

## **Chapter 153.04 - Zoning Districts**

### **§ 153.04.1 Kinds of Districts; Establishment**

**a.** The City of Garrett, Indiana Corporate Limits, and any relevant extraterritorial area(s) that are established according to the Indiana Code, are hereby classified and divided into the following kinds of districts (amended September 19, 2006 by Ordinance # 2006-23).:

1. **Agriculture Districts**, designated "**AG**", are established to protect areas determined by the Comprehensive Plan to be best retained in agriculture usage from premature or uncoordinated urbanization. Residential uses within these districts are limited to single-family dwellings. ([Permitted uses in Table 1](#)).
2. **Floodplain Districts**, designated "**FP**", are established to include areas which have excessively high water tables, or which are subject to frequent and periodic floods or overflow, or where soils analyses have indicated land as being marginal or submarginal for urban usage. ([Permitted uses in Table 1](#)).
3. **Residence Districts**, designated "**RC**", are established for low density, large parcels (over 12,000 square feet) and single-family dwellings, on the edges of the Garrett Corporate Limits where City utilities are accessible. Residential uses within these districts are limited to single-family dwellings. ([Permitted uses in Table 1](#)).
4. **Residence Districts**, designated "**RS**", are established solely for single-family dwellings that are typically located on platted, subdivided parcels within the Garrett Corporate Limits. Residential uses within these districts are limited to single-family dwellings. ([Permitted uses in Table 1](#)).
5. **Residence Districts**, designated "**RU**", are established for older medium density residential areas in order to protect existing development and to permit the development

of existing vacant parcels according to neighborhood character, and the size, setback and other use and physical requirements of this Ordinance. ([Permitted uses in Table 1](#)). Residential uses within these districts are limited to single-family dwellings. Two and multi-family dwellings, either by new construction or by the conversion of existing single-family dwellings, are permitted only through the granting of a special exception by the Garrett Board of Zoning Appeals. The special exception criteria for such conversions are as prescribed by Table 24 to this Ordinance.

6. **Residence Districts**, designated "**RI**", are established for the older, denser residential sections of the city close to the central business area. Residential uses within these districts are limited to single-family dwellings. Two and multi-family dwellings, either by new construction or by the conversion of existing single-family dwellings, are permitted only through the granting of a special exception by the Garrett Board of Zoning Appeals. The special exception criteria for such conversions are as prescribed by Table 24 to this Ordinance. ([Permitted uses in Table 1](#)).
7. **Residence Transition Districts**, designated "**RT**", are established for limited areas adjoining the central business area and larger commercial areas located on arterial streets, where some transition between business and residential character is desirable. ([Permitted uses in Table 1](#)).

Residential uses within these districts are limited to single-family dwellings. Two and multi-family dwellings, either by new construction or by the conversion of existing single-family dwellings, are permitted only through the granting of a special exception by the Garrett Board of Zoning Appeals. The special exception criteria for such conversions are as prescribed by Table 24 to this Ordinance.

8. **Accommodation Business Districts**, designated "**BA**", are established to include areas that are in proximity to major

- thoroughfare interchanges and recreation uses and that are appropriate to the limited shopping and service needs of those locations. ([Permitted uses in Table 1](#)).
9. **Local Business Districts**, designated "**BL**", are established to include areas that are close to residential areas and appropriate to meeting neighborhood convenience shopping and service needs. ([Permitted uses in Table 1](#)).
  10. **General Business Districts**, designated "**BG**", are established to include areas that are appropriate to a wide range of business and services uses. ([Permitted uses in Table 1](#)).
  11. **Business Core Districts**, designated "**BC**", are established to include limited areas in the heart of the city's Central Business Area where more compactness and contiguity of pedestrian-oriented uses than is possible in "BG" districts is necessary to maintain the character of existing development and to implement the Comprehensive Plan. This district is also further established to encourage uses that are reasonably compatible with surrounding development (amended January 6, 1998 by Ordinance # 98-02). ([Permitted uses in Table 1](#)).
  12. **Shopping Center Districts**, designated "**SC**", are established to provide neighborhood retail shopping facilities in areas where no clear pattern of business now exists. ([Permitted uses in Table 1](#)).
  13. **Industrial Limited Districts**, designated "**IL**", are established to include areas for industrial operations utilizing enclosed space for storage, fabricating, and manufacturing. ([Permitted uses in Table 1](#)).
  14. **Industrial General Districts**, designated "**IG**", are established to include areas for industrial operations utilizing both enclosed and unenclosed space for storage, fabricating and

manufacturing. ([Permitted uses in Table 1](#)).

15. **Industrial Reserve Districts**, designated "**IR**", are established to include undeveloped areas which are appropriately located for industrial use according to the Master Plan but which have less potential for immediate development than the IL or IG areas; industrial parks on large tracts are permitted as are dwelling, but business uses are excluded. ([Permitted uses in Table 1](#)).
16. **Manufactured Housing Districts**, designated "**MH**", are established to provide appropriate sites for planned manufactured housing developments within the Garrett Plan Jurisdiction subject to the relevant approval processes specified by §153.07 and §153.09 of this Ordinance. Residential uses within these districts are limited to single-family dwellings. ([Permitted uses in Table 1](#)).
17. **Wetlands Preservation Districts**, designated "**WP**", are established to include permanently or seasonally saturated areas supporting aquatic or hydrophytic vegetation, and containing hydric soils. Areas designated as WP-Districts, by amendment to this Ordinance and the City of Garrett Zoning Map, shall appear on the most current "National Wetlands Inventory" maps, published by the United States Fish and Wildlife Services or shall be determined to be a wetlands area by the Garrett Plan Commission, a Commission-designated wetlands specialist, or an authorized state or federal natural resources agent. WP-Districts shall have a minimum of not less than five (5) acres, are to be preserved as wetlands areas; and uses thereof shall be those uses defined in this Ordinance. ([Permitted uses in Table 1](#)).
18. **Public Land Districts**, designated "**PL**", are established to include publicly-owned areas for parks, public buildings, public utilities, public housing and other public facilities. ([Permitted uses in Table 1](#)).

**b. Zoning Map** - The City of Garrett, Indiana Zoning Map is hereby established per the requirements of the IC 36-7-4-600 Series.

As adopted by the Common Council of the City of Garrett, an official map is to contain the following statement: "This is to certify that this is the official Zoning Map of the City of Garrett, Indiana"

Said map shall also bear the seal of the City and the date of adoption of the map. It shall be certified by the Mayor and the Commission President, and attested by the Clerk-Treasurer.

If, according to the provisions of these Regulations, changes are made in district boundaries, or other items portrayed on the map, the Zoning Administrator shall record such changes on the map together with an entry substantially conforming with the following:

"On (date), by official action of the Common Council of the City of Garrett, Indiana, the following change(s) were made to this Zoning Map (brief description of the nature of the change)."

The Zoning Map of the City of Garrett, Indiana may also be referred to within these regulations as "zone map" or "zoning map." (Amended April 2, 2002 by Ordinance # 2002-7).

#### **§ 153.04.2 Boundaries: In General**

**a.** The boundaries of the districts established by § 153.04.1(a) are shown on the Zone Map, which is a part of this ordinance. Except as provided by this subsection, such boundaries may be changed only by amending this ordinance.

**b.** Whenever uncertainty exists with respect to the precise location of any district boundary shown on the Zone Map, the following rules in the order indicated shall be applied by the Zoning Administrator to determine the location of said boundary.

1. Boundaries shown as following or closely following the limits of any municipal corporation, or other governmental boundary line, shall be construed as following such limits.
2. Boundaries shown as following or approximately following streets, highways, or alleys shall be construed to follow the center lines of such streets, highways, or alleys.
3. Boundaries shown as following or approximately following platted lot lines or other property lines shall be construed as following such lines.
4. Boundaries shown as following or approximately following section lines, half-section lines, or quarter-section lines, shall be construed as following such lines.
5. Boundaries shown as following or approximately following railroad lines shall be construed to lie midway between the main tracks of such railroad line.
6. Boundaries shown as following or approximately following shore lines of any lakes shall be construed to follow mean high water lines of such lakes, and, in the event of changes, in the mean high water line, shall be construed as moving with the actual mean high water line.
7. Boundaries shown as following or approximately following the center lines of streams, rivers, or other continuously flowing water courses shall be construed as following the channel center line of such water courses taken at mean low water, and in the event of a natural change in the location of such streams, rivers, or other water courses the zone boundary shall be construed as moving with the channel center line.
8. Boundaries shown as separated from, and parallel or approximately parallel to, any of the features listed in subsection

(1) through (7) above shall be construed to be parallel to such feature and at such distances therefrom as is shown on the said map.

**§ 153.04.3 (Reserved for Future Use)** (Amended April 2, 2002 by Ordinance # 2002-7).