

Commercial Vehicle: A vehicle that meets one or more of the following attributes.

1. Any vehicle designed to operate on the road, if appropriately licensed, with a gross vehicle weight rating (GVWR) of more than 10,000 pounds; or
2. Any vehicle, regardless of weight, used or designed to be used as a box truck, bucket truck, bus (carrying 10 or more passengers), commercial tree-trimming equipment, construction or excavating equipment, dump truck, flatbed truck, food truck, garbage truck, package delivery truck, step van, tank truck, tar truck, tow-truck; or
3. Any vehicle with a US DOT number licensed by the State of Indiana as a commercial vehicle or commercial truck; or
4. Any trailer, open or enclosed, with a cargo holder measuring more than 12 feet in length; or
5. Any trailer, open or enclosed, holding landscaping or construction equipment including but not limited to mowers, trimmers, wood chippers or shredders, excavator, or front-loader.

This definition does not include a vehicle meeting the definition of a Recreational Vehicle.

Commission: The Metropolitan Development Commission (MDC) of Marion County, Indiana.

Committee: The Plat Committee of the Metropolitan Development Commission of Marion County, Indiana, or, in the case of a combined hearing as permitted under IC 36-7-4 and Section 740-600 (Application & Nonconformities) of the Zoning Ordinance, the hearing examiner of the Metropolitan Development Commission.

Commitment: Agreement made regarding property in accordance with IC 36-7-4.

Community Center: Public or quasi-public facilities used for recreational, social, educational and cultural activities of a neighborhood or community. This definition includes facilities designed for the conduct of sport and leisure time activities and other customary and usual recreational activities such as athletic clubs; auditoriums; assembly halls; community, multi-service, neighborhood, or senior citizens' centers, swimming pools, and game courts.

Compost: Relatively stable decomposed organic matter or collected and managed decomposing organic matter for use in agricultural and other growing practices usually consisting of materials such as grass, leaves, yard waste, worms, and also including raw and uncooked kitchen food wastes, but specifically excluding bones, meat, fat, grease, oil, raw manure, and milk products.

Comprehensive Plan: The applicable comprehensive or master plan for Marion County, Indiana, or a part of that county, adopted by the Metropolitan Development Commission of Marion County, Indiana, pursuant to IC 36-7-4-500 Series, and any amendments to that plan.

Condition: An official agreement between the municipality and the applicant concerning the use or development of the land as specified in the letter of grant of a petition, variance, or special exception as signed by the Administrator or secretary of the applicable appointed land use body.

Condominium: A building, group of buildings, or portion thereof, in which units are owned individually as provided for by the lawful recordation of condominium instruments, and the structure, common areas, or facilities are owned by all the owners on a proportional, undivided basis as per IC 32-25.

Connected Piping: In the Wellfield Protection Zoning Districts, any underground piping including valves, elbows, joints, flanges, and flexible connectors attached to a tank system.

Construction Activity: The conduct of land alterations, watercourse alterations, erection, construction, placement, repair, alteration, conversion, maintenance, moving, or remodeling of any new or existing building or structure or any part thereof, or the construction, installation, extension, repair, alteration, conversion, removal or maintenance of building or structure equipment.

Consumer Services or Repair of Consumer Goods: Businesses engaged in the repair or servicing of common household or light commercial goods in which the service or repair is typically conducted on-site rather than at the end-users location. This definition includes uses such as: pick-up stations for dry cleaning or laundry; garment pressing; cleaning and maintenance services; interior decorator; key duplicating shop; locksmith; photocopying services, copy centers and document preparations, parcel packing/ mailing service (excluding industrial); photo finishing; photography studio; plumbing sales and service (excluding contractor); radio or television service; security system services; tailor, seamstress or dressmaker; portable air conditioner service or repair; antique repair or restoration; bicycles; cameras; household, clocks, watches, or jewelry; computers; dental instruments; furniture reupholstery or refinishing; gas appliances; lawn mowers; leather goods; musical instruments; optical goods; radio or television; shoes; sewing machines; mobile phones and devices, glass installation and repair (excluding auto glass repair and installation); internet sales consignment facility.

Container: In the Wellfield Protection Zoning Districts, a receptacle for holding goods or wastes such as tanks, drums, and barrels.

Containment Area: An aboveground area with floors and sidewalls that have been constructed of a material that prevents migration of fluids into the groundwater.

Convenience Market: A retail establishment selling a limited number of food items, such as sandwiches, snacks, staple groceries, household items, lottery tickets and food items prepared on the premises, including reheating, which can be immediately consumed. The establishment may also provide a facility where gasoline and other motor fuels are stored and subsequently dispensed by use of fixed, approved dispensing equipment by customers of the establishment on a self-service basis. This use is classified under "Retail, Light General."

Cost: For purposes of flood control regulation, the actual value of the work to be performed based on a method approved by FEMA.

Covenant: A private legal restriction on the use of land contained in the deed, plat and other legal documents pertaining to the property.

Covered Open Space: See "Open Space, Covered."

Crematorium: A facility containing furnaces for the reduction of dead bodies to ashes by incineration.

Critical Facilities: For purposes of flood control regulation, those facilities that: are critical to the community's public health and safety; are essential to the orderly functioning of a community; store or produce highly volatile, toxic or water reactive materials that must be protected to prevent further harm or house occupants that may be insufficiently mobile to avoid loss of life or injury. For the purposes of the Zoning Ordinance, wastewater treatment plants and water treatment plants are not considered to be critical facilities regulated by these provisions.

CRS: Community Rating System. A program developed by the Federal Insurance Administration to provide incentives for those communities in the NFIP that have gone beyond the minimum floodplain management requirements to develop extra measures to provide protection from flooding.

Curb Cut: The opening along the curb line, exclusive of curb ramps, at which point vehicles may enter or leave the street, also known as an access cut (see Diagram C).

Curb Line: A line located on either edge of the pavement, but within the right-of-way (see Diagram C).

(commercial or private); go cart raceways; scenic railroads; and drive-in theaters. This definition does not include Sports Stadium.

Outdoor Seasonal Produce Sales: A market held in an open area or under a temporary structure where a single merchant offers for sale to the public only such items as fresh produce, seasonal fruits, fresh flowers, or items created from those products, dispensed from a booth or booths located on-site. It shall not include food items prepared for sale and consumption on-site.

Outdoor Seating or Patio (nonresidential): On-site service facilities or seating areas accessory to a restaurant or establishment serving items to be consumed on site. This definition does not include sidewalk cafes in the public right-of-way.

Outdoor Storage and Operations: An outdoor area used for the long-term deposit (more than 24 hours) of any goods, material, merchandise, vehicles or junk as an accessory use to and associated with a primary use on the property. Outdoor operations include activities outside of a building that are associated with the primary use, such as the cutting and loading of pipe from an outdoor stockpile. See related “Outdoor Storage, Heavy.”

Outdoor Storage, Heavy: The keeping of any goods, material, or merchandise outdoors and typically weighing more than 75 pounds for the long-term deposit (more than 24 hours) and does not meet the definition of Automobile and Vehicle Storage or Auction. This definition includes uses such as storage of heavy equipment; railroad equipment; rail yard and terminal; and utility pole yards and pipe yards. See related “Outdoor Storage and Operations.”

Overburden: Earth, vegetation, topsoil, subsoil, caprock or non-specification material that must be removed to provide access to minerals.

P.

Parapet (wall): That portion of a building wall that rises above the roof level.

Park or Playground: Land area that is developed and maintained for active or passive recreational use and is open for the general public’s use and enjoyment, or for the use of customers, residents, or guests of a related facility. A park may include public playfields, courts, and other recreation facilities, or may include greenways, water features, picnic areas, natural areas, boating facilities, fishing facilities, arboreta, and botanic gardens.

Parking Area: An area of paving other than an open exhibition or display area, not inclusive of interior access drives, and driveways intended for the temporary storage of automotive vehicles including parking spaces and the area of access for the parking spaces and the area of access for the egress/ingress of automotive vehicles to and from the actual parking space (see Diagram G).

Parking Bay: The parking module consisting of one or 2 rows of parking spaces and the aisle from which motor vehicles enter and leave the spaces (Refer to Figure 740-306-A in Measurements and Calculations).

Parking Garage: A structure or part of a structure used primarily for the housing, parking, or temporary short-term placement of motor vehicles including parking spaces, and the area of access for the egress/ingress of automotive vehicles to and from the actual parking space.

Parking Garage, Commercial: A parking garage that is a primary use of land.

Parking Lot: A hard-surfaced area other than an open exhibition or display area, inclusive of interior access drives and driveways intended for the temporary placement of vehicles, including parking spaces, bicycles and bicycle sharing facilities, and the area of access for the egress/ingress of vehicles and bicycles to and from the actual parking space (see Diagram G).

Parking Lot, Commercial: A parking lot that is a primary use of land.

Q. [reserved]

R.

Reclamation: For purposes of Gravel, Sand, and Borrow regulations, the rehabilitation of a surface mine's affected area to establish a land use specified in a reclamation plan required by this Article, and including removal or reuse of refuse from mining operations; replacement of removed or stored topsoil; backfilling, grading and compaction of the mining operation; stabilization of soil conditions; re-establishment of vegetative cover; control of surface water and groundwater; prevention of environmental pollution; and the protection and enhancement of wildlife and aquatic resources.

Reclamation Plan: For purposes of Gravel, Sand, and Borrow regulations, a description of activities to be performed by an operator to reclaim the mine's affected area over the life of the mine, including the proposed method of reclaiming the affected land and a description of continuing reclamation concurrent with phases of the mining operation, and including grading plans, erosion and sedimentation control plans, and revegetation plans.

Reconstruction (pertaining to adult entertainment only): The rebuilding or restoration of any nonconforming adult entertainment business that was damaged or partially destroyed by an exercise of the power of eminent domain, or by fire, flood, wind, explosion or other calamity or act of God, if the damage or destruction exceeds two-thirds (2/3) of the value of the structure or the facilities affected.

Recreation Facility, Private: A recreation facility provided as an accessory use on the same lot as the principal permitted use and designed to be used primarily by the occupants of the principal use and their guests without a fee.

Recreational Vehicle: A vehicle including any associated transport trailer, which may be motorized, non-motorized, self-propelled or towed, designed and intended specifically for non-commercial use, such as temporary living, travel, and leisure activities. Examples include but not limited to boats, jet skis, race cars, all-terrain bikes, motor homes, travel trailers, and camping trailers. For a trailer with a cargo holder measuring more than 12 feet in length to qualify as a recreational vehicle it must be loaded with the water craft or other recreational item it is used to transport.

For the purpose of flood control regulation, a vehicle which is:

1. Built on a single chassis;
2. 400 square feet or less when measured at the largest horizontal projections;
3. Designed to be self-propelled or permanently towable by a light duty truck; and
4. Designed primarily not for use as a permanent dwelling, but as quarters for recreational camping, travel, or seasonal use.

Recreational Vehicle Parking: The location of operable recreational vehicles owned by a resident of the site as an accessory to the primary use of the property.

Recycling Collection Point: An unstaffed location where individuals bring household recyclable materials, such as cans, newspapers, books, clothing, or cardboard, to drop off without compensation, or to redeem the materials for monetary compensation. Completely enclosed containers are provided for the recyclable materials to be placed within while awaiting shipment to a recycling facility. Examples of such completely enclosed containers are recycling containers such as "igloos," kiosks, reverse vending machines, covered trailers, or similar structures. Recycling collection points are accessory to a primary use of the property. Initial sorting of materials, but no other processing of the material, may take place at the location. This definition does not include recycling receptacles for individuals for private collection.

5. The parking or storage of a commercial vehicle in any zoning district, when the provisions of which do not specifically permit such a use. However, this provision does not apply to motorized commercial vehicles which do not exceed a gross vehicle weight rating (GVWR) of 10,000 pounds and are not categorized as a commercial vehicle by Item 2 in the definition of a commercial vehicle.
 6. The outdoor storage or display of merchandise or goods in any zoning district, the provisions of which do not specifically permit such a use or in violation of zoning district development standards regulating such use;
 7. The conduct of any activity in a zoning district, not specifically enumerated as a permitted primary or accessory use in that zoning district, and which activity has not been legally established by a currently valid variance, special exception or other approval grant;
 8. Failure to comply with use-specific standards and zoning district development standards, including but not limited to landscaping, paving or striping of parking areas, minimum parking space requirements, service area enclosure, fencing or screening requirements;
 9. The failure to comply with the terms, provisions, conditions or commitments of a variance grant, special exception, ordinance, or other approval grant.
- B.** Each day a civil zoning violation remains uncorrected constitutes a second or subsequent violation. It shall be a defense to an action to enforce a civil zoning violation that the use or activity alleged to be a civil zoning violation is a legally established nonconforming use.

Section 06. Enforcement of civil zoning violations

- A.** The first civil zoning violation in a twelve-month period shall be subject to admission of violation and payment of the designated civil penalty through the ordinance violations bureau in accordance with Chapter 103 of the Revised Code of the Consolidated City and County.
- B.** In addition to the procedures listed in Chapter 103 of the Revised Code of the Consolidated City and County, a person who has been cited for a violation of this section may elect to file a land use petition. The filing of a land use petition, or subsequent issuance of a variance, special exception, rezoning or other approval of the land use petition, shall not constitute a defense of any civil zoning violation that occurs prior to the issuance of the variance, special exception, rezoning or other approval.
- C.** All second and subsequent violations in a twelve-month period are subject to the enforcement procedures and penalties provided in section 103-3 of the Revised Code of the Consolidated City and County.

Section 03. Dwelling Districts

A. General

1. **One primary use per lot.** Only one primary use shall be permitted per lot.
2. **Secondary means of escape.** All secondary means of escape that includes, but is not limited to, fire escapes or similar emergency accesses, shall be located on the rear or side walls of the building or structure. In the case of a building or structure located on a corner lot, the secondary means of escape shall not be located on the side of any building or structure that has frontage along a public or private street.
3. **Parking of oversized and commercial vehicles.** No commercial vehicle or vehicle having a gross vehicle weight rating GVWR exceeding 10,000 pounds may be parked between the facade of a single-family detached dwelling, single-family attached dwelling, manufactured home, mobile dwelling, two-family dwelling, triplex or fourplex, or live-work dwelling and the right-of-way line fronting that façade unless there is active, legal construction taking place on the site or commercial vehicles that are in the course of making normal and reasonable service calls.
4. **Public utilities.** Attachment to public or semipublic water and sanitary sewer facilities shall be mandatory for development in any dwelling district except for the D-A, D-S, and D-1 districts.
5. **Accessory uses and structures.** Accessory uses and structures are permitted in the dwelling districts in accordance with Table 743-1: Use Table. Unless specifically exempted, accessory uses and structures must meet all standards of the Zoning Ordinance, in particular use-specific standards in Sec. 743-306 (Accessory and Temporary Uses) and the development standards of Chapter 744.

Table 743-1: USE TABLE

P = Permitted use
S = Special exception use
V = 'P' if Vacant for 5 consecutive years

A = Accessory use
T = Temporary use

Zoning District	D-A	D-S	D-1	D-2	D-3	D-4	D-5	D-5II	D-6	D-6II	D-7	D-8	D-9	D-10	D-11	C-1	C-3	C-4	C-5	C-7	MU-1	MU-2	MU-3	MU-4	I-1	I-2	I-3	I-4	CBD-1	CBD-2	CBD-3	Use-Specific Standards
Antenna, Radio or Television Broadcasting																											A	A	A	A	A	Article III.Section 06.E
Automated Teller Machine (ATM)													A	A		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Article III.Section 06.F
Bicycle Sharing									A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
Child Care Home	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A							A	A	A	A				A	A	A	Article III.Section 06.G
Drive-Through																A	A	A	A	A	A	A	A			A	A	A	A	A		Article III.Section 06.H
Employee Living Quarters	A	A	A	A	A	A	A	A	A	A	A	A	A	A							A	A	A	A				A	A	A	Article III.Section 06.I	
Game Courts	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Article III.Section 06.J
Home Occupations	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A																	Article III.Section 06.K
Minor Mobile Home Structures															A																	Article III.Section 06.L
Minor Residential Structures	A	A	A	A	A	A	A	A	A	A	A	A	A	A								A	A									Article III.Section 06.M
Mobile Home Display															A						A											Article III.Section 06.N
Model Home	T	T	T	T	T	T	T	T				T											T									Article III.Section 06.O
Outdoor Display and Sales, On-going																		A	A	A			A	A						A		Article III.Section 06.P
Outdoor Display and Sales, Temporary	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	Article III.Section 06.Q
Outdoor Seating or Patio (nonresidential)																		A	A	A	A	A	A	A	A				A	A	A	Article III.Section 06.R
Outdoor Seasonal Produce Sales																	T	T	T	T		T	T	T								Article III.Section 06.R
Outdoor Storage and Operations																			A	A					A	A	A	A				Article III.Section 06.S
Personal Garden	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Article III.Section 06.T
Personal Livestock	A	A	A	A	A	A	A	A	A	A	A	A																				Article III.Section 06.U
Pick-up Station for Dry Cleaning or Laundry									A	A	A	A	A	A		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Article III.Section 06.V
Portable Storage	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	Article III.Section 06.W
Produce Sales	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	Article III.Section 06.X
Recycling Collection Point									A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Article III.Section 06.Z

D. Farmers' Market

- a. Food, food products, arts, and crafts prepared on- or off-site may be offered or sold. However, at least 75% of the vendors must exclusively offer or sell goods in which the good's principle production, ingredients or components are created or grown within Indiana.
- b. The Farmers' Market may operate no more than 3 days in a one week period (Monday through Sunday).
- c. If the Farmers' Market is conducted in a parking lot, it may not occupy more than 25% of the parking required by the other uses on the site. Further, an agreement with the property owner must be provided that existing parking may be used by farmers' market vendors and patrons during the hours the farmers' market is in operation.

DI. Garden as a Primary Use

1. The maximum size is 3 contiguous acres. Larger primary uses are classified as an agricultural use.
2. Personal beekeeping is permitted in accordance with the use-specific standards identified under Personal Garden. Keeping of other livestock or animals is prohibited.
3. If any boundary of the Garden as a Primary Use is adjacent to, or across the street or alley from, a dwelling district, the garden must be registered with the City as an Urban Garden, or the perimeter of the garden site must be enclosed by a fence at least 36 inches in height, with at least 50% transparency, and in accordance with the fence standards applicable to the dwelling district.
4. Garden structures, such as greenhouses, hoop houses, storage sheds, gazebos, shelters, cold frames, are limited to a maximum height of 15 feet and shall meet the setback requirements of the district. However, the area for compost, refuse, equipment and facilities shall also be setback at least 20 feet from the front lot line.
5. In the dwelling districts, the size of all enclosed storage buildings and facilities shall be limited to 600 square feet and not on a permanent foundation. However, the size of structures housing cultivated plant materials, such as greenhouses and hoop houses, shall be limited by the open space and setback requirements of the district.
6. Composting shall be located or designed and constructed to prevent the composting material and compost from sitting in ponded surface water. Area for compost must be enclosed solid at ground level for at least 6 inches above grade level and completely around the base or composting conducted in-vessel. Refuse must be removed from the site at least once a week.
7. Operation of power equipment or generators may occur between sunrise, but no earlier than 7 a.m., and sunset, but no later than 10 p.m.
8. Herbicides, pesticides, fertilizer or other chemicals shall not be kept outside and shall be locked when not in use. The site drainage and maintenance must prevent water, herbicides, pesticides, or fertilizer from draining onto adjacent property or into a right-of-way.

- a. 30 days and no more than 3 times a calendar year;
 - b. Using no more than 10% of the required on-site parking spaces and maintaining vehicle maneuverability on the site;
 - c. Maintaining a setback of at least 5 feet from any lot line and any sidewalk;
 - d. Not obstructing any clear sight triangular area.
5. In the C-3, CBD and MU districts, Temporary Outdoor Display and Sales shall only be permitted once each month for a 3-day period provided the outdoor display and sales area is limited to 200 square feet or less.
6. In the C-4 district, Temporary Outdoor Display and Sales shall only be permitted once each month for a 3-day period provided the Temporary Outdoor Display and Sales is limited to 200 square feet or less. In addition, Temporary Outdoor Display and Sales for dealers of motor vehicles shall be permitted if the temporary outdoor display and sales:
- a. Meets the requirements of IC 9-23-2-6 and IC 9-23-2-7;
 - b. Limited in duration to a total of 10 calendar days per event, and no more than two events per calendar year per site or integrated center;
 - c. Limited to vehicles with GVWR of less than 14,000 pounds;
 - d. Not located within 500 feet, measured in any direction, of any protected district. (See Section 743-301) The measurement shall be taken from the perimeter of the display or operations area of the Temporary Outdoor Display and Sales to the zoning boundary of the protected district;
 - e. Complies with all setback requirements for a parking area on the site;
 - f. Does not encroach upon any interior access drive or parking maneuvering area or otherwise inhibit the internal circulation of the remaining vehicle areas.

R. Outdoor Seating or Patio (Nonresidential)

1. A decorative fence or wall or similar barrier shall be erected and maintained between any outdoor seating or patio area and a right-of-way. The fence, wall or barrier shall be at least 3 feet in height.
2. Outdoor waste and recycling receptacles for customers shall be provided, conveniently located, regularly serviced and maintained.

R. Outdoor Seasonal Produce Sales

1. May operate from April 1st through December 31st in a single calendar year;
2. Must be located on a hard surface;
3. Must use no more than 10% of the required on-site parking spaces and must maintain vehicle maneuverability on the site;
4. Must not be located in any transitional yard or edge buffering area or required landscape area;
5. Must maintain a setback of at least 5 feet from any lot line and any sidewalk; and
6. Must not obstruct any clear-sight triangular area.

S. Outdoor Storage and Operations

1. Outdoor storage and operations shall not be permitted in the Regional Center and North Meridian Street Corridor district.
2. Outdoor storage and operations must be screened in accordance with Section 744-508.C.
3. Outdoor storage and operations shall not be located in any transitional yard or edge buffering area or required landscape area.

4. Maximum height of outdoor storage shall be 10 feet with solid screening required and no storage higher than the screening if located within 500 feet of a protected district in the Metro Context Area or within 300 feet of a protected district in the Compact Context area. However, in the I-1 district, the maximum height of outdoor storage shall be the height of the screening.
5. Outdoor storage and operations is permitted in the following districts as indicated in the Table 743-306-2 and shall not exceed the maximum limits indicated in Table 743-306-2 below:

Table 743-306-2: Maximum Outside Storage and Operations Permitted				
Zoning District	Outside Operations	Outside Storage	Maximum square footage of all outdoor storage and operations	Maximum height of storage near protected district [1]
C-5	Permitted	Only storage of inoperable vehicles awaiting repair is permitted	Storage limited to 25% of the total gross floor area of enclosed buildings; Outside operations not limited	10 feet with solid screening required and no storage higher than the screening
C-7	Permitted	Permitted	No limit	10 feet with solid screening required and no storage higher than the screening
I-1	Not permitted	Not permitted within 500 ft. of a protected district	Storage and operations limited to 25% of the total gross floor area of enclosed buildings	10 feet with solid screening required and no storage higher than the screening
I-2	Not permitted within 500 ft. of a protected district	Not permitted within 500 ft. of a protected district	Storage and operations limited to 25% of the total gross floor area of enclosed buildings	10 feet with solid screening required and no storage higher than the screening
I-3	Permitted	Permitted	No limit	10 feet with solid screening required and no storage higher than the screening
I-4	Permitted	Permitted	No limit	20 feet
Note: [1] In the Metro Context Area, within 500 feet; in the Compact Context Area, within 300 feet.				

T. Personal Garden

1. Personal beekeeping of domesticated honeybees is permitted in all districts. Without a personal livestock license, the number of bee hives on a site shall be limited to 8 hives. No bee hive shall be larger than 16 cubic feet.

B. Prohibited Activities in the Dwelling Districts

The following activities are prohibited in all Dwelling districts, and may not be approved by the Administrator.

1. Dismantling, repairing or restoring of vehicles: No person shall dismantle, repair, restore or otherwise perform any work on any vehicle, machine, motor, or similar device not owned or leased by that person or a member of that person's family, on any property in a Dwelling district. In addition, any work beyond basic maintenance performed shall be:
 - a. Incidental to a permitted use and completely within a garage or carport; or
 - b. Completely within an area wholly enclosed from the view of surrounding properties and rights-of-way by a solid structural barrier (either a wall or fence of ornamental block, brick, wood, or combination of those materials) of 6 feet in height.
2. Storing of inoperable vehicles in dwelling districts: No inoperable vehicle shall be stored, maintained or kept on any property in a Dwelling district unless such vehicle is:
 - a. Owned or leased by the resident of the property on which it is stored or by a member of that person's family; and
 - b. Completely within an accessory building.
3. **Storing of commercial vehicles in dwelling districts: No commercial vehicle or trailer shall be parked, stored, maintained or kept on any property in a Dwelling district unless:**
 - a. The vehicle has a gross vehicle weight rating (GVWR) of 10,000 pounds or less; or
 - b. **The vehicle is parked, stored, maintained or kept within a garage or carport and is not categorized as a commercial vehicle by Item 2 in the definition of a commercial vehicle; or**
 - c. **The vehicle is parked or stored on a site where active, legal construction activity is taking place. Commercial vehicles that are in the course of making normal and reasonable service calls are exempt from this provision.**

C. General Conditions for All Accessory Uses & Buildings in Commercial and Mixed-Use Districts

1. Accessory uses, buildings and structures shall not be located in any transitional yard or edge buffering area or required landscape area.
2. The total square footage of all accessory buildings shall not exceed the maximum limit indicated in the Table 743-306-1 below:

Table 743-306-1: Maximum Accessory Square Footage Total	
Zoning District	Maximum square footage of all accessory buildings
C-1, MU-3, and MU-4 districts	10% of the total gross floor area of all primary buildings.
C-3, C-4, C-5, MU-1, and MU-2 districts	25% of the total gross floor area of all primary buildings.
C-7 district	50% of the total gross floor area of all primary buildings.

4. Size of the area used for produce sales shall not exceed 200 square feet. Area used for produce sales shall not be located in a Clear Sight Triangular Area.
5. In the Dwelling districts, produce sales may occur between sunrise, but no earlier than 7:00 am, and sunset, but no later than 10:00 p.m.

Y. Recreational Vehicle Parking

- a. Recreational vehicles may be parked inside permitted buildings or outside provided that:
 - i. No part of any such vehicle shall project into any required side or rear yard;
 - ii. No part of any such vehicle shall be parked outside in the front yard other than on the hard-surfaced area of the driveway or interior access drive; and
 - iii. No part of any such vehicle shall be parked outside in a side yard other than on a durable and dust-free surface area improved with bricks, concrete, asphaltic pavement, or gravel.
- b. In the D-S, D-1, D-2, D-3, D-4, D-5, D-5II and D-8 districts, not more than 2 recreational vehicles shall be permitted to be parked outside on the same lot at any one time.
- c. Parked recreational vehicles shall not be occupied or used for living, sleeping or housekeeping purposes for more than one instance, not to exceed 15 days per calendar year.

Z. Recycling Collection Point

1. In the D-6, D6-II, D-7, D-8, D-9, and D-10 districts, the use is limited to lots where the primary use is multifamily dwellings.
2. A recycling collection point shall not accept hazardous materials or objectionable substances.
3. All recycling containers at the recycling collection point shall be placed on a hard surface.
4. All recycling containers at the recycling collection point shall be equipped with and use a lid covering or be in a roofed enclosure, and shall be designed so that stormwater runoff does not reach storm drain inlets or stormwater treatment units.
5. All recycling containers shall be constructed and maintained with durable waterproof and rust-resistant materials or coating. Recycling containers shall be emptied or exchanged with a new container at or before the time the existing container becomes completely filled.
6. Required labeling. Labeling shall be affixed to the front of the recycling container, near the deposit opening, and with lettering that is sized to be clearly legible to the user, indicating:
 - a. Acceptable materials for deposit, and operating instructions.
 - b. Identity and telephone number of the operator or responsible person to contact in the event that the unit is inoperative or full.
 - c. If the recycling container operator is approved by the U.S. Internal Revenue Service as a 501(c)(3) entity and if the donation is tax deductible under IRS regulations.
 - d. Prohibition of hazardous or objectionable substances at any time.
 - e. Prohibition of the depositing of materials outside of the container.