

**ZONING ORDINANCE
FOR THE
CITY OF GOSHEN, INDIANA**

**ORDINANCE NUMBER 3011
ADOPTED MARCH 6, 1984**

PREPARED BY:

**MICHIANA AREA COUNCIL OF GOVERNMENTS
ANTHONY P. MOLNAR, REGIONAL PLANNER
MACOG STAFF
THOMAS E. BYERS, EXECUTIVE DIRECTOR
WANDA L. HARRAH, OFFICE MANAGER
MARGARET S. KENNEDY, PLANNING TECHNICIAN**

THE PREPARATION OF THIS DOCUMENT WAS FINANCED IN PART THROUGH A COMPREHENSIVE PLANNING GRANT FROM THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT UNDER THE PROVISIONS OF SECTION 701 OF THE HOUSING ACT OF 1954, AS AMENDED.

ACKNOWLEDGMENTS

We wish to thank the members of the Goshen Advisory Committee that spent so much of their time reviewing the various sections of the ordinances as they were written. This process took place over a twelve month period and resulted in the documents that follow. These completed documents could never have been finished in time without their full cooperation and complete dedication.

We want to especially thank Mayor Max Chiddister, City Engineer Forrest Miller, Assistant City Attorney Tom Murto, Board of Zoning Appeals Chairman Tom Marquis, and Department of Planning and Development Plan Administrator Steve Seifert, for their loyal attendance at our committee meetings and for their efforts in ensuring the zoning ordinances were reviewed and completed.

We would also like to thank Larry E. Blackport, Councilman-at-large, Dave Stauffer and Virgil L. Snyder, representatives from the Goshen Chamber of Commerce, for their help and attendance at these committee meetings.

Also, we wish to recognize Terry Hoogenboom, Bob Kramer, Cal Zehr, Alan Metzler, and Charles Daub for their assistance.

Without the help of all of these individuals, this effort could not have been successful.

-1984

TABLE OF CONTENTS

ZONING ORDINANCE FOR THE CITY OF GOSHEN, INDIANA

ARTICLE I. GENERAL PROVISIONS

Section 1100	Short Title
Section 1110	Purpose
Section 1120	Interpretation and Application
Section 1130	Separability
Section 1140	Repeal
Section 1150	Effective Date

ARTICLE II. DEFINITIONS

Section 2100	Application and Determination
Section 2110	Definitions of Words and Phrases

ARTICLE III. DISTRICT REGULATIONS

Section 3100	Provisions for the Official Zoning Map
Section 3110	Provisions for Interpreting District Boundaries
Section 3120	Maintenance of Official Zoning Map
Section 3130	Location of Official Zoning Map
Section 3140	Replacement of Official Zoning Map
Section 3150	Zoning of Annexed Lands
Section 3160	Zoning of Vacated Areas
Section 3170	Uniform Application of District Regulations

ARTICLE IV. ESTABLISHMENT OF ZONING DISTRICTS

Section 4100	Districts
Section 4110	Description of Districts
Section 4120	Table of Permitted Uses
Section 4130	A-1: Agricultural District Regulations
Section 4140	R-1: Residential District Regulations
Section 4150	R-1S: Special Residential District Regulations
Section 4160	R-2: Residential District Regulations
Section 4170	R-3: Residential District Regulations
Section 4180	R-4: Residential District Regulations
Section 4190	B-1: Commercial District Regulations
Section 4200	B-2: Commercial District Regulations
Section 4205	Downtown District Regulations (Overlay District)
Section 4210	B-3: Commercial District Regulations
Section 4220	B-4: Commercial District Regulations

ARTICLE IV. ESTABLISHMENT OF ZONING DISTRICTS (Continued)

Section 4230	M-1: Industrial District Regulations
Section 4240	M-2: Industrial District Regulations
Section 4250	PUD: Planned Unit Development District Regulations
Section 4260	Wireless Communications Service Location (Overlay District)
Section 4270	FW: Flood Control District Regulations
Section 4280	HCD Historic Commercial District (Overlay District)

ARTICLE V. SUPPLEMENTAL REGULATIONS

Section 5000	Landscaping Regulations
Section 5100	Signs
Section 5110	Parking Requirements
Section 5120	Loading Requirements
Section 5130	Fence Regulations
Section 5140	Primary Building or Structure
Section 5150	Accessory Uses
Section 5160	Street Access
Section 5170	Parking, Storage or Use of Major Recreational Equipment and Other Vehicles
Section 5180	Visibility Requirements
Section 5190	Screening Requirements
Section 5200	Conditional Uses

ARTICLE VI. ADMINISTRATION AND ENFORCEMENT

Section 6100	Administration
Section 6110	City Plan Commission
Section 6120	Board of Zoning Appeals
Section 6130	Zoning Administrator
Section 6140	Building Commissioner
Section 6150	City Council
Section 6170	Enforcement
Section 6180	Improvement Location Permit
Section 6190	Certificate of Occupancy
Section 6200	Reserved
Section 6210	Sign Permit
Section 6220	Appeal
Section 6230	Variance
Section 6240	Amendment
Section 6250	Non-Conforming Lots of Record, Structures and Uses
Section 6260	Violation and Penalty

APPENDICES

Appendix A	Approved Materials List
Appendix B	Fee Schedule
Appendix C	Diagrams
Appendix D	Ordinance Amendments
Appendix E	Table of Permitted Uses
Appendix F	Table of Parking Requirements
Appendix G	Illustrations
Appendix H	Location of Freestanding Signs
Appendix I	Description of Historic District
Appendix J	Description of Wireless Tower Sites
Appendix K	Downtown District
Appendix L	Main Street List: Downtown District

ORDINANCE NUMBER 3011

AN ORDINANCE ESTABLISHING COMPREHENSIVE ZONING REGULATIONS FOR THE CITY OF GOSHEN, AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT AND AMENDMENT THEREOF, IN ACCORDANCE WITH THE PROVISIONS OF THE INDIANA STATE STATUTES.

ARTICLE I. GENERAL PROVISIONS

Section 1100 **Short Title.**

This ordinance shall be known and may be cited as “Zoning Ordinance, City of Goshen, Indiana.”

Section 1110 **Purpose.**

The zoning regulations and districts as herein set forth are made in accordance with a comprehensive master plan in order that adequate light, air, convenience of access and safety from fire, flood and other danger may be secured; that congestion in the public streets may be lessened or avoided; and that the public health, safety, comfort, morals, convenience and general public welfare may be promoted. They are made with reasonable regard to existing conditions, the character of buildings erected in each district, the most desirable use for which the land in each district may be adapted and the conservation of property values throughout the incorporated City of Goshen.

Section 1120 **Interpretation and Application.**

In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements for the promotion of health, safety, morals, comfort, prosperity or general welfare.

Where the conditions imposed by any provision of this ordinance upon the use of land or buildings or upon the bulk of buildings are either more restrictive or less restrictive than comparable conditions imposed by any other provision of this ordinance or of any other law, ordinance, resolution, rule or regulation of any kind, the regulations which are more restrictive or which impose higher standards or requirements shall govern.

This ordinance is not intended to abrogate any easement, covenant or any other private agreement, provided that where the regulations of this ordinance are more restrictive or impose higher standards or requirements than such easements, covenants or other private agreements, the requirements of this ordinance shall govern. No building, structure or use which was not lawfully existing at the time of the adoption of this ordinance shall become or be made lawful solely by reason of the adoption of this ordinance; and to the extent that, and in any

Goshen Zoning Ordinance

manner that said unlawful building, structure or use is in conflict with the requirements of this ordinance, said building, structure or use remains unlawful hereunder.

The provisions in this ordinance are cumulative and additional limitations upon all other laws and ordinances, heretofore passed or which may be passed hereafter, govern any subject matter in this ordinance.

Within designated floodway areas, the provisions of this ordinance relative to land use and control and other measures designed to minimize or eliminate existing or potential flood hazards shall take precedence over any conflicting provisions of the Zoning Ordinance.

Section 1130 **Separability.**

Should any section or provision of this ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not effect the validity of the ordinance as a whole or of any part other than the part so declared to be unconstitutional or invalid.

Section 1140 **Repeal.**

An ordinance, referred to as the “Zoning and Use Regulations Ordinance, City of Goshen, Indiana,” adopted by the City Council in September 1968, as amended, is hereby repealed in its entirety by this ordinance.

Section 1150 **Effective Date.**

This ordinance shall be effective as of March 6, 1984.