

**Sec. 733-210. Off-street parking and loading regulations.**

**(a) General provisions.**

- (1) Application of regulations.** The off-street parking and loading provisions of this chapter shall apply as follows:
  - a. Buildings, structures, uses hereafter established -- Exception permits previously issued. For all buildings and structures erected and all uses of land established after the effective date of this chapter, accessory parking and loading areas shall be provided in accordance with the regulations of this section. However, where improvement location and building permits have been issued prior to the effective date of this chapter, and provided that construction is begun within six (6) months of such effective date and diligently prosecuted to completion (but such time period not to exceed two (2) years after the issuance of such building permit), parking and loading spaces in the amounts required for issuance of such permits may be provided in lieu of any different amounts required by the off-street parking and loading regulations of this chapter.
  - b. Buildings, structures, uses existing or hereafter established -- Increased intensity of use. When the intensity of use of any legally established building, structure or premises (existing on the effective date of this chapter or hereafter established) is increased resulting in a net increase of gross floor area or any other unit of measurement specified herein for determining required parking or loading spaces, parking spaces and loading spaces as required herein shall be provided for such increase in intensity of use. However, no building or structure lawfully erected, or use lawfully established, prior to the effective date of this chapter shall be required to provide such additional parking spaces or loading spaces, unless and until the aggregate increase in any unit of measurement specified herein for determining required parking spaces or loading areas causes an increase in the required number of parking spaces or loading areas that equals fifteen (15) percent or more of the number of parking spaces or loading spaces existing on the effective date of this chapter, in which event parking spaces and loading spaces as required herein shall be provided for the total increase.
  - c. **Change of use.** Whenever the type of use of a building, structure or premises is hereafter changed to a new type of use permitted by this chapter, parking spaces and loading spaces shall be provided as required for such new type of use, subject to the exception noted in section 733-210(a)(1)b.
- (2) Existing parking areas or loading areas.** Required accessory off-street parking areas or loading areas in existence on the effective date of this chapter shall not hereafter be reduced below, or if already less than, shall not be further reduced below, the requirement for such use as would be required for such use as a new use of a building, structure or premises under the provisions of this chapter.
- (3) New or expanded parking areas or loading areas.** Nothing in this chapter shall prevent the establishment of, or expansion of the amount of, parking areas or loading areas to serve any existing use of land or building, provided that all regulations herein governing the location, design, landscaping, construction and operation of such areas shall be adhered to.
- (4) Damage or destruction.** For any nonconforming uses and structures or buildings that are hereafter damaged or partially destroyed by fire or other naturally occurring disaster, provided the damage or destruction does not exceed two-thirds ( 2/3) of the gross floor area of the building, structure or facilities affected, and that is reconstructed, off-street

parking and loading spaces equivalent to those maintained at the time of such damage or partial destruction shall be restored and continued in operation. However, in no case shall it be necessary to restore or maintain parking or loading spaces in excess of those required by this chapter for equivalent new use or construction.

- (5) **Control of off-site parking areas.** In cases where accessory parking areas are permitted on land other than the lot on which the building or use served is located, such areas shall be in the same control as the lot occupied by the building or use to which the parking areas are accessory.
- (6) **Submission of site plan.** Any application for an improvement location permit shall include a site plan, drawn to scale and fully dimensioned, complying with all requirements of Chapter 730, Article III of this Code. Such site plan shall further demonstrate compliance with all applicable standards of this chapter.
- (7) **Computation.** In determining the minimum required number of off-street parking spaces or loading spaces, when a computation of required parking spaces or loading spaces results in a fraction of one-half ( 1/2) or greater, the number of required parking spaces or loading spaces shall be rounded up to the next whole number.

(b) **Off-street parking regulations.** Off-street parking areas for motor vehicles shall be provided for all uses in the industrial districts in accordance with the following regulations, in addition to the requirements of section 733-210(a):

- (1) **Common or combined off-street accessory parking areas.** Common or combined off-street accessory parking areas for separate uses may be provided to serve two (2) or more primary buildings or uses, provided the total number of spaces so provided is not less than the sum of the separate requirements for each such use, and provided that all regulations governing location of accessory parking areas, in relation to the use served are adhered to.

(2) **Minimum parking lot and parking spaces dimensions.**

- a. The interior access drives, interior access driveways, drives, driveways, entrances, exits, aisles, bays and traffic circulation for parking lots shall be designed and constructed at not less than the recommended specifications contained in Architectural Graphic Standards, Eighth Edition, Ramsey/Sleeper, John Wiley and Sons, Inc., New York, New York. The recommended specifications noted in Architectural Graphic Standards for access drives, interior access driveways, drives, driveways, entrances, aisles, bays and traffic circulation for parking lots are hereby incorporated into this chapter by reference and made a part hereof; except that minimum parking space (or stall) dimensions shall be provided as set forth below.
- b. Each off-street parking space shall have, regardless of angle of parking, a usable parking space dimension measuring not less than nine (9) feet in width (measured perpendicularly from the sides of the parking space) and not less than eighteen (18) feet in length.

Exception: All parking spaces reserved for the use of physically handicapped persons shall have a usable parking space dimension measuring not less than thirteen (13) feet in width (measured perpendicularly from the side of the parking space) and not less than twenty (20) feet in length (see also section 733-210(b)(10), required parking spaces for the disabled).

**(3) Access to and from parking areas.**

- a. Each off-street parking space shall open directly upon an aisle or driveway of such width and design as to provide safe and efficient means of vehicular access to such parking space.
- b. All off-street parking areas shall be designed with appropriate means of vehicular access to a street or alley in such a manner as to minimize interference with traffic movement and to provide safe and efficient means of vehicular access. Off-street parking areas shall be designed and located so that vehicles shall not back from or into a public street or adjoining property, unless the lot and the adjoining property are located within the same industrial park and such maneuverability areas are subject to a recorded easement agreement allowing such maneuverability.
- c. Plans and specifications for: 1) the width of access drives; 2) location of access drives from the nearest point of two (2) intersecting street rights-of-way; and 3) the design and location of frontage lanes and passing blisters, shall be submitted to, and written approval obtained from, the bureau of license and permit services of the department of code enforcement or the Traffic Engineering Department having jurisdiction thereof. Such plans and specifications shall comply with the applicable standards and regulations of such division/department.

**(4) Use of parking areas.**

- a. The parking area shall not be used for the storage, display, advertisement, sale, repair, dismantling or wrecking of any vehicle, equipment or material. The parking area shall not be used for the storage of any inoperable vehicles.
- b. Buildings or structures for guards, attendants or watchmen shall be permitted; however, any such structure shall not occupy a required off-street parking space(s) and shall comply with all setback requirements for parking areas.
- c. Loading spaces, as required in section 733-210, shall not constitute a required off-street parking space; nor shall any off-street parking area be used as a loading space or area.

**(5) Location and setback.**

- a. All parking spaces required to serve buildings or uses erected or established after the effective date of this chapter shall be located on the same lot as the building or use served. Buildings or uses existing on the effective date of this chapter that are subsequently altered or enlarged so as to require the provision of additional parking spaces under the requirements of this chapter may be served by parking spaces located on land other than the lot on which the building or use served is located, provided such spaces are within five hundred (500) feet of a lot line of the use served. (See control of off-site parking areas, section 733-210(a)(5)).
- b. Front yards: Off-street parking may be located in minimum required front yards of I-1-S, I-2-S, I-3-S and I-4-S Districts, provided the total parking area does not occupy more than ten (10) percent of the total area of the minimum required front yard. In any industrial district, off-street parking may be located in front of the building, provided the parking area is located between the required front building setback line and the building.
- c. Side and rear yards: Off-street parking may be located in required side and rear yards.

**(6) Surface of parking area.**

- a. Off-street parking areas may be open to the sky, covered, or enclosed in a building. In any instance where a building is constructed or used for parking, it shall be treated as any other building or structure and subject to all use and development standards requirements of the applicable industrial district in addition to the requirements contained herein.
- b. All off-street parking areas, and the access to and from such areas, shall be hardsurfaced to adequately provide a durable and dust-free surface. A gravel surface may be used for a period not exceeding one (1) year after the commencement of the use for which the parking area is provided, where ground or weather conditions are not immediately suitable for permanent surfacing as specified above.
- c. The parking area(s), where abutting a required landscaped yard or area, shall be designed and constructed in such a manner that no part of any parked vehicle shall extend beyond the boundary of the established parking area into any minimum required landscaped yard or area or onto adjoining property.

**(7) Lighting of parking area.**

- a. When parking areas are illuminated, the lighting equipment shall provide good visibility with a minimum of direct glare.
- b. In applying exterior lighting, equipment shall be of an appropriate type and be so located, shielded and directed that the distribution of light is confined to the area to be lighted.
- c. Objectionable light on to adjacent properties and streets shall be avoided to prevent direct glare or disability glare.
- d. Lighting levels for outdoor parking areas shall meet the following minimum average maintained horizontal factualness (as specified in Architectural Graphics Standards, Eighth Edition, Ramsey/Sleeper, John Wiley and Sons, Inc., New York, New York). The minimum average maintained horizontal factualness specified in Architectural Graphics Standards for lighting levels for outdoor parking areas are hereby incorporated into this chapter by reference and made a part hereof.

**(8) Landscaping.** The ground area between the required off-street parking area setback and any lot line abutting a protected district shall be screened and landscaped in accordance with the requirements of section 733-211(e).

**(9) Number of parking spaces required.**

- a. All uses permitted in the I-1-S, I-2-S, I-3-S, and I-4-S Districts shall provide a minimum of one (1) parking space for each one and one-half (1 1/2) persons on the premises, computed on the basis of the greatest estimated number of persons at any one (1) period during the day or night.
- b. All uses permitted in the I-1-U, I-2-U, I-3-U, and I-4-U Districts shall provide a minimum of one (1) parking space for each two (2) persons on the premises, computed on the basis of the greatest estimated number of persons at any one (1) period during the day or night.

- (10) **Required parking spaces for the disabled.** Every parking area available to the public shall have parking spaces reserved for the use of physically handicapped persons, as defined in section 733-213, according to the following schedule:

Total Required Number of Parking Spaces	Minimum Number of Reserved Spaces
0 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1000	Two (2) percent of the total number of parking spaces.
1001 and over	Twenty (20), plus one (1) for each one hundred (100) spaces over one thousand (1000).

- (c) **Off-street loading regulations.** Off-street loading areas accessory to uses in the industrial districts shall be provided and maintained in accordance with the following regulations, in addition to the requirements of section 733-210(a):

(1) **Minimum loading space dimensions.**

- a. A required off-street loading space shall be at least twelve (12) feet in width by at least fifty-five (55) feet in length, exclusive of aisle and maneuvering space, and shall have a vertical clearance of at least fifteen (15) feet.
- b. The interior access drives, interior access driveways, driveways, aisles, loading spaces and vehicular circulation and maneuvering for loading areas shall be designed and constructed at not less than the recommended specifications contained in Architectural Graphic Standards, Eighth Edition, Ramsey/Sleeper, John Wiley and Sons, Inc., New York, New York. The recommended specifications noted in Architectural Graphic Standards for interior access drives, interior access driveways, driveways, aisles, loading spaces and vehicular circulation and maneuvering for loading areas are hereby incorporated into this chapter by reference and made a part hereof.

(2) **Access to and from loading area.**

- a. Each required off-street loading space shall open directly upon a hardsurfaced aisle or driveway of such width and design as to provide safe and efficient means of vehicular access to such loading space.

- b. All off-street loading areas shall be designed with appropriate means of vehicular access to a street or alley in such a manner as to minimize interference with traffic movement and to provide safe and efficient means of vehicular access.
- c. Plans and specifications for: 1) the width of access drives; 2) location of access drives from the nearest point of two (2) intersecting street rights-of-way; and 3) the design and location of frontage lanes and passing blisters, shall be submitted to, and written approval obtained from, the bureau of license and permit services of the department of code enforcement or the Traffic Engineering Department having jurisdiction thereof. Such plans and specifications shall comply with the applicable standards and regulations of such division/department.

**(3) Location and setback.**

- a. All required loading spaces shall be located on the same lot as the use served, and shall be so designed and located that trucks shall not back from or into a public street, or onto adjoining property unless the lot and the adjoining property are located within the same industrial park and such maneuverability areas are subject to a recorded easement agreement allowing such maneuverability.
- b. No open loading area or loading space shall be located in a minimum required front yard, minimum required front transitional yard or the area between the front lot line and the front line of the primary building.
- c. No loading area or loading space shall be located in a required side or rear transitional yard.

**(4) Screening.** All vehicle loading spaces on any lot abutting a protected district or separated by a public right-of-way from a protected district shall be enclosed within a building or screened and landscaped in addition to the industrial district's regulations for screening and landscaping transitional yards. Such screening and landscaping shall be installed as required in section 733-211(e).

**(5) Use of loading area.** Space allotted to off-street loading areas shall not be used to satisfy the off-street parking space requirements.

**(6) Surface of loading area.**

- a. Off-street loading areas may be open to the sky, covered or enclosed in a building. In any instance where a building is constructed or used for loading, it shall be treated as any other structure and shall be subject to all use and development standards of the applicable industrial district in addition to the requirements contained herein.
- b. All loading areas shall be hardsurfaced to adequately provide a durable and dust-free surface except that:
  - 1. A gravel surface may be used for a temporary period not exceeding one (1) year after commencement of the use for which the loading area is provided, where ground and weather conditions are not immediately suitable for permanent surfacing as specified above.
  - 2. A gravel surface in the area of storage or handling may be used permanently in association with industries that handle liquids or chemicals that create a potential hazard if containment should be lost and where absorption into the ground through a loose surface material would eliminate or alleviate such hazard.

c. The surface shall be graded, constructed and drained in such a manner that there will be no detrimental flow of water onto adjacent properties or public sidewalks.

(7) **Lighting of loading area.** When a loading area is illuminated, the lighting equipment shall be so located, shielded, and directed so that the lighting distribution is confined to the area to be lighted. Objectionable light onto adjacent properties and streets shall be avoided to prevent direct glare or disability glare.

(8) **Required loading spaces.** Off-street loading spaces shall be provided and maintained in accordance with the following minimum requirements for all industrial districts.

Gross Floor Area of Building (Sq. Ft.)	Required Number of Loading Spaces
1-- 40,000	1
40,001--100,000	2
100,001--200,000	3

For each additional two hundred thousand (200,000) square feet of gross floor area or fraction thereof, one (1) additional loading space shall be provided.

(G.O. 2, 2002, § 15; G.O. 96, 2009)

**Sec. 733-211. Special regulations.**

(a) **Minimum required front setback lines and front yards.** Front setbacks, having a minimum depth in accordance with the following setback standards, shall be provided along all public and private street right-of-way lines, and the minimum required building setback lines shall be as follows:

(1) No part of any building shall be built closer to the proposed right-of-way lines of the following streets than:

<p>Thirty (30) feet from the proposed right-of-way or one hundred (100) feet from the center line, whichever is greater.</p>	<p>Expressway, freeway, primary arterial, parkway, secondary arterial (as designated on the Official Thoroughfare Plan for Marion County, Indiana).</p>
<p>Fifty (50) feet ("S" districts) Twenty (20) feet ("U" districts) from the proposed right-of-way.</p>	<p>Collector street, local street, marginal access street (including marginal access streets with a coinciding right-of-way boundary immediately paralleling either a federal interstate highway route or any thoroughfare), cul-de-sac or any private street.</p>

Subject to the following:

- a. Any required front transitional yard shall have a minimum depth in accordance with the "required transitional yards, minimum setback" as set forth in the applicable industrial district.
- b. The required front yard and setback shall be located outside of and adjacent to the proposed right-of-way line of the street while paralleling and extending the full length of such right-of-way line, except when interrupted by driveway(s).
- c. The uses of required front yards shall be those permitted in the provisions of the "use of required yards" sections of the applicable industrial zoning district.
- d. In the case where a proposed right-of-way line does not exist, as determined by the Official Thoroughfare Plan for Marion County, Indiana, or where the existing right-of-way is greater, the existing right-of-way line shall be used for the setback measurement.

(2) No part of any structure, including parking areas, parking spaces, interior access drives, and interior access driveways, shall be built closer than twenty (20) feet to the right-of-way line of a federal interstate highway route.

(b) **Industrial park - plan requirements for improvement location permit issuance:** Prior to improvement location permit issuance for any building or structure within an industrial park, three (3) copies of a conceptual site plan and landscape plan for the entire industrial park shall be on file with the Department of Metropolitan Development.

**(c) Street requirements:**

**(1) Clear sight triangular area.** The following provisions shall apply to all streets, whether public or private: All landscape plantings, structural barriers, shrubs, trees, structures or other objects, temporary or permanent, shall permit completely unobstructed vision within a clear sight triangular area between the heights of two and one-half (2 1/2) and nine (9) feet above the crown of the streets, drives, or driveways. A clear sight triangular area shall be established as one (1) of the following (see section 733-213, Diagram F):

- a. On a corner lot, the clear sight triangular area is formed by the street right-of-way lines, the pavement edge of the drives or driveways and the line connecting points twenty-five (25) feet from the intersection of such street right-of-way lines and pavement edge lines; or in the case of a round or cut property corner, from the intersection of the street right-of-way lines and pavement edge lines extended; or
- b. On a lot adjacent to an at-grade railroad crossing, the clear sight triangular area is formed by the lot line coterminous with the railroad right-of-way, the street right-of-way line or pavement edge line, and the line connecting points twenty-five (25) feet from the intersection of such lines; or
- c. On a lot which has a driveway, abuts an alley or which is next to a lot which has a driveway, the two (2) clear sight triangular areas are formed by the street right-of-way line, both sides of either the alley right-of-way or of the surface edge of the driveway, and the line connecting points ten (10) feet from the intersection of the street right-of-way line and driveway or alley lines extended.

**(2) Requirements for public streets.**

- a. All public streets shall be dedicated to the public, accepted for public maintenance by the Department of Public Works (DPW), and improved and constructed in accordance with the standards required by the DPW Standards for Street and Bridge Design and Construction, or as approved by the director of the DPW.
- b. The rights-of-way of any streets within an industrial park which are indicated on the Official Thoroughfare Plan for Marion County, Indiana, or which have been required by zoning, variance, or platting commitment, condition or covenant to be developed as public streets, are to be constructed to specific standards based upon their proposed functional classification and shall be dedicated to the public, or the right-of-way thereof shall be reserved for the future.

**(3) Requirements for private streets, driveways, interior access driveways and interior access drives:**

- a. All private streets, driveways, interior access driveways and interior access drives shall meet the minimum standards for construction, materials or use in construction, and design as specified by the "Standard Specifications", Indiana Department of Transportation (8-17-1-39), 1988 Edition, the Indiana Department of Transportation (IDOT) Supplemental Specifications, and the Indianapolis Department of Public Works (DPW) Standards for Street and Bridge Design and Construction. In the event DPW specifications conflict with the IDOT Standard Specifications, the most stringent specifications shall govern. The "Standard Specifications" of the IDOT are incorporated into this chapter by reference. Two (2) copies of the "Standard Specifications" are on file and available for public inspection in the office of the Division of Planning of the Department of

Metropolitan Development. Provided, however, that the standard specifications incorporated into this chapter shall be modified as follows:

Private interior streets, private interior access drives and private interior access driveways shall have a minimum width, including gutters, curbing, and off-street parallel parking spaces, if provided, of:

One-way, no parking	Twelve (12) feet
One-way, parallel parking on one (1) side of the street only	Twenty (20) feet
Two-way, no parking	Twenty (20) feet
Two-way, parallel parking on one (1) side of the street only	Twenty-seven (27) feet
Two-way, parallel parking on both sides of the street	Thirty-six (36) feet

- b. Private streets, interior access drives and interior access driveways shall be privately maintained (not by governmental agencies) in good condition and free of chuckholes, standing water, weeds, dirt, trash and debris.
- c. Interior access drives and driveways shall be designed and maintained with sufficient width to provide for the passage of emergency vehicles at all times.
- d. Private streets, interior access drives and interior access driveways within any industrial zoning district may be used to provide ingress and egress to any other industrial zoning district and to any other zoning district having a less intense use, which would include all protected districts and all commercial districts.

**(4) Sidewalk Requirements.** On any freestanding lot, project, industrial park, or integrated center that is not served by either an existing public sidewalk or a public sidewalk alternative authorized by the City of Indianapolis, sidewalks shall be provided in compliance with the following regulations.

**a. Placement.**

- 1. Sidewalks shall be provided along all eligible public streets, excepting interstate, expressway, freeway, as indicated in the current Official Thoroughfare Plan for Marion County, Indiana, and other full control of access frontages as determined by the Administrator.
- 2. Sidewalks shall extend along the full length of the freestanding lot, project, industrial park or integrated center’s eligible public streets.
- 3. Unless a different location is approved by the Administrator, the sidewalks shall be provided within the public right-of-way, one (1) foot from the right-of-way line.
- 4. Where sidewalks exist in the public right-of-way in front of an adjacent lot and extend to a point equal to the common lot line extended, the sidewalks shall fully connect with such existing sidewalks on the adjacent property to provide a continuous, unobstructed walkway along the public street.

**b. Construction.**

1. Sidewalks shall consist of the walkway and any curb ramps or blended transitions.
2. Sidewalks shall meet the Standards for Street and Bridge Design and Construction (G.O. 49, 1972/Standards for Acceptance of Streets and Bridges of the City-County Council of Indianapolis and Marion County, Indiana), as amended.
3. Sidewalks constructed to comply with this section shall be a minimum width of five (5) feet, exclusive of the width of any curb. A minimum clear width of four (4) feet shall be provided. The clear width shall be fully unobstructed by utility poles, traffic signs, mailboxes, fire hydrants or other similar items.
4. Sidewalks shall be a minimum of four (4) inches in thickness of Portland cement concrete, except where sidewalks cross concrete drives or driveways the thickness shall be a minimum of six (6) inches, conforming to subsection 604 of the current Indiana Department Of Transportation Design Standards and Specifications. Sidewalks along frontages that are identified in the Marion County Greenways Plan, Marion County Comprehensive Plan, or IndyParks Connectivity Plan as a greenway or linear path may be constructed with alternate materials and depth standards as approved by the Administrator.

**c. Site Considerations.** In locations where site conditions cause extreme difficulty in the construction of sidewalks, the Administrator may, upon written request, waive that portion of sidewalks. Examples of extreme difficulty include, but are not limited to, waterway crossings, significant elevation change, existing deep drainage swales in the right-of-way, and grades steeper than 3:1. The request shall include supporting documentation. The waiver would be pursuant to a written agreement and subject to a contribution in lieu of sidewalks that shall be made to the City for the provision of sidewalks in Marion County. The amount shall be \$25 per linear foot of required sidewalk waived. The rate per linear foot shall be increased by \$0.60 annually beginning January 1, 2009.

**d. Compliance with the Americans with Disabilities Act (ADA).** Sidewalks and any alternative pedestrian walkway shall comply with the Americans with Disabilities Act. Where this ordinance exceeds the Americans with Disabilities Act, any such improvement shall meet or exceed the provision of this ordinance.

**e. Requirements for sidewalks for new development.** Sidewalks shall be provided in connection with the initial development for a freestanding lot or project upon which structures are constructed, erected, or relocated. Sidewalks shall be provided in connection with the development of an industrial park or integrated center upon which structures are constructed, erected, or relocated in accordance with the conditions of the grant of a Special Exception. Sidewalks shall be provided for a project

or lot upon which at least 2/3 of all buildings have been removed, demolished, damaged or destroyed.

- f. **Internal accessibility for new development.** Within a freestanding lot, project, industrial park, or integrated center, walkways shall be provided in accordance with a pedestrian plan that shall include a walkway system that functionally connects all of the building's main front entrances with the sidewalk located in the public right-of-way of each of the freestanding lot, project, industrial park, or integrated center's eligible public streets. The walkways may be constructed of asphalt, concrete, pavers, or other materials meeting ADA guidelines. Such private walkways shall provide for identifiable pedestrian crossing treatments along functional pedestrian routes wherever the private walkways cross an interior access drive or interior access driveway.
- g. **Requirements for sidewalks for redevelopment or additions.** When improvements are proposed for:
  - (i) a freestanding lot, project, industrial park, or integrated center upon which a building on a permanent foundation exists prior to July 1, 2008; or,
  - (ii) a lot upon which no building or permanent foundation exists and is located within a project, industrial park, or integrated center upon which a building on a permanent foundation exists prior to July 1, 2008,

sidewalks for the redevelopment or the additions shall be provided in compliance with the following regulations:

1. Sidewalks shall be required when a building is constructed, erected, enlarged, extended, reconstructed, relocated, converted to an industrial use; except a building that was destroyed or damaged by fire or natural causes and is reconstructed on substantially the same foundation and of substantially the same gross floor area.
2. Sidewalks shall be provided at a minimum rate of 3 linear feet of sidewalk per 100 square feet or fraction thereof of the gross floor area of the constructed, erected, enlarged, extended, reconstructed, converted to an industrial use, or relocated building or addition. The linear amount of sidewalk required shall not exceed the cumulative length of eligible public streets of the freestanding lot, project, industrial park, or integrated center, excepting interstate, expressway, freeway, as indicated in the current Official Thoroughfare Plan for Marion County, Indiana, and other full control of access frontages as determined by the Administrator.
3. The provision of the sidewalks shall be in accordance with the following options with the first option being preferred:
  - i. Sidewalks shall be constructed; or

ii. Pursuant to a written agreement, a contribution in lieu of sidewalks shall be made to the City for the provision of sidewalks in Marion County. The amount shall be \$25 per linear foot of required sidewalk. The rate per linear foot shall be increased by \$0.60 annually beginning January 1, 2009.

4. Where this subsection would result in the partial installation of sidewalks along an eligible public street, the Administrator shall determine the location along the eligible public street where the sidewalks shall be installed. The criteria for the sidewalk location shall be the greatest improvement to the public health, safety, welfare and convenience.

5. The provision of the sidewalks shall be required for each addition to the site until the sidewalks are constructed along all eligible public streets or the equivalent contribution has been made for the sidewalks.

[2007-AO-02; G.O. 4, 2008]

**(d) Requirements for temporary use structures or buildings; recycling containers or neighborhood collection points:**

**(1) Temporary use structures or buildings:** Temporary use structures shall be permitted in all industrial districts, under a temporary improvement location permit issued by the Administrator subject to the temporary use requirements specified below:

a. Temporary use structures or buildings shall comply with all setback requirements for a primary building on the site.

Exception: Temporary construction trailers may be permitted within required front, side or rear yards, provided they do not encroach into any clear sight triangular areas.

b. Any floodlights or other lighting shall be directed upon the premises and shall not be detrimental to adjacent properties.

c. A temporary improvement location permit for a temporary use structure shall be valid for a maximum of eighteen (18) months. An extension of time, not to exceed one hundred eighty (180) days, may be granted by the Administrator for good cause shown. Such request for extension must be filed with the Administrator prior to the termination date of the temporary improvement location permit.

d. All structures, buildings, appurtenances, trash or debris associated with the temporary use structure shall be removed from the site immediately upon completion or cessation of the temporary use.

**(2) Requirements for recycling containers or neighborhood recycling collection points.**

a. **Requirements for neighborhood recycling collection points.** Neighborhood recycling collection points shall be permitted in any industrial district. Household waste products permitted for collection at neighborhood recycling collection points, as defined in section 733-213, shall include the following:

Aluminum cans

Tin and metal cans

Plastics

Glass containers

Paper products

In addition to the materials listed above, other household scrap made of aluminum, brass, copper, or steel may also be collected at these facilities. However, all materials collected for delivery to the recycling facility shall be in amounts that allow delivery by vehicles which do not exceed a maximum load capacity of three-quarters of a ton in the I-1 and I-2 Industrial Districts. All deliveries that necessitate the use of vehicles in excess of this size shall be required to deliver the recyclable materials to a recycling station (as defined in section 733-213). This restriction is intended to protect the community character of the I-1 and I-2 Industrial Districts.

In the I-1 and I-2 Districts, those collection points that utilize a trailer as its primary structure shall be limited to one (1) trailer per site. The collection point shall be manned during all hours of operation. In addition to these requirements, the requirements for recycling containers (as specified in section 733-211(d)(2)b. below) shall also apply.

- b. **Requirements for recycling containers.** Recycling containers shall be permitted in any industrial district. Recycling containers, as defined in section 733-213, shall be subject to the following requirements:
1. The use or structure shall not be located within any required yard or required transitional yard or within any street right-of-way and shall meet the minimum setback requirements of the district.
  2. When the structure is located in the parking area of the primary use, the structure shall be located completely within a striped, off-street parking space(s) on the site and shall not be within a drive or maneuvering area.
  3. A minimum of three (3) off-street parking spaces shall be provided on-site. These off-street parking spaces are in addition to the required parking provided for the primary use. A suitable maneuvering area for access and turning shall also be provided as specified in Architectural Graphic Standards, Eighth Edition, Ramsey/Sleeper, John Wiley and Sons, Inc., New York, New York.
  4. All recyclable materials shall be stored within a recycling container and the surrounding lot areas shall be: i. maintained free of litter and debris; and ii. cleaned/inspected on a daily basis.
  5. The recycling containers shall be clearly marked to identify the type of material which may be deposited; and the name, address, and telephone number of the operator and the hours of operation, and shall display a notice stating that no material shall be left outside the recycling containers.
  6. The recycling containers shall be emptied or exchanged with a new container at or before the time the existing container becomes completely filled.
  7. The recycling container shall not be located within one hundred (100) feet, measured in any direction, of a dwelling district. The measurement shall be taken from the exterior of the container to the zoning boundary of the dwelling district except when such container is separated from such dwelling district by an intervening street (see section 733-213, Diagram H).

8. Recycling containers shall be prohibited on lots of less than ten thousand (10,000) square feet in area.

**(e) Landscaping, screening and grounds maintenance.** Subject to the allowed uses in required yards, landscaping, screening and grounds maintenance shall be provided and maintained, for all development in all industrial districts in accordance with the following regulations:

**(1) Landscaping and screening in required yards.**

- a. All required yards shall be landscaped. The landscaping of these yards shall, at a minimum, consist of a combination of living vegetation, such as trees and shrubs as specified in section 733-211(e)(1)b. and c., and grasses or ground cover materials, planted or transplanted and maintained, or preserved as existing natural vegetation areas (e.g., woods or thickets). Loose stone, rock or gravel may be used as a landscaping accent, but shall not exceed twenty (20) percent of the area of the required yard in which it is used.
- b. Landscaping and screening of the required front yard shall be provided and maintained according to the following minimum standards:
  1. Landscaping in the required front yard shall consist of trees planted in accordance with one (1) of the two (2) following alternatives:
    - i. If deciduous shade (overstory) trees are used: There shall be one (1) tree planted at a maximum of every forty (40) feet on center of linear distance along all required front yards. These required trees may be grouped together in the required front yard; however, in no case shall spacing between the trees exceed eighty (80) feet (refer to section 733-213, Diagram G); or
    - ii. If deciduous ornamental (understory) trees are used: There shall be one (1) tree planted at a maximum of every twenty-five (25) feet on center of linear distance along the required front yard. These required trees may be grouped together in the required front yard; however, in no case shall spacing between the trees exceed fifty (50) feet (refer to section 733-213, Diagram G). Deciduous shade trees and deciduous ornamental trees may be grouped together in the required yards; however, in no case shall spacing between a deciduous shade tree and a deciduous ornamental tree exceed fifty (50) feet.
  2. Screening in the required front yard of the project may include:
    - i. Wall or fence - an ornamental, decorative fence or masonry wall, up to a maximum height of ten (10) feet, may be used in conjunction with the required landscaping; or
    - ii. Berm - an earthen berm may be used in conjunction with the required landscaping. It shall be a maximum height of forty-two (42) inches, have a minimum crown width of two (2) feet, a side slope of no greater than three to one (3:1), and shall be planted and covered with live vegetation (a retaining wall may be used on one (1) side of the berm in lieu of a side slope, if desired); or
    - iii. Plant material screen - a compact hedge of evergreen or densely twigged deciduous shrubs may be used in conjunction with the required landscaping.

Provided, however, for all parking areas between the building line, as extended, and the street, there shall be provided and maintained along the front line of the parking area a screen of a minimum height of thirty-six (36) inches along a minimum of seventy-five (75) percent of the linear distance of the parking area (excluding the linear width of driveways) with a solid wall, solid fence, berm, or plant material screen. In addition, no linear open space between the above noted screening techniques shall be greater than thirty (30) feet.

The ground area between such wall, fence, berm, or plant material screen and the front proposed right-of-way line shall be planted and maintained in grass or other suitable ground cover.

A minimum of half of the required trees shall also be planted between the proposed right-of-way and the wall, fence, berm, or plant material screen.

- c. Landscaping and screening in the required side and rear yards shall be provided and maintained according to the following minimum standards:
  1. Landscaping in the required side and rear yards shall consist of trees planted in accordance with one (1) of the two (2) following alternatives:
    - i. If deciduous shade (overstory) trees are used: There shall be one (1) tree planted at a maximum of every sixty (60) feet on center of linear distance along all required side and rear yards. These required trees may be grouped together in the required side and rear yards; however, in no case shall spacing between the trees exceed eighty (80) feet (refer to section 733-213, Diagram G); or
    - i. If deciduous ornamental (understory) trees are used: There shall be one (1) tree planted at a maximum of every forty (40) feet on center of linear distance along all required side and rear yards. These required trees may be grouped together in the required side and rear yards; however, in no case shall spacing between the trees exceed fifty (50) feet (refer to section 733-213, Diagram G). Deciduous shade trees and deciduous ornamental trees may be grouped together in the required yards; however, in no case shall spacing between a deciduous shade tree and a deciduous ornamental tree exceed fifty (50) feet.
  2. Screening in the required side and rear yard of the project may include:
    - i. Wall or fence - an ornamental, decorative fence or masonry wall up to a maximum height of ten (10) feet may be used in conjunction with the required landscaping; or
    - ii. Berm - an earthen berm may be used in conjunction with the required landscaping. It shall have a maximum height of ten (10) feet, have a minimum crown width of two (2) feet, a side slope of no greater than three to one (3:1), and shall be planted and covered with live vegetation; or
    - iii. Plant material screen - a compact hedge of evergreen or densely twigged deciduous shrubs may be used in conjunction with the required landscaping.

- d. All landscape plantings, architectural screens (fences, walls), shrubs, trees, structures or other objects shall permit completely unobstructed vision within a clear sight triangular area as noted in section 733-211(c).
- e. No architectural screen fronting upon or abutting a protected district shall be electrified with the intent of providing for an electrical shock if touched.
- f. Barbed wire, razor wire and similar type wires shall not be permitted within the front yard setback, or in front of any existing building in the I-1, I-2, or I-3 (Urban or Suburban) Industrial Districts.
- g. The minimum size of all required landscape plant materials, at the time of planting including substituting or replacement trees and shrubs, shall be as follows:
  - 1. Deciduous shade (overstory) trees - two and one-half-inch caliper at six (6) inches above the ground.
  - 2. Deciduous ornamental (understory) trees - one and one-half-inch caliper at six (6) inches above the ground.
  - 3. Multi-stemmed trees - eight (8) feet in height.
  - 4. Evergreen trees - five (5) to six (6) feet in height.
  - 5. Deciduous or evergreen shrubs - twenty-four (24) inches in height. Shrubs are to be planted at a maximum of four (4) feet on center of linear distance along the required yard.
- h. All trees and shrubs shall be planted or transplanted in accordance with the standards contained in American Standards for Nursery Stock, copyrighted in 1986 by the American Association of Nurserymen and approved May 2, 1986, by the American National Standards Institute, Inc. The standards contained in American Standards for Nursery Stock are hereby incorporated into this chapter by reference and made a part hereof. All trees and shrubs shall be mulched and maintained to give a clean and weed-free appearance.
- i. In computing the number of trees to be planted in a required yard or a required transitional yard, a fraction of one-half ( 1/2) or greater shall be rounded up to count as an additional tree.
- j. Existing trees may fulfill the requirements for tree planting in required yards or required transitional yards as long as the standards specified for required yards (section 733-211(e)(1)b. or c.) or required transitional yards (section 733-211(e)(2)b. or c.) are met.
- k. The removal from any minimum required yard or any minimum required transitional yard of any existing live deciduous tree over four-inch caliper measured at four and one-half (4 1/2) feet above ground or of any existing shrub or evergreen tree over six (6) feet in height shall be prohibited except to facilitate the placement of utilities or to provide for necessary easements or drainage improvements. Removal of such tree(s) shall require the replanting of replacement tree(s) so that the total number of trees replanted equals the total number of trees removed. Replacement trees shall be of the same species as those trees removed unless approved otherwise by the Administrator. Replanting of these replacement trees shall occur within six (6) months of removal, or the next planting season, whichever occurs first.

- I. All existing trees which are to be preserved shall be maintained without injury and with sufficient area for the root system to sustain the tree. Protective care and physical restraint barriers at the dripline, such as temporary protective fencing, shall be provided to prevent alteration, compaction or increased depth of the soil in the root system area prior to and during groundwork and construction. Heavy equipment traffic and the storage of construction equipment or materials shall not occur within the dripline of the tree.
- (2) **Landscaping and screening of required transitional yards.** Landscaping and screening of yards fronting upon or abutting a protected district shall be provided and maintained, for all development in all industrial districts in accordance with the following regulations in addition to section 733-211(e)(1)d. through k.
- a. All required transitional yards shall be landscaped. The landscaping of these yards shall, at a minimum, consist of a combination of living vegetation such as trees, shrubs, hedges, and grasses or ground cover as specified in section 733-211(e)(2)b. and c., planted or transplanted and maintained, or preserved as existing natural vegetation areas (e.g., woods or thickets). Loose stone, rock or gravel may be used as a landscaping accent, but shall not exceed twenty (20) percent of the area of the required yard in which it is used.
  - b. Landscaping and screening of required front transitional yards shall be provided and maintained according to the following minimum standards:
    1. Landscaping in front transitional yards shall consist of trees planted in accordance with the standards specified for required front yards. See section 733-211(e)(1)b.1.
    2. Screening in front transitional yards shall be provided in an open pattern to partially screen the industrial use. Provided, however, for any parking areas between the building line, as extended, and the street, there shall be provided and maintained along the front line of the parking area a buffer screen of a minimum of one (1) of the following:
      - i. Architectural screen - a wall or fence of ornamental block, brick, solid-wood fencing or combination thereof. Such wall or fence shall be a maximum of forty-two (42) inches and a minimum of thirty-six (36) inches in height and shall be so constructed to such minimum height to restrict any view therethrough; or
      - ii. Berm - An earthen berm shall be a maximum height of forty-two (42) inches and a minimum height of thirty-six (36) inches, a minimum crown width of two (2) feet, a side slope of no greater than three to one (3:1), and shall be planted and covered with live vegetation (a retaining wall may be used on one(1) side of the berm in lieu of a side slope, if desired).

Exception: The earthen berm may be combined with shrubs to attain the minimum height of thirty-six (36) inches.
      - iii. Plant material screen - a compact hedge of evergreen or densely twigged deciduous shrubs. Such shrubs shall attain a minimum height of thirty-six (36) inches at maturity; and the ground area between such wall, fence, berm, or hedge and the front right-of-way line shall be planted and maintained in grass or other suitable ground cover. A minimum of half of the required trees shall also be

planted between the proposed right-of-way and the wall, fence, berm, or hedge.

- c. Required side and rear transitional yards shall be landscaped and have an effective screening of the industrial use.
1. Landscaping and screening required side and rear transitional yards using a solid wall or fence shall be provided and maintained according to the following minimum standards: Landscaping standards for required side or rear transitional yards using a solid wall or fence:
    - i. Trees shall be planted along all side and rear transitional yards according to the standards specified for tree planting in front required yards. See section 733-211(e)(2)b.1.
    - ii. The finished side of the fence shall face the protected district. Such fence or wall shall be constructed to a height of not less than six (6) feet and no more than ten (10) feet.
    - iii. A berm may be used in place of a solid fence or wall so long as the berm is a minimum of six (6) feet in height to a maximum of ten (10) feet, has a minimum crown width of two (2) feet, a side slope no greater than three to one (3:1), and shall be planted and covered in live vegetation.

Exception: The earthen berm may be combined with shrubs to attain the minimum height of six (6) feet.

2. Landscaping and screening in the required side and rear transitional yards, if a solid wall or solid fence is not used, shall be provided and maintained according to one (1) of the following minimum standards:
  - i. A combination of trees and shrubs:
    - (a) Trees - trees shall be planted in accordance with the standards specified for required front yards (see section 733-211(e)(2)b.); and
    - (b) Shrubs - shrubs shall be planted so that one hundred (100) percent of the linear distance of the required transitional yard is screened. Shrubs shall be planted at a maximum of four (4) feet on center of linear distance along the required transitional yard. The shrubs shall have a minimum ultimate height of six (6) feet and shall be either evergreen or densely twigged deciduous shrubs; or
  - ii. Low branching and densely twigged deciduous ornamental trees shall be planted to maintain a spacing of twelve and one-half (12 1/2) feet on center; or
  - iii. Densely branched evergreen trees shall be planted to maintain a spacing of twelve and one-half (12 1/2) feet on center; or
  - iv. A combination of i., ii., or iii. to be maintained so that one hundred (100) percent of the linear distance shall be screened.

Exception: Existing trees and shrubs may be used to screen industrial uses. However, required transitional yards must be supplemented where sparsely vegetated to maintain a dense visual barrier to a height of six (6) feet.

3. Landscaping and screening in the required side and rear transitional yards may be achieved by combining elements from (1) and (2) of this subsection, so long as the minimum standards set forth for that element utilized are satisfied.

(3) **Transitional yard reduction - landscape performance standards exceptions.** In order to provide flexibility and encourage enhanced landscaping adjacent to protected districts, the following set of landscape performance standards may be utilized to reduce the required front, side and rear transitional yards in the industrial districts. By providing landscaping in addition to the standard requirement, required transitional yards may be reduced according to the following schedule:

**TABLE A**  
**LANDSCAPE PERFORMANCE STANDARDS REDUCTION IN**  
**REQUIRED SIDE AND REAR TRANSITIONAL YARDS**  
**IN THE SUBURBAN ("S") DISTRICTS**

	District I-1-S	I-2-S	I-3-S	I-4-S
Landscape Type	Required Transitional Yards (in feet)			
Type A	50	50	100	150
Type B	35	35	70	100
Type C	20	20	40	50

**TABLE B**  
**LANDSCAPE PERFORMANCE STANDARDS REDUCTION IN**  
**REQUIRED FRONT TRANSITIONAL YARDS**  
**IN THE SUBURBAN ("S") DISTRICTS**

	District I-1-S	I-2-S	I-3-S	I-4-S
Landscape Type	Required Transitional Yards (in feet)			
Type A	100	100	150	200
Type B	70	70	100	150
Type C	40	40	50	100

**TABLE C**  
**LANDSCAPE PERFORMANCE STANDARDS REDUCTION IN**  
**REQUIRED SIDE AND REAR TRANSITIONAL YARDS**  
**IN THE URBAN ("U") DISTRICTS**

	District I-1-U	I-2-U	I-3-U	I-4-U
Landscape Type	Required Transitional Yards (in feet)			
Type A	30	30	40	50
Type B	15	15	20	20

**TABLE D**  
**LANDSCAPE PERFORMANCE STANDARDS REDUCTION IN**  
**REQUIRED FRONT TRANSITIONAL YARDS**  
**IN THE URBAN ("U") DISTRICTS**

	District I-1-U	I-2-U	I-3-U	I-4-U
Landscape Type	Required Transitional Yards (in feet)			
Type A	30	30	40	50
Type B	15	15	20	20

**Applicable landscape standards by type:**

Landscape Type A	The standard chapter requirement for landscaping in the applicable transitional yard (as noted in section 733-211(e)(2)).
Landscape Type B	The standard chapter requirement for landscaping in the applicable transitional yards (as noted in section 733-211(e)(2)), except that two (2) times the number of trees normally required shall be provided.
Landscape Type C	The standard chapter requirement for landscaping in the applicable transitional yards (as noted in section 733-211(e)(2)), except that three (3) times the number of trees normally required shall be provided.

The required transitional yards may be reduced according to Tables A through D if the applicable landscape type noted above is provided.

**Note:** Below are examples of transitional yard reduction:

A site which is six hundred (600) feet by six hundred (600) feet or three hundred sixty thousand (360,000) square feet: In the I-4-S district, two hundred seventy thousand (270,000) square feet would be required for transitional yards if the site was surrounded by protected districts, using "Type A" landscaping.

Under "Type B" landscaping, one hundred eighty thousand (180,000) square feet would be required for transitional yards - or about a thirty-three (33) percent reduction from the standard. Land "added" for development would equal ninety thousand (90,000) square feet or over two (2) acres.

Under "Type C" landscaping, only ninety thousand (90,000) square feet would be required for transitional yards - or about a sixty-seven (67) percent reduction from the standard. Land "added" for development would equal one hundred eighty thousand (180,000) square feet, or over four (4) acres.

The Administrator shall review the reduction of required transitional yards prior to issuing an improvement location permit in order to ensure that the additional landscaping provided meets the applicable standards noted in this section. If the applicable standards are met, the landscape plan shall be stamped approved by the Administrator and become a part of the file and requirements for the improvement location permit. The reduction in required transitional yards, once approved by the Administrator, shall not require a variance of development standards.

**(4) Landscape plan requirements: A landscape plan shall:**

- a. Be drawn on a copy of the site plan (or a simplified scale drawing thereof) and show exact locations and outline of all rights-of-way (both existing and proposed by the Official Thoroughfare Plan for Marion County), structures, buildings, sidewalks and pedestrian ways, streets, trash enclosures, project access and interior access drives and driveways, individual and project storage, permanent lighting fixtures, signs, benches, screens, walls, fences, natural vegetation areas, open space, recreational areas, transitional yards, adjacent property zones, and all underground and overhead lines within areas to be landscaped (with depths or heights indicated at intervals where lines change direction or where terminals or connections are provided);
- b. Show dimensioned detailed elevation or section drawings of walls and fences;
- c. Show all existing elevations and proposed land contour lines having at least two-foot intervals;
- d. Show location and nature of existing and proposed drainage systems and their flow;
- e. Include a tree survey of required yards or required transitional yards indicating the exact location of existing trees over four-inch caliper at four and one-half (4 1/2) feet above the ground and all flowering trees, shrubs and evergreens over six (6) feet in height;
- f. Include the exact location of any existing tree two and one-half-inch caliper or greater at four and one-half (4 1/2) feet above the ground which will be counted as a required tree. Such trees, shrubs and evergreens shall be accurately labeled in the tree survey with species and caliper size indicated as either existing to remain or existing to be removed or transplanted;
- g. Show all proposed planting by labeling the species, size, and spacing (on center).

**(5) Grounds maintenance: The project owner or management shall:**

- a. Maintain the landscaping by keeping lawns mowed, all plants maintained as disease-free, and planting beds groomed, except in naturally occurring vegetation areas, such as thickets; and

- b. Replace any required planting(s), which are removed or die after the date of planting per the previously approved plans on file. Such replacement shall occur during the next planting season.

**(6) Administrator approval of alternate plans.** The Administrator, upon request by the applicant, shall have the power to modify any landscape requirements and approve alternatives for those requirements as long as the alternative plan is appropriate for the site and its surrounding and is compatible and consistent with the intent of the stated standards. Such modification shall be noted on the alternative landscape plan, stamped approved by the Administrator and become a part of the file and requirements for the improvement location permit.

**(f) Appeal.** In all sections of this chapter where the Administrator is given the authority of discretionary approval of plans and specifications, or the method or manner of qualification, or any other similar authority, any party of interest shall have the right to bring such action by the Administrator before the Metropolitan Development Commission for its review and approval or disapproval.

**(g) Application of section 733-211.** This section 733-211 shall be applicable to all industrial districts.

(G.O. 2, 2002, § 15)