
Entrance/Drive Standards (ED)

6.13 Entrance/Drive Standards (ED)

ED-01: This Entrance/Drive Standards section applies to the following districts:



The intent of Entrance and Drive Standards is to provide for a safe and efficient vehicular and pedestrian transportation system. All classification of roads shall be based on the applicable Madison County Thoroughfare Plan.

- A. The location of drives on or near curves and changes in grade shall be investigated individually by the County Commissioners and evaluated for their sight distance and the design speed of the roadway or the posted speed limit, whichever is greater. The County Commissioners may specify entrance and drive locations based on this investigation.
 - a. No entrance or drive shall be permitted within:
 - 1. 140 feet of the apex of a curve (30 degrees or greater) and where the road is an Arterial,
 - 2. 120 feet of the apex of a curve (30 degrees or greater) where the road is a Collector,
 - 3. 70 feet of the apex of a curve (30 degrees or greater) where the road is a Local Road.
 - b. No entrance or drive shall be permitted:
 - 1. Within a minimum of 225 feet from the crest of a hill where the slope on either side of the crest is 6% or greater, and the speed limit is 45 MPH or greater;
 - 2. Within a minimum of 175 feet from the crest of a hill where the slope on either side of the crest is 6% or greater, and the speed limit is 45 MPH or less; or
 - 3. Where the visibility to or from the desired location is determined to be otherwise impaired by the Planning Director.
 - c. Curb cuts and drives are permitted when within 30 feet of the crest of a hill unless the Planning Director determines the visibility to be impaired.
- B. No entrance or drive shall exceed the following pavement widths for two-way traffic (if one-way, the measurements shall be 1/2 of the below measurements):
 - a. 32 feet if from a non-residential zoning district onto an Arterial,
 - b. 30 feet if from a non-residential zoning district onto a Collector,
 - c. 26 feet if from a non-residential zoning district onto a Local Road,
 - d. 30 feet if from a multifamily residential zoning district onto an Arterial or Collector,
 - e. 28 feet if from a multifamily residential zoning district onto a Local Road,
 - f. 28 feet if from a single or two-family residential zoning district onto any type of street, or
 - g. 22 feet if from a single-family residential zoning district onto any type of street.

[The distances for the above standards shall be determined by measuring from the outside edges of the curb or pavement (whichever is more) of the entrance or drive at the public right-of-way which it accesses.]
- C. All drives providing access to a public right-of-way from all lots used for purposes other than single or two-family residences shall be designed so that vehicles are traveling in a forward direction when entering and leaving. In no case may any access drive be designed to require a vehicle to back onto any arterial or collector road as defined by the Madison County Thoroughfare Plan.

Entrance/Drive Standards (ED)

(continued)

- D. The number of entrances or drives provided shall meet the following requirements:
 - a. Single and two-family residences shall be limited to one drive per dwelling unit;
 - b. If a manufactured home park or multifamily development has 40 or more dwelling units, there must be 2 access points from the public road. Individual dwelling sites may only have drive-ways accessing interior roads.
- E. All entrances or drives which provide access to more than 3 lots, which are not part of a larger subdivision, with access from a public right-of-way shall be considered a private street and shall be prohibited.
- F. The Planning Commission may determine that the following are necessary:
 - a. an acceleration or deceleration lane, or
 - b. a passing blister at a new entrance or drive.

ED-02: This Entrance/Drive Standards section applies to the following districts:



No entrance or drive shall be permitted to begin within 200 feet of any intersecting road or any other entrance or drive on either side of the road.

[The distances for the above standards shall be determined by measuring from the right-of-way line to the curb or edge of pavement (whichever is less) of the entrance or drive.]

ED-03: This Entrance/Drive Standards section applies to the following districts:



No entrance or drive shall be permitted to begin within:

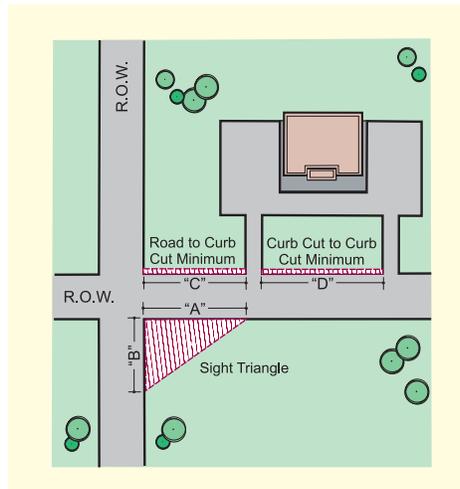
- A. 200 feet of any intersecting road if along an Arterial (see "C" below in the illustration),
- B. 175 feet of any intersecting road if along a Collector (see "C" below in the illustration), and
- C. 150 feet of any intersecting road is along a Local Road (see "C" below in the illustration).
- D. Entrances/drives must be paved with a hard surface. Specifications are to be shown on the site plan or permit.

[The distances for the above standards shall be determined by measuring from the right-of-way line to the curb or edge of pavement (whichever is less) of the entrance or drive.]

Entrance/Drive Standards (ED) (continued)

- D. No two entrance or drive shall be within:
- 200 feet of one another if along an Arterial (see "D" below in the illustration),
 - 150 feet of one another if along a Collector (see "D" below in the illustration), and
 - 100 feet of one another if along a Local (see "D" below in the illustration).

[The distances for the above standards shall be determined by measuring from the curb or edge of pavement to the curb or edge of pavement (whichever is less) of each entrance, or drive.]



Sight Visibility Standards (SV)

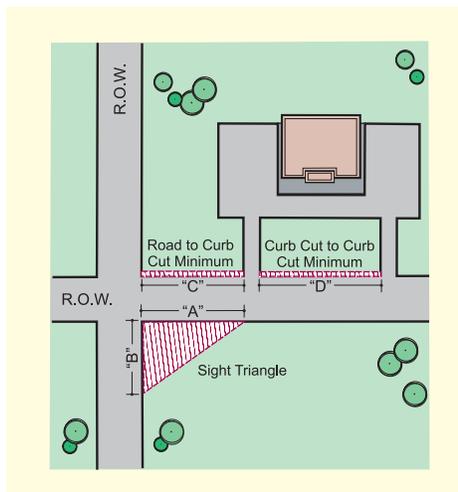
6.14 Sight Visibility Standards (SV)

SV-01: This Sight Visibility Standards section applies to the following districts:



The intent of Sight Visibility Standards is to provide for a safe vehicular and pedestrian transportation system. The visibility at intersections, driveways, curb cuts, and entrances are particularly important for the safe movement of vehicles and pedestrians.

- A. All intersections must maintain an area (Sight Visibility Triangle) where primary or accessory structures, trees, vegetation (other than agriculture crops), or signs (other than road signs) are not allowed to be placed or to project between a height of 3 and 8 feet measured from the nearest top-of-curb (or edge of pavement where curbs are not present). The Sight Visibility Triangle is illustrated below.



- B. The Sight Visibility Triangle shall be established by connecting points located along the intersecting rights-of-way at the distances from the point of intersection required by the table below.

Sight Visibility Triange Requirements	
Road Type	"A" and "B" Segment Length
Arterial	35 ft.
Collector	30 ft.
Local Road	15 ft.
Private Entrance or Drive	10 ft.

Open Space Standards (OS)

6.15 Open Space Standards (OS)

OS-01: This Open Space Standards section applies to the following districts:



A. Common open space shall be established in all residential developments based on the table below:

Open Space Requirements	
Zoning District	Open Space Required
R1	500 sq. ft. per dwelling unit for developments with a total area exceeding 20 acres
R2	500 sq. ft. per dwelling unit for developments with a total area exceeding 20 acres
R3	500 sq. ft. per dwelling unit for developments with a total area exceeding 20 acres
MR	10% of the total site area for all development
MH	10% of the total site area for all development

- B. Open space required above for developments in the R1, R2, and R3 zoning districts shall meet the requirements established by the Madison County Subdivision Control Ordinance.
- C. Open space required above for developments in the MR and MH zoning districts shall meet the following requirements:
- a. Open space shall be concentrated at a minimum number of sites within each development to provide the maximum amount of usable space.
 - b. Common open areas may not include floodplains, detention ponds or other portions of the development which are undevelopable. Common open spaces should be located adjacent to such natural features when they are present in, or adjacent to the development.
 - c. Common open spaces within each development shall be linked with each other and with existing and future open spaces in adjacent developments through the required sidewalk system.
 1. All common open spaces shall have at least 20 feet of frontage on a public or private street which includes sidewalks.
 2. All required common open spaces shall be owned and maintained by the leasing company for tenant-occupied developments and a lot owner's association for developments with individually owned dwelling units. In no case may an access easement be substituted for a required common open space.
 - d. Common areas being a minimum of 12 feet wide shall be provided permitting access from natural site features such as floodplains, detention ponds, and historic sites to public or private streets with sidewalks.
 - e. Access easements shall be provided for any private sidewalks providing access to the common open space for persons outside the development.
 - f. All common open spaces shall be maintained for the enjoyment of the residents of the development and shall be free of weeds and other noxious vegetation.

Home Occupation Standards (HO)

6.16 Home Occupation Standards (HO)

HO-01: This Home Occupation Standards section applies to the following districts:



Home occupations shall be allowed as either permitted uses or special uses consistent with the provisions of Article 3 of this Ordinance. The allowed home occupations are classified as either a Type I Home Occupation or a Type II Home Occupation as defined below.

- A. Type I Home Occupations:** Type I Home Occupations are those which meet the following standards; representing requirements which permit minimal business practices in certain residential zoning districts while maintaining residential character. Type I home occupations shall be permitted uses, consistent with the Accessory Use & Structure Standards of this Article and the provisions of Article 3 of this Ordinance.
- a. The home occupation must not involve retail sales or manufacturing, and shall be limited to small home-office operations.
 - b. The home occupation must not involve the employment of any person other than those residing at the location of the home occupation.
 - c. At least 1 person residing on the premises must be the primary operator of the home occupation.
 - d. The equipment used for the home occupation must be limited to computers, fax machines, telephones, copy machines, and other small business office equipment.
 - e. The home occupation must not involve any exterior storage or display of products, equipment or materials.
 - f. The home occupation must not make any use of accessory structures, including attached and detached garages.
 - g. The home occupation must utilize no more than 25% of the total floor area of the primary structure.
 - h. The home occupation must not require any exterior, structural or aesthetic alterations to the dwelling unit that change the residential character of the dwelling unit.
 - i. The home occupation must not require any additional entrances to the dwelling unit.
 - j. The home occupation must not require an identification sign exceeding 2 square feet attached to the primary structure. No off-site signs or signs in the yard of the property shall be permitted.
 - k. The home occupation must not require increasing or enhancing the size, capacity, or flow of the water, gas, septic, sewer, or electrical system beyond what is standard for a residence.
 - l. The home occupation must not involve clients, associates, or persons visiting, shopping, meeting, or otherwise doing business at the location of the home occupation, and therefore not require the addition of any off-street parking spaces.
 - m. The home occupation must not require the use of commercial vehicles for pickup and deliveries other than from the U.S. Postal Service, UPS, and other express carriers.
- B. Type II Home Occupations:** Type II Home Occupations are those which meet the following standards; representing requirements which permit reasonable business practices in certain residential and agricultural zoning districts while maintaining residential and rural character and the viability of farming operations. Type II home occupations shall be special uses, consistent with the Accessory Use & Structure Standards of this Article and the provisions of Article 3 of this Ordinance.

Home Occupation Standards (HO) (continued)

- a. The home occupation must not involve retail sales or manufacturing operations, but may include professional and personal services, or auto, furniture, and appliance repair.
 - b. The home occupation must not involve the employment of any more than 1 person who does not reside at the location of the home occupation.
 - c. At least 1 member residing on the premises must be the primary operator of the business.
 - d. The home occupation must not require any exterior storage or display of equipment or materials, including vehicles (operable or inoperable), equipment, or appliances being serviced by the home occupation.
 - e. No more than 40% of the total floor area of any level of the primary structure shall be used for the home occupation, however business practices in accessory structures are permitted.
 - f. The home occupation shall not require any exterior structural or aesthetic alterations to the dwelling unit that change the residential character of the dwelling unit.
 - g. The home occupation must not require an identification sign exceeding 4 square feet attached to the primary structure. No off-site signs or signs in the yard of the property shall be permitted.
 - h. The home occupation must not require increasing or enhancing the size, capacity, or flow of the water, gas, septic, sewer, or electrical system beyond what is standard for a residence.
 - i. The home occupation must not require that more than two additional parking spaces be added to the lot(s) on which the residence is located.
 - j. The home occupation must not require the use of commercial vehicles for pickup and deliveries other than from the U.S. Postal Service, UPS, and other express carriers.
- C. **Nuisances:** Home occupations which comply with the requirements of this section but are deemed by the Planning Director to be a nuisance or distract from the residential character of the area by excessive traffic, noise, vibration, electrical interference, odors, light, smoke, fumes, or other offensive characteristics shall be prohibited.
- D. **Interpretation:** The Planning Director shall determine to what extent any proposed or existing home occupation is consistent with the requirements of this section.

Adult Use Standards (AU)

6.17 Adult Uses Standards (AU)

AU-01: This Adult Use Standards section applies to the following districts:



- A. Adult bookstores or other adult entertainment businesses be prohibited in all zoning districts with the exception of GC, General Commercial.
- B. Adult bookstores or other adult entertainment businesses shall be located a minimum of 2,500 feet from any church, park, school, or other adult use.

Telecommunication Facility Standards (TF)

6.18 Telecommunication Facilities Standards (TF)

TF-01: This Telecommunication Facility Standards section applies to the following districts:



The purpose of this section is to allow for the provision of adequate reliable public and private telecommunication service and to maximize the use of any transmission tower and tower site in order to reduce the total number of towers and locations needed to serve the telecommunications needs of the area; to minimize adverse, undesirable visual effects of towers through careful design, siting, and vegetative screening. All wireless telecommunication facilities shall meet the following provisions:

- A. Required Approvals:** The placement of telecommunications facilities shall meet the following approval requirements as detailed in this section:
- a. The installation of new antenna on existing towers, including legal non-conforming towers, and existing alternative structures (such as water towers, buildings, or church steeples) may be approved by the Planning Director subject to conformance with all applicable requirements of this Ordinance.
 - b. The installation of new accessory structures to support the installation of antenna on existing towers or alternative structures may be approved by the Planning Director subject to conformance with the applicable requirements of this Ordinance.
 - c. The installation of new towers shall be approved either by the Planning Director as a permitted use or by the Board of Zoning Appeals as a special use consistent with the provisions of this section.
- B. Determination of Tower Need:** Any proposal for a new telecommunications tower shall only be approved if the applicant submits verification that the antennas planned for the proposed tower cannot be accommodated on any existing or approved towers or structures within a 3 mile radius of the proposed tower location due to one or more of the following reasons:
- a. The antennas would exceed the structural capacity of the existing or approved tower or structure as documented by a qualified and licensed professional engineer, and the existing or approved tower, building or structure cannot be reinforced, modified, or replaced to accommodate the antennas at a reasonable cost.
 - b. The antennas would cause interference impacting the usability of other existing or planned equipment at the tower site. Supportive documentation by a qualified and licensed professional engineer indicating that the interference cannot be prevented at a reasonable cost must be provided.
 - c. The existing or approved towers or structures within the search radius cannot accommodate the planned equipment at a height necessary to function reasonably as documented by a qualified and licensed professional engineer.
 - d. Other unforeseen reasons that make it unfeasible or impossible to locate the planned telecommunications equipment upon an existing or approved tower or structure as certified and documented by a qualified and licensed professional engineer.
 - e. Unable to enter a commonly reasonable lease term with the existing tower owner or land owner.
 - f. Additional land area is not available.

Telecommunication Facility Standards (TF)

(continued)

- C. **Design Requirements:** All telecommunications facilities shall meet the following design requirements:
- a. Towers and antennas should generally be designed to blend into the surrounding environment through the use of color, camouflaging and architectural treatment, except in an instance where the color is dictated by federal or state authorities such as the Federal Aviation Administration.
 - b. Wireless telecommunication service towers less than 131 feet tall should generally be of a monopole design and, when located within or adjacent to an environmentally, aesthetically sensitive area or a residential district, designed in such a way as to architecturally camouflage the wireless telecommunication service tower as much as reasonably practical to blend into the surroundings.
 - c. The use of residentially compatible materials such as wood, brick, or stucco is required for associated support structures, which shall be designed to architecturally match the exterior of any adjacent residential or commercial structures within the neighborhood or area. Only if the facility will be 100% screened, as determined by the Planning Director, during all seasons may other materials be used.
 - d. Only when lighting is for safety or security reasons or required by the Federal Aviation Administration or other federal or state authority will it be permitted. All ground level security lighting shall be oriented inward so as not to project onto surrounding properties, and shall have 90 degree cut-off luminaries (shielded downlighting).
 - e. Any proposed telecommunication tower shall be designed, and engineered structurally, electrically and in all other respects to accommodate both the applicant's equipment and at least one additional user for every 50 feet in total tower height in excess of 75 feet.
 1. Each additional user shall be assumed to have an antenna loading equal to that of the initial user.
 2. Towers must be designed to allow for future rearrangement of antennas upon the tower and accept antennas mounted at varying heights.
- D. **Site Requirements:** All telecommunications facilities shall meet the following site requirements:
- a. All telecommunications facilities shall be fully automated and unattended on a daily basis, and shall be visited only for periodic maintenance and emergencies.
 - b. Vehicular access to the tower and equipment building shall, whenever feasible, be provided along existing driveways.
 - c. The lot where the tower is located (or lease area) shall be large enough to accommodate all future anticipated accessory structures needed by future antenna users. The size of the site shall also be of sufficient area to allow the location of two additional towers and associated support facilities. At a minimum, the width and depth of the tower site shall be 50 feet greater than a distance equal to the tower height.
 - d. No part of any wireless telecommunications facility nor any lines, cables, equipment or wires or braces in connection with either shall at any time extend across or over any part of the right-of-way, public street, highway, sidewalk, or property line.
 - e. An 8 foot high security fence shall completely surround the tower and equipment building site. An area 10 feet in width may remain outside of the fence for the purpose of providing the landscape screening described in (f) below.

Telecommunication Facility Standards (TF)

(continued)

- f. Evergreen buffer plantings shall be located around the outermost perimeter of the security fence of all wireless telecommunications facilities, including any guy wires and anchors.
 - 1. If evergreen hedges are used they shall be a minimum of 5 feet tall at the time of planting and planted a maximum of 3 feet on center.
 - 2. If evergreen trees are used they shall be a minimum of 6 feet tall at the time of planting and planted a maximum of 10 feet on center.
 - 3. Existing vegetation (trees and shrubs) shall be preserved to the maximum extent possible.
- E. **Construction Requirements:** All antennas, tower and accessory structures constructed within the Madison County Plan Commission jurisdiction, shall comply with the following construction requirements:
 - a. All applicable provisions of the Building Code of the State of Indiana and the Federal Communications Commission.
 - b. Towers shall be certified by a qualified and licensed professional engineer to conform to the latest structural standards and wind loading requirements of the Uniform Building Code.
 - c. Towers and antennas shall be designed to conform with accepted electrical engineering methods and practices and to comply with the provisions of the National Electrical Code.
 - d. Towers shall be constructed to conform with the requirements of Occupational Safety and Health Administration.
 - e. An engineer's certification shall be submitted to document and verify the design specifications including but not limited to, the foundation for the tower, anchors for the guy wires if used, co-location, and strength requirements for natural forces; ice, wind, earth movements, etc.
 - f. All signal and remote control conductors of low energy extending substantially horizontally above the ground between a tower, antenna and a structure, or between towers, shall be at least 10 feet above the ground at all points, unless buried underground.
 - g. Towers and antennas shall be designed and constructed, at a minimum, to withstand wind gusts of at least 80 miles per hour with one-half inch of ice, also accommodating any co-location requirements.
- F. **Existing Facilities:** The following shall apply to Existing Antennas and Towers:
 - a. Existing towers may continue in use for their current purpose but may not be replaced or structurally altered without complying in all respects to the requirements in this Ordinance.
 - b. Any request submitted to the Madison County Plan Commission to install an antenna to be located on an existing approved or "grandfathered" tower will only require an improvement location permit and a copy of the contract between the applicant company and the owner of the tower.
 - c. If such towers are hereafter damaged or destroyed due to any reason or cause whatsoever, the tower may be repaired and restored to its former location, and physical dimensions upon obtaining an improvement location permit. However, if the cost of repairing the tower to the former use, physical dimensions, and location would be 10% more than the cost of a new tower of like kind and quality, then the tower may not be repaired or restored except in full compliance with all requirements in this Ordinance.
- G. **Inspection:** All towers may be inspected periodically by an official of the Madison County Plan Commission and/or a qualified and licensed engineer to determine compliance with the original construction standards. Deviation from original construction for which a permit is obtained constitutes a violation of this Ordinance.

Telecommunication Facility Standards (TF)

(continued)

H. **Removal:** Any tower unused or left abandoned for 12 consecutive months shall be removed by the tower owner at their expense. At the time an improvement location permit is received for the construction of any tower or antenna, both the property owner and tower owner shall provide a bond meeting the requirements of the County in an amount and duration necessary to ensure the tower's and/or antenna's removal.

TF-02: This Telecommunication Facility Standards section applies to the following districts:



Wireless telecommunications facilities shall require approval as a Special Use from the Board of Zoning Appeals and shall meet all the following requirements in addition to the general requirements and all other applicable provisions of this Ordinance:

- A. The tower shall be a monopole design, and shall be setback from any property line a distance equal to at least 100% the height of the tower. Towers shall not be permitted in any required front yard.
- B. The maximum height of the tower shall be 125 feet. The maximum height of any accessory structure shall be 15 feet
- C. The fence enclosing the facility shall be opaque and of wood, brick, or stone construction. Opaque, 8 foot tall wooden gates, matching any wooden fence, or painted to match a fence of another material shall be provided to access the facility.

TF-03: This Telecommunication Facility Standards section applies to the following districts:



Wireless telecommunications facilities shall require approval as a Special Use from the Board of Zoning Appeals and shall meet all the following requirements in addition to the general requirements and all other applicable provisions of this Ordinance:

- A. The minimum side and rear property setbacks shall be equal to 80% of the height of the tower. Towers shall not be permitted in any required front yard.
- B. The maximum height of the tower shall be 150 feet. The maximum height of any accessory structure shall be 15 feet
- C. The tower shall be placed no closer than 500 feet to any residentially zoned or used property.

TF-04: This Telecommunication Facility Standards section applies to the following districts:



Wireless telecommunications facilities shall be permitted provided that they meet all the following requirements in addition to the general requirements and all other applicable provisions of this Ordinance:

- A. The minimum setback from the side and rear property line shall be equal to 50% of the height of the tower. Towers shall not be permitted in any required front yard.
- B. The maximum height of the tower shall be 199 feet. The maximum height of any accessory structure shall be 15 feet
- C. The tower shall be placed no closer than 500 feet to any residentially zoned or used property.

Farm Animal Standards (FA)

6.19 Farm Animal Standards (FA) The impact of farm animals varies by size and type of animal. The concept of Farm Animal Unit has been created to balance the impact of large and small animals.

FA-01: This Farm Animal Standards section applies to the following districts:



- A. **Exemptions:** All lots shall be permitted up to and including 0.4 animal units for the purpose of facilitating participation in 4-H and other educational opportunities. All lots which include 0.4 or fewer animal units shall be exempt from the setback requirements of this section.
- B. **Farm Animal Defined:** Nothing in this section shall be interpreted as regulating the keeping of household pets. For the purpose of this section, farm animals shall be defined as those which are raised and maintained for, or in support of, the production of food or other products.
- C. **Lot Size:** The minimum lot size on which farm animals are permitted shall be 4 acres.
- D. **Animal Units Permitted:** There shall be 2 animal units permitted per acre as determined based on the following table. The Planning Director shall have the discretion to determine the minimum acreage for any farm animals not listed.

Farm Animal Capacity Requirements	
Animal Type	Units
Large Animals (horses, cattle, buffalo, camels, donkeys)	1.5
Medium Animals (llamas, emu, ostrich, alpacas, sheep, goats)	1
Small Animals (pigs, turkeys, geese)	0.5
Very Small Animals (chickens, rabbits, ducks)	0.1

- E. **Setbacks Required:** On all lots of 10 acres or less, all farm animal stalls, coops, stables, or other place of boarding shall be setback a minimum of 50 feet from all property lines.

FA-02: This Farm Animal Standards Section applies to the following districts:



- A. **Scope and Purpose**
The Madison County Plan Commission recognizes that agriculture is the foundation of our county and is essential to the continued economic well-being of the county. They understand that with ever improving technology and market trends the agricultural industry has evolved. To minimize adverse effects and to protect the public health and safety, consideration should be given to many branches of the agricultural industry and their effect on the environment. The Plan Commission recognizes that Madison County has many diverse areas where the geologic, topographic, climatic, biological, and social conditions are significantly different and specifications for Confined Feeding Operations may vary depending on these conditions.

Confined Feeding Operations regulations are hereby established in order to encourage the flexibility in the development of land that may be necessary to permit adjustments to changing public and private needs; to foster the ability to provide development patterns which are more compatible with and effective in meeting such needs; to promote the more efficient use of land so as to preserve and enhance the natural characteristics and unique features of a property; to improve the design, character and quality of new development; to encourage integrated planning for economical provision of streets/roads/infrastructures and other utilities to reduce the burden by more efficient development; and to conserve the value of land.

The regulations in this section are in addition to the promulgated rules from the Indiana Department of Environmental Management (IDEM), Environmental Protection Agency (EPA) or any other agency or board designated at the federal, state, or local level to monitor or regulate Confined Feeding Operations either directly or indirectly. Any revisions to the state or federal rules shall be accepted in these regulations, without amendment and while printed revisions are updated. In this case of conflicting requirements, the more restrictive requirement will prevail.

B. Confined Feeding Operations

1. Special Use from the Madison County Board of Zoning Appeals is required.
2. Pre-applicant Permit
 - a. A pre-application permit for any CAFO/CFO may be obtained prior to the applicant's submission of any IDEM confined feeding permit application. This pre-application permit and site plan shall be filed with the Madison County Planning Department and shall prevent, for 12 months, unless extended by the Madison County Board of Zoning Appeals, any landowner from obtaining a building permit for a residence to be built within the setbacks established herein without the landowner submitting a written waiver acknowledging that a CAFO/CFO is being requested and consenting to the approval, as submitted. This written waiver shall be recorded with the Recorder of Madison County and include the legal description of the real estate.
 - b. Each property owner within 2500 feet of the proposed CAFO/CFO shall be notified by certified mail by the applicant of the proposed IDEM permit application and pre-application permit.

This notification shall be in a form approved by the Madison County Planning Department and sent no later than the 3rd day after the filing of the pre-application permit. The owner of the CAFO/CFO shall, no later than the 10th day after the filing of the pre-application permit, file with the Madison County Plan Department a list of the property owners required to be notified, together with proof of such notification and the permit will be issued.

3. Confined feeding operations shall be exempt from the Farm Animal Capacity Requirements table above.
4. Confined feeding operations shall meet any applicable requirements for the Federal, state or local government, and shall be consistent with the following standards.
5. The minimum lot size on which confined feeding operations shall be permitted is 40 acres.
6. Structures used for confined feeding operations, including waste disposal lagoons, shall be setback a minimum of 100 feet from all property lines.
7. The Indiana Department of Environmental Management application shall be submitted along with the other supporting material for the special use; including a copy of the manure management plan approved during the Indiana Confined Feeding Regulation program permitting process. All CAFO/CFO's must follow all manure application rules defined in their IDEM permit.
8. Confined feeding operation shall not be located closer than 500 feet from the nearest corner of a structure used in the CAFO/CFO to the nearest corner of any existing residential structure unless written consent is obtained from the property owner and 1,320 feet from any residentially zoned property.
9. Confined feeding operation may not be expanded or enlarged on the subject real estate, unless approved by the Board of Zoning Appeals.
10. All applicants who had or have ownership in or during the past 5 years in any CAFO/CFO in the State of Indiana or any other state must not have any outstanding unresolved violations with the Indiana Department of Environmental Management or any other corresponding or comparable local, state or federal regulatory agency. All such outstanding violations regarding water quality must be resolved before a permit will be issued in Madison County. The applicant shall submit a signed affidavit stating that there are no outstanding violations. Falsification of any information presented shall be grounds for denial of the special use permit and the applicant shall be prohibited from re-applying for a period of 1 year and 5 years for falsification of the reports concerning waters of the State.
11. Upon permanent termination of operation (voluntary or involuntary), petitioner or his successor will remove all manure from the storage structure and properly land apply within 180 days. The structure must be closed, pursuant to 327 I.A.C. 15-15-19, within 3 years. Failure to do so shall authorize County to close the structure at the expense of the landowner/operator.
12. A special use shall not be granted until written approval by IDEM is granted and received.

C. Manure Application

1. A manure application shall be filed and approved for any manure application within Madison County by/or obtained from a CAFO/CFO approved by IDEM outside of Madison County. The manure requirements as approved by IDEM will apply to all applications in Madison County unless modified by Madison County.

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2. The manure application requirements apply to all ground where the manure is being applied.
 3. Manure storage of at least 365 days is required. Locations for staging manure shall be designated in writing and subject to accepted agronomic standards and manure management summary presented.
 4. Manure application shall be by injection, unless approved by the Madison County Board of Zoning Appeals.
 5. There shall be designated green space/filter strip of 25 feet in width on each side along any surface water, or open ditch or water source used for the collection of the sediment and cleansing runoff on all land application areas owned or controlled by the operator.
 6. Manure cannot be applied any closer than 500 feet from any sensitive area, surface water or public water supply intake structure.
 7. Manure cannot be applied within 25 feet from the top of bank from any open drain or public roadway.
 8. A geotechnical soils engineer shall be hired by Madison County Planning Commission for the purposes of consulting the Commission and conducting monitoring well tests as set out herein. A certified laboratory shall test all water supplies including perimeter tile testing. The CAFO/CFO operator/owner shall pay an annual assessment to cover the cost of such services as provided. Assessments shall be approved by the Madison County Planning Commission.
 9. Two monitoring wells shall be installed, at locations determined by the geotechnical soils engineer for each CAFO/CFO pit, lagoon, or building. Each well will be 2" in diameter and placed at a distance not to exceed 50 feet from the structure, pit, or lagoon that will have storage and/or hold manure. The completed depth of these wells (minimum 30 feet) will be determined preferably by the first unconsolidated sand and gravel aquifer encountered below the hydrostatic ground water level. In the event bedrock is encountered prior to an unconsolidated sand and gravel aquifer, or the hydrostatic ground water level, the final placement of the well would be on top of the bedrock. Upon completion of these two monitor wells, the wells will be tested for nitrates/nitrites prior to the start up of the CAFO/CFO in order to establish a baseline. Annual testing will be required and records of those tests will be maintained for review purposes. If two consecutive tests show elevated levels of nitrates/nitrites, the geotechnical soils engineer shall notify the Madison County Planning Department and forward copies of those tests. The planning department will notify IDEM and submit these tests for their review.
 10. During installation of the two monitoring wells, soil borings and logs shall be kept and reviewed by a geotechnical soils engineer. A report will be submitted by that engineer to the Madison County Planning Department recommending whether or not a liner and the type of liner that should be required, if any.

If the engineer recommends a liner, that recommendation and type, along with the basis for that recommendation, shall be forwarded to IDEM for their review and comments during the IDEM permitting process.

COMMENTS: In the case of a building with a pit, two options are available. They are: Option #1) is to apply an integrated membrane system to the exterior wall of the pit areas. This would involve the use of bentonite-based products including Voltex, or equal, (under slab), Voclay Panels, or equal, (perimeter foundation walls), and the use of Waterstop RX, or equal, in all concrete joints. This system, properly installed, will prevent the movement of waste into the local soils and will also prevent the movement of waste into the local soils and will also prevent the entry of groundwater into the manure pits. Option #2) shall be to apply a membrane system to the interior walls (and columns) of the manure pit. Instead of using prefabricated membranes, a spray-applied system called Strataseal, or equal, shall be utilized. This system would protect the concrete and retard the degradation of the concrete due to exposure to salts in the manure.

In each case the liner, panels, or membrane shall be placed to a level higher than the manure will be stored, a 5% overlap is required, and care shall be taken not to puncture either the membrane liner or panels.

Geosynthetic clay liners are high performance environmental liners comprised of geosynthetic carrier components bonded to a layer of low permeability Volclay Sodium Bentonite.

Volclay panels are specifically designed for installation on backfilled wall surfaces. The flutes of these special 4'x4' panels are filled with Volclay Sodium Bentonite, assuring a one-pound per square foot application of low permeability material.

Stataseal is a polyme-modified asphalt system that adheres to concrete surfaces to form a permanent protective shell.

Waterstop - RX is a sodium bentonite based waterstop designed to stop water in-filtration through cast in place concrete construction joints by expanding upon contact with water to form a positive seal against the concrete.

END OF SECTION

Mobile/Manufactured Home Standards (MS)

6.20 Mobile/Manufactured Home Standards (MS)

MS-01: This Mobile/Manufactured Home Standards section applies to the following districts:



Mobile and manufactured homes shall be permitted as described by the following table:

Permitted Mobile/Manufactured Homes				
Zoning District	Mobile Home	Manufactured Home		
		Type III	Type II	Type I
AP			P	P
AG			P	P
RR			P	P
R1			P	P
R2			P	P
R3			P	P
MR				
MH	P	P	S	S
P - Permitted S - Special Use				

MS-02: This Mobile/Manufactured Home Standards section applies to the following districts:



- A. All homes sites shall be provided with a stand consisting of either a solid concrete slab or two concrete ribbons of a thickness and size adequate to support the maximum anticipated loads during all seasons.
 - a. When concrete ribbons are used, the area between the ribbons shall be filed with a layer of crushed rock.
 - b. Each stand shall be provided with an anchoring for each corner of the mobile home able to sustain a minimum tensile strength of 2,800 pounds.
- B. The minimum distance between homes shall be 20 feet.
- C. Foundation skirting shall be provided around each home completely enclosing the undercarriage. All hitches, wheels, and other attachments to the home used to aid in transportation shall be removed or concealed beneath the skirting.
- D. Each home shall be provided with an enclosed, waterproof storage space either as an accessory structure on each home site, behind the skirting, or at a central storage facility.
- E. Common concrete sidewalks at least 4 feet in width shall be provided adjacent to all interior drives and around all recreational and accessory use areas. Concrete sidewalks at least 4 feet in width shall be provided from the front door of each manufactured home to the common sidewalks adjoining the interior drives.

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