

ORDINANCE NO. 2024-09

**AN ORDINANCE AMENDING THE TOWN OF
MORGANTOWN, INDIANA, ZONING ORDINANCE**

WHEREAS, the Morgantown Advisory Plan Commission (“Plan Commission”), pursuant to Indiana Code Sections IC 36-7-4-602(b), has initiated proposed amendments to the Town’s Zoning Ordinance, specifically, to add additional uses to the Schedule of Uses appended to and incorporated as a part of the Town’s Zoning Ordinance;

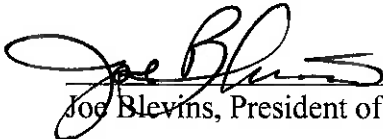
WHEREAS, the Plan Commission, pursuant to IC 36-7-4-604, on December 9, 2024, held a public hearing on its proposed amendments to the Town’s Zoning Ordinance;

WHEREAS, the Plan Commission, after paying reasonable regard to (1) the Morgantown Comprehensive Plan, (2) the current conditions and the character of the current structures and use 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, voted by a majority to submit to the Morgantown Town Council a favorable recommendation regarding the proposed amendments to the Town’s Zoning Ordinance; and

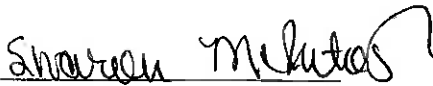
WHEREAS, the Town Council, at its December 9, 2024 regular public meeting, considered the Plan Commission’s favorable recommendation and the proposed amendments to the Town’s Zoning Ordinance and voted, by a majority, to accept and approve all of those amendments.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of Morgantown, Indiana, that the Schedule of Uses attached hereto is approved and adopted and shall supersede and replace the prior Schedule of Uses to the Morgantown Zoning Ordinance, effective as of the date of adoption of this ordinance.

Adopted by affirmative vote of the Town Council of the Town of Morgantown at its regular meeting on the 9th day of December, 2024



Joe Blevins, President of the Town Council

Attest: 
Sharon McIntosh, Clerk Treasurer

SCHEDULE OF PERMITTED AND CONDITIONAL USES

Permitted and Conditional Uses. The permitted and conditional uses for each zoning district are listed in the following **SCHEDULE OF PERMITTED USES**. Uses not specifically listed are not permitted. The Plan Commission, in its discretion, may determine that a non-scheduled use is similar enough in scope and nature to a scheduled use and allow it, but only in those zoning districts in which the scheduled use to which it is deemed to be most similar is permitted. Permitted uses, requiring no additional formal approval, except for applicable permits, are marked with a "P". The conditional uses for each district, which may be permitted by the Board of Zoning Appeals, pursuant to section 28 of the Zoning Ordinance, are marked with a "C". Development plan approval, from the Plan Commission, pursuant to Section 23 of the Zoning Ordinance, is required for all scheduled uses marked with a "D".

DISTRICTS:	AG	R-40	R-10	R-5	RM	MXD	C-1	C-2	C-3	M-1	M-2
AGRICULTURAL USES											
Agricultural Uses	P										
Animal Husbandry	P										
Confined Feeding Operation	C										
Agricultural Products, Sales	P									D	D
Agricultural Products, Storage	P									D	D
Plant Nursery, Wholesale	P										
Tree Farm, Wholesale	P										

DISTRICTS:	AG	R-40	R-10	R-5	RM	MXD	C-1	C-2	C-3	M-1	M-2
RESIDENTIAL USES											
Assisted Living Facility						D	D	D			
Bed and Breakfast						P					
Dwelling, Two Family			P	P		P					
Dwelling, Manufactured Home						P					
Dwelling, Multi Family			D	C	D	D					
Dwelling, Single-family	P	P	P	P		P					
Residential Development			D			D					

DISTRICTS:	AG	R-40	R-10	R-5	RM	MXD	C-1	C-2	C-3	M-1	M-2
INSTITUTIONAL USES											
Arena								D			
Auditorium								D			
Church	C	C	C	C		D	D	P	C		
Community Center						D		P	C		
Educational Uses			C	D		D	P	P	C		
Essential Services	P	C	C	C	C	C	P	P	D	D	D
Hospital, In Patient						D		D	D		
Open Space Uses	C	C	C	C	C	D		D	D		

DISTRICTS:	AG	R-40	R-10	R-5	RM	MXD	C-1	C-2	C-3	M-1	M-2
COMMERCIAL USES											
Adult Clubs and Bookstores						P					C
Animal Grooming						P	P	P	D		
Auction (Indoor)						D		C	D	D	D
Auction (Outdoor)						D		C	D	D	D
Automobile Sales, New						C	C	P	D	C	C
Automobile Sales, Used						C	C	P	D	C	C
Automobile Repair	C					C	C	C	D	C	C
Automobile Service Station						C	C	C	D	C	C
Automobile Washing						C	C	C	D	C	C
Bakery						P	P	P	D		
Bank						P	P	P	D		
Bank/ATM, Drive-up						D	D	D	D		
Bank/ATM, Walk-up						P	P	P	D		
Banquet Hall						D		P	D		
Bar or Tavern						D	D	P	D		
Barber or Beauty Shop						P	P	P	D		
Billiard Hall or Arcade						D	D	P	D		
Bowling Alley						D		D	D		
Brew Pub						D	D	P	D		
Broadcast Studio						D	D	P	D		
Car and Truck Rental						D	D	P	D	C	C
Catering Service						D	D	P	D		
Check Cashing Service						P	P	P	D		
Club or Lodge						D	D	P	D		
Coffee Shop						P	P	P	D		
Coin Laundry						P	P	P	D		
Commercial Garage						C	C	C	D	C	C
Computer Service						P	P	P	D		
Copy Center						P	P	P	D		
Convenience Store						P	P	S	D		
Counseling Center						P	P	P	D		
Dance Studio						D	P	P	D		
Day Care	C	C	C	C	C	P	P	P	D		
Delicatessen						P	P	P	D		
Design Services						P	P	P	D		
Donation Collection Point						D	P	P	D	D	D
Drive Up Window Uses						D	D	D	D		
Dry Cleaning Pickup and Drop-off						P	P	P	D		
Express Shipping Center						P	P	P	D	D	D
Exterminator						D			D	D	DDD
Farmers Market						D		D	D		
Funeral Home						D		P	D		
Health Care Use						P	P	P	D		
Hotel/Motel								P	D		

Ice Cream Shop						P	P	P	D		
Kennel	C								C	C	C
Lumberyard									D	D	D
Media Rental						P	P	P	D		
Mobile Device Dealer						P	P	P	D		
Nail Salon						P	P	P	D		
Night Club						C	C	C	C		
Office, General						P	P	P	D	D	D
Office, Medical						P	P	P	D	D	D
Personal Convenience Services						P	P	P	D		
Parcel Shipping						P	P	P	D	D	D
Park, public or private	C	C	C	C	C	D	D	D	D		
Parking Lot, Pay						D	D	D	D		
Party Facility						D	D	P	D		
Pharmacy						P	P	P	D		
Photography Studio						P	P	P	D		
Professional and Business Services						P	P	P	D		
Real Estate Office						P	P	P	D		
Rehabilitation Clinic, Medical						P	P	P	D		
Repair Shop, General						P	P	P	D		
Restaurant						P	P	P	D		
Retail Sales, General						P	P	P	D	C	
Seamstress/Tailor						P	P	P	D		
Self-Storage Warehouse								C	D	D	D
Shoe Repair						P	P	P	D		
Shooting Range (Indoor)						C	C	C	D	D	
Shopping Center									D		
Software Development						P	P	P	D		
Spa						P	P	P	D		
Sports Field (Indoor)									D	D	
Sports Field (Outdoor)					C	C			D	D	
Studio Arts music, dance, art						P	P	P	D		
Tanning Salon						P	P	P	D		
Tattoo/Piercing Parlor						P	P	P	D		
Theater, Movie (Indoor)									D	D	
Title Company						P	P	P	D		
Tool/Equipment Sales and/or Rental (Indoor)						P	P	P	D	D	D
Tool/Equipment Sales and/or Rental (Outdoor)						D	D	D	D		D
Trade or Business School						D	D	D	D		
Travel Agency						P	P	P	D		
Light Truck Sales						C	C	P	D	D	D
Vehicle Storage, completely indoors							P	P	P	P	P
Veterinary Clinic	C					P	P	P	D		

DISTRICTS:	AG	R-40	R-10	R-5	RM	MXD	C-1	C-2	C-3	M-1	M-2
INDUSTRIAL AND TRANSPORTATION USES											
Chemical Manufacturing								C		D	D
Coatings and Finishes								C		D	D
Composting Facility								C		D	D
Concrete Plant										D	D
Distribution Facility								C		D	D
Fleet Vehicle Storage								C	D	D	D
Freight Terminal										D	D
Heavy Equipment Repair										D	D
Industrial Park								C	D	D	D
Junk Yard										D	D
Mining, Mineral Extraction	C									D	D
Research Center, General	C					C		C	D	D	D
Research Center, Medical	C					C		C	D	D	D
Rock Crushing										D	D
Sawmill	C									D	D
Scrap Metal Yard										D	D
Telecommunication Facility								C	D	D	D
Testing Lab, Electronics						C		C	D	D	D
Testing Lab, Materials						C		C		D	D
Tool and Die Shop	C					C		C		D	D
Transfer Station										D	D
Utility Facility, Above-ground						C		C		D	D
Warehouse						C		C	D	D	D
Welding Service	C									D	D