or wall or a tight screen planting effective at all times is required, sufficient to block the view of **recyclable materials** from all abutting **uses**.
- 22 Includes no licensed vehicles other than non-motorized vehicles.

- 23 Farm-based sales of field seeds by the owner and/or operator of that **farm** is permitted by right in A, AA and AW **zones**.
- 24 Except as noted in Footnote 55 (Amend 17), permitted in NB, NBU and CB **zones** (SIC 553), or NB, NBU CB and CBW (SIC 5999) only with no outdoor operation or storage of materials or equipment.
- 25 Permitted in HB **zones** but not within 1000' of a **residential zone** or **use**.
- 26 (WLAf) Permitted in NB, NBU, OR, MR, CB and CBW **zones** only with no drive-in and/or drive-thru service provided.
- 27 Permitted in NB, NBU and MR **zones** only without live entertainment. Permitted in MR **zones** only under SIC 5812: Eating Places, and not SIC 5813: Drinking Places (Alcoholic Beverages).
- 28 Permitted in MR **zones** as establishments engaged only in the retail sale of prescription drugs, proprietary drugs and nonprescription medicines, which shall not carry related lines, such as cosmetics, toiletries, tobacco and novelty merchandise.
- 29 On-premise rental offices are **accessory uses**, permitted in any **zone** in which the **primary use** is permitted.
- 30 Permitted in designated **rural zones** only on tracts of 20 acres or more, and in (Amend 24) CBW **zones** only with all parking contained within the **primary use building** or an associated parking structure.
- 31 Permitted in FP **zones** (excluding the **regulatory floodway**) with permission of the Indiana State Board of Health.
- 32 **Fraternities, sororities and student cooperatives** are listed with residential **uses**, above.
- 33 Beauty culture and cosmetology schools not permitted in NB and NBU **zones**.
- 34 Barber colleges not permitted in NB and NBU **zones**.
- 35 Except in GB **zones**, permitted in designated **commercial zones** as offices only.
- 36 This does not include parking (required or otherwise) which is reserved for specific **primary uses**, and is thus **accessory** to those **uses**.
- 37 All work, materials and equipment shall be indoors.
- 38 Permitted in NB, NBU, CB and CBW **zones** only with no outdoor operation or storage of materials and equipment, and maximum **gross floor area** of 5000 sq.ft.
- 39 In **commercial zones**, permitted indoors only (Amend 31).
- 40 Permitted in NB and NBU **zones** only with maximum **gross floor area** of 5000 sq.ft.
- 41 Permitted by **special exception** in FP **zones** only as bathing beaches, canoe rentals, and fishing piers and lakes, and then only in accordance with Footnote 31 above if in an FP **zone**.
- 42 Permitted in NBU **zones** only with maximum **gross floor area** of 5000 sq.ft.
- 43 Does not include Purdue University, IVY Tech, and other educational institutions of the State of Indiana, which cannot be restricted or regulated by this ordinance.
- 44 Permitted in NB and NBU **zones** only with no outdoor operation or storage of materials and equipment, and maximum **gross floor area** of 5000 sq.ft.
- 45 Permitted in MR **zones** only as nursing schools. Flying instruction is an **accessory use** to SIC 45, Transportation by air.
- 46 Does not include **accessory child care**.
- 47 Zoological gardens permitted only on tracts of 10 acres or more.
- 48 Youth associations (YWCA, YMCA, YWHA, YMHA, etc.) are classified under SIC 8322 above.
- 49 Does not include any state agency, or the use of property owned or occupied by the State of Indiana or any state agency.
- 50 Permitted in designated **residential zones** and **rural zones** only as township trustees' offices.
- 51 Permitted in West Lafayette in I2 and I3 **zones** only. (Amend 4)
- 52 Residential **uses** in the **Courthouse Proximate Area**, NBU and CBW **zones** shall be located above the non-residential ground floor, except that one handicapped **accessible dwelling unit** may be located on the ground floor of non-elevator **buildings** in addition to non-residential **uses**. (Amendments 6, 10, 12)

**FOOTNOTES TO 3-2, continued:**

- 53 Includes all ancillary services.
- 54 Establishments engaged in the sale of unpackaged mulches, soil, soil conditioners, landscape rock, or fertilizers are permitted only in the GB zone by right and only where all such products are kept within effective containment structures and where a permanent office is maintained. Sales of such products with no containment structures are only permitted in the I3 and A **zones** by right. (Amend 13 and Amend 47)
- 55 **Uses** engaged in both selling and installing such automotive parts as tires, transmissions, mufflers, brake linings, and glass are classified in Services, SIC 753 Automotive repair shops. (Amend 17)
- 56 R3U and R3W **zones** are subject to **density** caps. These can be found in subsections 2-9-4 and 2-10-4 respectively. A **density** higher than the caps permit would constitute a **use variance**, prohibited by law. Recourse is to seek rezoning to R3 and R4W respectively, which are uncapped. (Amend 18)
- 57 All operations shall be conducted entirely indoors. (Amend 42)
- 58 In A, AW, AA, I1, I2, and I3 zones, a **winery** must produce a minimum of 200 gallons of wine and/or brandy per year. Attendance at private events is limited to 85 persons per event. Public events are limited to 3 event days per month and 15 event days per calendar year. Private events at which attendance exceeds 85 persons shall be considered a public event. Sales and marketing promotions that do not encourage an extended visit on the property shall not be considered a public event. (Amend 43)
- 59 Except where otherwise prohibited, the sale of a **family vehicle** is allowed in any **zone** on property on which the vehicle's owner resides. (Amend 45)
- 60 Allowed in the A and AW zones by special exception only if the volume of feed produced is less than 3000 tons per year. (Amend 46)