

**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**

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

**ARTICLE II. DEFINITIONS**

<b>Section 2100</b>	<b>Application and Determination</b>
<b>Section 2110</b>	<b>Definitions of Words and Phrases</b>

**ARTICLE III. DISTRICT REGULATIONS**

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

**ARTICLE IV. ESTABLISHMENT OF ZONING DISTRICTS**

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

**ARTICLE IV. ESTABLISHMENT OF ZONING DISTRICTS (Continued)**

<b>Section 4230</b>	<b>M-1: Industrial District Regulations</b>
<b>Section 4240</b>	<b>M-2: Industrial District Regulations</b>
<b>Section 4250</b>	<b>PUD: Planned Unit Development District Regulations</b>
<b>Section 4260</b>	<b>Wireless Communication Facilities</b>
<b>Section 4270</b>	<b>FW: Flood Control District Regulations</b>
<b>Section 4280</b>	<b>HCD Historic Commercial District (Overlay District)</b>

**ARTICLE V. SUPPLEMENTAL REGULATIONS**

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

**ARTICLE VI. ADMINISTRATION AND ENFORCEMENT**

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

**APPENDICES**

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



**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.