

Proposed Zoning Ordinance Amendments – Amendment 22

1. Amendment to incorporate language and standards pertaining to Accessory Dwelling Units:
Add a definition of “Accessory Dwelling Units” to Section 2.01 Definitions
Add a subsection under “Accessory Uses/Structures” with language outlining standards for Accessory Dwelling Units
2. Amendment to incorporate language and standards pertaining to Food Trucks:
Add a definition of “Food Trucks” to Section 2.01 Definitions
Include “Food Trucks” in the Land Use Matrix
Add standards for “Food Trucks” to Section 10.01 Miscellaneous Development Standards

Rationale:

The modifications not only seek to address uses not permitted in the County by another previously approved Ordinance, but are consistent with the intent of the comprehensive plan’s Smart Growth Principles of strengthening and directing development towards existing communities and fostering distinctive, attractive communities with a strong sense of place. The Accessory Dwelling Unit (ADU) modification responds to a growing community demand for flexible housing options, supporting residents who wish to accommodate family and friends, while also promoting housing affordability. ADUs also address housing needs in the County, make efficient use of land and infrastructure, and encourages local development. Food trucks support local small businesses, stimulate economic development, activate public spaces, enhance community events, and impose a minimal infrastructure burden. The County seeks to encourage residential and economic development which may be bolstered by these uses.

In preparing and considering proposals under the 600 series, the plan commission and the legislative body shall pay reasonable regard to:

- (1) the comprehensive plan;
- (2) current conditions and the character of current structures and uses in each district;
- (3) the most desirable use for which the land in each district is adapted;
- (4) the conservation of property values throughout the jurisdiction; and
- (5) responsible development and growth.

Accessory Dwelling Unit – A subordinate residential dwelling unit located on the same lot as a principal single-family dwelling. An ADU provides complete independent living facilities for one or more persons and includes permanent provisions for living, sleeping, eating, cooking, and sanitation. ADUs may be attached or detached from the principal dwelling, and are clearly subordinate in size, location, and function.

Accessory Dwelling Unit Standards

This Accessory Dwelling Unit standards section applies to the following districts.

AR RR RS RU

- A. An Accessory Dwelling Unit is considered an Accessory Structure/Use and shall comply with all development standards for subject zoning district.
- B. An Accessory Dwelling Unit shall meet the Accessory Structure/Use standards for its applicable zoning district.
- C. An Accessory Dwelling Unit shall be permitted only in association with and on the same lot as the primary structure and must be consistent with the character and aesthetic of the primary structure.
- D. An Accessory Dwelling Unit is not allowed on a lot prior to a primary structure being constructed.
- E. An Accessory Dwelling Unit shall be secondary to the primary structure in height and square footage.
- F. No Accessory Dwelling Unit shall be placed in any required setbacks.
- G. No mobile home or manufactured home may be used as an Accessory Dwelling Unit.
- H. Only one Accessory Dwelling Unit is permitted per parcel.
- I. The primary structure an Accessory Dwelling Unit is located on must be owner-occupied.
- J. An Accessory Dwelling Unit must connect to public water and sewer or septic.
- K. An Accessory Dwelling Unit must include a separate entrance, sleeping area, dining area, and bathroom facility as the primary structure.
- L. Home Occupations are not permitted in an Accessory Dwelling Unit.
- M. An Accessory Dwelling Unit intended to be used as Short-term Rentals shall receive approval as a Conditional Use.

Food Trucks – a self-propelled, fully licensed motor vehicle or moveable trailer designed and equipped to prepare, cook, serve, or sell food and/or beverages to the public. A food truck may not be permanently affixed to any location or connected to permanent water, sewer or electrical systems.

Food Truck Standards

This Food Truck standards section applies to the following districts.

NC GC HS OB GI

- A. Food Trucks must comply with applicable State and Local food safety guidelines and regulations.
- B. Food Trucks must comply with applicable Indiana State Codes regulating mobile food establishments.
- C. Food Trucks must comply with Floyd County's Noise Ordinance.
- D. Food Trucks must be located on a lot with a permanent structure.
- E. Food Trucks shall not be parked overnight.
- F. Food Trucks may not be placed on a lot prior to the establishment of a permanent structure.
- G. Food Trucks must have access to and from the lot which they will be located via a driveway which must be asphalt or concrete.
- H. Food Trucks must remain operable and mobile at all times and shall not be permanently connected to utilities, foundations, or other structures.
- I. Food Trucks must not block driveways, fire lanes, sidewalks, or accessible parking spaces.
- J. Food Truck lighting must be shielded and facing downward.
- K. Food Trucks shall not operate in any right-of-way.
- L. Food Trucks operating as part of a County-permitted event are exempt from the above standards but must still meet all Local and States food safety guidelines and regulations, as well as all applicable Indiana Code.