

ALLEN COUNTY ZONING ORDINANCE

Chapter 14 NC Neighborhood Center

3-2-14-1 Purpose

The **Neighborhood Center district** is intended to provide areas for the day-to-day shopping needs of the surrounding residential neighborhoods. Uses typically found within this type of center include moderate intensity business, community, office, **personal service**, and limited retail uses, along with certain residential facilities.

3-2-14-2 Limitations on **Building Size** and Number of **Buildings**

For new commercial **development**, single or multiple **buildings** shall be permitted, with a total square footage for all **buildings** of up to 25% coverage of the net **development site area**, to a maximum of 80,000 square feet; individual tenant spaces shall be limited to 40,000 square feet; new commercial/retail **developments** with individual **buildings** between 22,000 and 40,000 square feet shall require an NC zoning classification.

3-2-14-3 Permitted Uses

In NC districts, **outdoor display** shall be permitted within 10 feet of the **primary structure** on the front or **street side(s)**; or beneath a **gas station canopy**. **Outdoor storage** shall: be located behind the **primary structure**, or on the **internal side** of a **corner lot**; meet **primary building setback** standards; and be located on a paved or existing gravel surface. The following uses are permitted as a matter of right in an NC district; the permitted uses shall include, but not be limited to the following uses. Unless otherwise noted or defined, all **primary uses** shall be conducted indoors.

NC NEIGHBORHOOD CENTER USE CATEGORIES		
Animal service, indoor	Instruction/training/education	Residential facility, limited
Automobile service, limited	Medical facility or office	Retail, limited
Clothing	Personal service	Studio
Community facility	Professional office/business service	Universally permitted use
Electronics	Recreation/tourism, limited	Miscellaneous use
Food and beverage service	Residential facility, general	

NC NEIGHBORHOOD CENTER SPECIFIC PERMITTED USES		
Accessory building/structure/use	Architect	Bank
Accountant	Art gallery	Bankruptcy service
Adoption service	Art instruction	Bar or tavern
Adult care center	Artist material and supply store	Barber shop
Adult care home	Artist studio	Barber/beauty school
Advertising	Assisted living facility	Beauty shop
Air conditioning sales	Attorney	Bed and breakfast
Animal grooming	Auction service	Bicycle sales and repair shop
Animal hospital	Audiologist	Billiard or pool hall
Animal kennel	Audio-visual studio	Bingo establishment
Animal obedience school	Automobile accessory store	Blood bank
Answering service	Automobile rental (indoor)	Blood or plasma donor facility
Antique shop	Automobile sales (indoor)	Boarding/lodging house
Apparel and accessory store	Automatic teller machine	Book store
Appraiser	Bait sales	Bookkeeping service
Arcade	Bakery goods	Bowling alley

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NC NEIGHBORHOOD CENTER SPECIFIC PERMITTED USES		
Broker	Diagnostic center	Interior decorating store
Business training	Dialysis center	Interior design service
Campus housing	Diaper service facility	Internet/web site service
Card and stationery store	Dinner theater	Investment service
Catalog showroom	Doctor	Laboratory
Caterer	Dormitory	Land surveyor
Child care center	Driving instruction	Laundromat/coin operated laundry
Child care home (class I or II)	Drug store	Leather goods or luggage store
Chiropractor	Dry cleaning store	Legal service
Cigarette/tobacco/cigar store	Educational institution	Library
Clinic	Embroidery	Live-work unit
Clock/watch/ jewelry sales/ repair	Employment agency	Loan office
Clothing store	Engineer	Marketing agency
Club, private	Entertainment facility	Martial arts training
Coffee shop	Fabric shop	Massage therapy
Coin shop	Farmer's market (incl. outdoor)	Meat or fish market
Collection agency	Finance agency	Medical training
Community center	Financial planning service	Micro or mini-brewery/brewpub
Community garden (including outdoor)	Fireworks sales	Model unit
Computer sales and service	Fitness center	Mortgage service
Computer software store	Flea market	Motel
Computer training	Floor covering store	Movie and game sales and rental
Confectionery/candy/ice cream store	Florist	Multiple family complex
Consignment shop	Foundation office	Multiple family dwelling
Consulting service	Fraternity house	Museum
Consumer electronics sales/service	Fruit and/or vegetable store	Music instruction
Convenience store	Funeral home	Music store
Copy or duplicating service	Furniture store	Music/recording studio
Correctional services facility	Furrier	Musical instrument store
Cosmetic store	Gift shop	Nail salon
Costume and clothing rental	Glass cutting/glazing shop	Neighborhood facility
Counseling service	Graphic design service	Nursing home
Craft instruction	Grocery store or supermarket	Nutrition service
Craft studio	Group residential facility (large) ⁽²⁾	Ophthalmologist
Craft supply store	Group residential facility (small)	Optician
Credit service	Gymnastics instruction	Optometrist
Credit union	Hardware store	Package liquor store
Customer service facility	Haunted house	Paint store
Dance instruction	Health center	Park or recreation area
Data processing facility	Health club	Parking area ⁽²⁾
Data storage facility	Heating sales	Parking area (off-site) ⁽³⁾
Dating service	Hobby shop	Parking structure
Day care	Homeless/emergency shelter ⁽²⁾	Pet store
Day spa	Hospice care center	Pharmacy
Delicatessen	Hospital	Photographic supply store
Dentist	Hotel	Photography training
Department store	Insurance agency	Physical therapy facility

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NC NEIGHBORHOOD CENTER SPECIFIC PERMITTED USES		
Picture framing facility	Security service	Television station
Planetarium	Shoe store/shoe repair shop	Tennis club
Planner	Sign sales store	Theater
Podiatrist	Skating rink	Tire sales
Pottery sales	Sleep disorder facility	Title company
Public transportation or similar public facility	Social service agency	Townhouse complex
Radio station	Sorority house	Toy store
Real estate	Sporting goods sales and rentals	Travel agency
Reception/banquet hall	Stained glass studio	Treatment center
Recreation facility ⁽²⁾		
Rehabilitation facility	Stock and bond broker	Tutoring service
Religious institution/school field	Surgery center	Variety store
Rental and/or leasing store	Swim club	Veterinary clinic
Rescue mission	Swimming pool/hot tub sales	Wedding consultant
Residential dwelling unit ⁽¹⁾	Tailor/alterations service	Weight loss service
Residential facility for homeless individuals ⁽²⁾	Tanning salon	Window sales
Restaurant, including drive-through	Tattoo establishment	Wind energy conversion system (micro) ⁽²⁾
Retirement facility	Tax consulting	Yoga/pilates instruction
Savings and loan	Taxi service	Zoo
School	Telephone sales and service	
Notes: (1) Above, to the rear of, or attached to a permitted nonresidential use (2) If not adjacent to a residential district (3) See universally permitted use definition for additional standards		

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3-2-14-4 Special Uses

- (a) The following uses may be approved by the **Board of Zoning Appeals** after the filing of a **Special Use** petition:
- (1) **Automobile maintenance** (quick service)
 - (2) **Commercial communication tower** (see A.C.C. 3-5-3-4(c)(1) for additional standards)
 - (3) **Community garden** that includes a **structure**
 - (4) **Educational institution-associated uses** (on non-contiguous properties, not otherwise permitted)
 - (5) **Gas station**
 - (6) **Greenhouse**
 - (7) **Group residential facility (large)** (if adjacent to a **residential district**)
 - (8) **Home business** (for single family detached buildings only)
 - (9) **Homeless/emergency shelter** (if adjacent to a **residential district**, or accessory to a **religious institution**)
 - (10) **Manufactured home, Type II** (see A.C.C. 3-5-3-4(c)(5) for additional standards)
 - (11) **Nonconforming use** (expansion of existing **nonconforming use**, or allow conforming status to existing use)
 - (12) **Outdoor use** (in conjunction with a permitted **primary use**)
 - (13) **Parking area** (if adjacent to a **residential district**); a special use shall not be required for a universally permitted off-site parking area
 - (14) **Plant nursery**
 - (15) **Recreation area**, including accessory recreation areas
 - (16) **Recreation facility** (if adjacent to a **residential district**)
 - (17) **Religious institution** or non-public school illuminated athletic field(s)
 - (18) **Residential facility for a court-ordered re-entry program**
 - (19) **Residential facility for homeless individuals** (if adjacent to a **residential district**)
 - (20) **Solar panel** (ground mounted)
 - (21) **Utility facility, private** (not otherwise permitted or exempt)
 - (22) **Wind energy conversion (WEC) system** (standard, or more than 1 micro system)
 - (23) **Wind energy conversion system, micro** (on land adjacent to a **residential district**)
- (b) Reserved

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3-2-14-5 **Accessory Buildings, Structures and Uses**

The noted accessory buildings, structures, and uses shall be permitted as set forth below:

UNIVERSALLY PERMITTED ACCESSORY BUILDINGS, STRUCTURES, AND USES		
Accessory dwelling unit ⁽¹⁾	Hedge	Satellite dish
Access ramp	Holiday decorations	Shed or other storage building
Address marker	Landscape elements	Sign
Arbor or pergola	Mailbox	Solar panels (building mounted)
Bird bath/house	Name plate	Swimming pool
Carport	Newspaper delivery box	Swing set
Deck	Patio	Television aerial
Driveway	Play equipment	Trellis
Fence	Pond	Utility fixture
Flagpole	Property boundary marker	Walk
Garage	Radio antenna (amateur)	Wall
Gazebo	Rain barrel	Yard light
Geothermal system	Rain garden	
Note: (1) If integrated into an existing single family detached residence		

RESIDENTIAL ACCESSORY BUILDINGS, STRUCTURES, AND USES	RELIGIOUS INSTITUTION ACCESSORY BUILDINGS, STRUCTURES, AND USES
Basketball backboard and goal	Athletic or recreation fields (non-illuminated)
Bath house or cabana	Assembly building, including hall and gymnasium
Class I child care home	Bleachers or similar structures
Day care	Child care ministry
Dog/pet house	Clothing bank
Garage or yard sale	Community garden
Garden (private)	Convent, parsonage, rectory, or similar residence
Greenhouse	Donation site/recycling collection point ⁽¹⁾
Grill or fire pit	Dumpster ⁽¹⁾
4H/similar indoor small animal project	Family counseling or education
Home occupation	Food bank
Hot tub, Jacuzzi, or spa	Maintenance building
Smoke house/oven (outdoor)	Outdoor events (short-term)
Tree house	Performances (indoor)
	Shop (for sale of religious institution-related items)
Note: (1) Also permitted for nonresidential uses	

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3-2-14-6

Development Standards

- (a) The standards in the following table shall apply in the NC **district**; all standards are minimum standards unless otherwise noted (see also the permitted **yard** projections and additional location standards on the following page).

NC NEIGHBORHOOD CENTER DEVELOPMENT STANDARDS			
Height (maximum) ⁽¹⁾			
Primary or accessory nonresidential building or structure		40'	
Primary or accessory residential facility building or structure		Up to two stories or 30' ⁽²⁾	
Front yard			
Non-through lot		50'	
Through lot		50' at each end of the lot	
If there is an existing primary commercial or industrial building(s) with a lesser front setback adjacent to the lot		The smallest existing nonconforming setback	
Side yard (interior lot)			
Primary building			
Height		If adjacent to a residential district	If not adjacent to a residential district
Up to 30'		40'	25'
Over 30'		50'	40'
Accessory building or structure			
Height	Size	If adjacent to a residential district	If not adjacent to a residential district
Up to 25' and	Up to 200 sq .ft.	25'	5'
Over 25' or	Over 200 sq. ft.	25'	25'
Side yard (corner lot)			
Primary building – corner lot street side yard		25'	
Accessory building – corner lot street side yard		25'	
Rear yard			
Primary building – no outside activity behind the building) ⁽³⁾			
Height		If adjacent to a residential district	If not adjacent to a residential district
Up to 30'		40'	10'
Over 30'		50'	40'
Primary building – outside activity behind the building) ⁽³⁾			
50'			
Accessory building or structure			
Height	Size	If adjacent to a residential district	If not adjacent to a residential district
Up to 25' and	Up to 200 sq. ft.	25'	5'
Over 25' or	Over 200 sq. ft.	40'	25'
Notes:			
(1) See A.C.C. 3-4-5-3in Development Standards Waivers and Exceptions for exceptions; A.C.C. 3-4-9 (Signs) for maximum sign heights ; and A.C.C. 3-4-4-15 Residential Impact Mitigation and A.C.C. 3-4-11 (Airport Overlay Districts) for additional restrictions			
(2) Whichever is less			
(3) Outdoor activity shall include delivery/loading areas, drives, dumpsters, mechanical equipment, and outside storage			

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- (b) Except as noted in the table below, **buildings** and **structures** shall not project into or be located in a required **yard**.

ADDITIONAL YARD LOCATION AND YARD PROJECTION STANDARDS			
Buildings/structures	Required Yard		
	Front	Side	Rear
Access ramp	Permitted ⁽¹⁾	Permitted ⁽¹⁾	Permitted ⁽¹⁾
Arbor, basketball goal, bird bath/house/feeder, driveway, flagpole, garden (private), landscape elements, mail/newspaper delivery box, property boundary marker, small satellite dish, trellis, yard light	Permitted ⁽¹⁾	Permitted ⁽¹⁾	Permitted ⁽¹⁾
Architectural feature (belt course, chimney, cornice, cave, fireplace, overhang, sill, bay/bow window, or similar feature)	May project up to 2'	May project up to 2' ⁽²⁾	May project up to 2'
Awning or canopy ⁽³⁾	May project up to 4'	May project up to 4' ⁽²⁾	May project up to 4' ⁽²⁾
Balcony or open stairway ⁽³⁾	May project up to 4'	May project up to 4' ⁽²⁾	May project up to 4' ⁽²⁾
Bath house/cabana, carport, garage, gazebo, greenhouse, pergola, shed, smoke house (personal), swimming pool	Not permitted ⁽⁴⁾	Not permitted ⁽⁴⁾	Not permitted ⁽⁴⁾
Deck, landing, porch, or stoop, open (shall not extend above the height of the first floor) ⁽³⁾	May project up to 8'	May project up to 4' ⁽²⁾	May project up to 8' ⁽²⁾
Dog/pet house, fire pit, grill, hot tub, oven (outdoor), play equipment, radio antenna (amateur), large satellite dish, tree house	Not permitted ⁽⁴⁾	Permitted	Permitted
Fence (ornamental fence permitted up to 3' in height; other fencing permitted up to 8' in height)	Ornamental fence permitted ⁽¹⁾	Permitted ⁽⁵⁾	Permitted ⁽⁵⁾
Fire escape	May project up to 4'	May project up to 4'	May project up to 4'
Slab on grade patio	May project up to 8'	May project up to 4' ⁽²⁾	May project up to 8' ⁽²⁾
Wall (freestanding; permitted up to 8' in height)	Not permitted ⁽⁴⁾	Permitted ⁽⁵⁾	Permitted ⁽⁵⁾
Wall (retaining)	Permitted ⁽⁶⁾	Permitted ⁽⁵⁾	Permitted ⁽⁵⁾
Notes: (1) May be located within required yard with no setback (2) However, a 5' side or rear yard shall be maintained (3) If not adjacent to a residential district; shall not project if adjacent to a residential district (4) Shall meet minimum primary structure setback (5) However, fences and walls shall meet corner lot primary structure setback standard (6) Up to 3 feet in height			

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