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INDUSTRIAL ZONING ORDINANCE

OF

MARION COUNTY, INDIANA

METROPOLITAN PLANNING DEPARTMENT

1963

INDUSTRIAL ZONING ORDINANCE

OF

MARION COUNTY, INDIANA

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INDUSTRIAL ZONING ORDINANCE

OF

MARION COUNTY, INDIANA

WHEREAS, Chapter 283 of the Acts of the Indiana General Assembly for 1955, as amended, establishes a single planning and zoning authority in counties having first class cities and grants certain powers relative to the zoning and districting of land to the Metropolitan Plan Commission and the County Council of such counties having first class cities, in order to unify the planning and zoning functions thereof; and

WHEREAS, no uniform regulations for the zoning and districting of land within the various political units within and a part of Marion County, Indiana, had heretofore existed, although the conditions relating to the use and development of said land are in many cases identical; and

WHEREAS, the Metropolitan Plan Commission of Marion County, Indiana, has adopted and certified, pursuant to Chapter 283 of the Acts of the Indiana General Assembly for 1955, as amended, various segments of its ORIGINAL COMPREHENSIVE OR MASTER PLAN OF MARION COUNTY, INDIANA, including a LAND USE MAP OF MARION COUNTY, INDIANA, adopted by Resolution 62-CPS-R-2 on August 8, 1962, and an INDUSTRIAL LAND USE PLAN FOR MARION COUNTY, INDIANA, adopted by Resolution 62-CPS-R-4 on December 12, 1962; and

WHEREAS, said INDUSTRIAL LAND USE PLAN, consisting of a report, map, diagrams and other descriptive material, sets forth a plan and recommendations for the classification, regulation and development of industrial uses in Marion County, Indiana, including the regulation and limitation of height, area, bulk and floor space of structures, and performance standards, standards of density and traffic distribution therefor; and

WHEREAS, said Chapter 283 of the Acts of the Indiana General Assembly for 1955, as amended, empowers the Metropolitan Plan Commission of Marion County, Indiana, after such comprehensive plan certification, to recommend to the County Council an ordinance or ordinances for the zoning or districting of all lands within the County to the end that adequate light, air, convenience of access, and safety from fire, flood, and other danger may be secured; that congestion in the public streets may be lessened or avoided; that property values may be preserved; that the public health, safety, comfort, morals, convenience and general welfare may be promoted;

NOW THEREFORE BE IT ORDAINED by the Marion County Council of Marion County, Indiana, that Marion County Council Ordinance No. 8-1957, adopted by the Marion County Council on March 28, 1957 and subsequently amended pursuant to Section 85 of Chapter 283 of the Acts of the Indiana General Assembly for 1955, as amended, and all zoning ordinances adopted as parts thereof be amended, pursuant to said Chapter 283 by the addition of the following provisions and the repeal of all portions thereof in conflict herewith:

CHAPTER I

ESTABLISHMENT OF INDUSTRIAL ZONING DISTRICTS

SECTION 1.00

The following primary INDUSTRIAL ZONING DISTRICTS for Marion County, Indiana, are hereby established, and land within said County, including the incorporated and unincorporated portions thereof, is hereby classified, divided and zoned into said districts as designated on the INDUSTRIAL ZONING MAPS, which Maps are attached hereto, incorporated herein by reference and made a part of this ordinance:

INDUSTRIAL ZONING DISTRICTS

Symbol

I-1-S	RESTRICTED INDUSTRIAL SUBURBAN DISTRICT
I-2-S	LIGHT INDUSTRIAL SUBURBAN DISTRICT
I-3-S	MEDIUM INDUSTRIAL SUBURBAN DISTRICT
I-4-S	HEAVY INDUSTRIAL SUBURBAN DISTRICT
I-1-U	RESTRICTED INDUSTRIAL URBAN DISTRICT
I-2-U	LIGHT INDUSTRIAL URBAN DISTRICT
I-3-U	MEDIUM INDUSTRIAL URBAN DISTRICT
I-4-U	HEAVY INDUSTRIAL URBAN DISTRICT

CHAPTER II

INDUSTRIAL ZONING DISTRICT REGULATIONS

SECTION 2.00

The following regulations shall apply to all land within the INDUSTRIAL ZONING DISTRICTS. After the effective date of this ordinance:

1. With the exception of legally established non-conforming uses, no land, building, structure, premises or part thereof shall be used or occupied except in conformity with these regulations and for uses permitted by this ordinance.
2. No building, structure, premises or part thereof shall be constructed, erected, converted, enlarged, extended, reconstructed or relocated except in conformity with these regulations and for uses permitted by this ordinance.

Provided, however, legally established non-conforming uses may be reconstructed if damaged or partially destroyed by fire or other disaster when

(I-1-S REGULATIONS)

such damage or destruction does not exceed two-thirds (2/3) of the gross floor area of the structures or facilities affected.

3. For purposes of this ordinance, "lot" shall be defined as: any area of land designated as a lot on a platted subdivision or described on a duly recorded deed or parcel of land or site which is occupied, or intended for occupancy by one principal use.

SECTION 2.01 I-1-S RESTRICTED INDUSTRIAL SUBURBAN DISTRICT REGULATIONS

Note: This district is designed for those industries which carry on their entire operation within a completely enclosed building in such a manner that no nuisance factor is created or emitted outside an enclosed building. No storage of raw materials, manufactured products, or any other materials is permitted in the non-screened open space around the buildings. Loading and unloading berths are completely enclosed or shielded by a solid screening. This district has strict controls on the intensity of land use providing protection of each industry from the encroachment of other industries. It is usually located adjacent to residential areas and may serve as a buffer between heavier industrial districts and business or residential districts.

A. PERMITTED I-1-S USES

The following uses shall be permitted in the I-1-S DISTRICT. All uses in the I-1-S DISTRICT shall conform to the I-1-S Development Standards (section 2.01, B hereof) and I-1-S Performance Standards (section 2.01 C hereof).

1. Any INDUSTRIAL MANUFACTURING, PROCESSING, REFINING, FABRICATING, ASSEMBLING, WHOLESALING, CLEANING, TESTING, OR REPAIRING OF GOODS, MATERIALS, OR PRODUCTS, (not including: (1) storage, utilization, or manufacture of materials intended for detonation except by special permission as set forth in section 2.11, A, 1 and 6; (2) motor truck terminals; (3) retail sales or services, business offices or discount establishments dealing directly with the consumer) except as provided for in Section I-1-S, A, 7.
2. ENGINEERING OR RESEARCH LABORATORIES; INDUSTRIAL SCHOOLS OR TRAINING FACILITIES; DATA PROCESSING OR ANALYSIS.
3. AGRICULTURAL BUILDINGS, STRUCTURES AND USES, including associated dwelling structures.
4. RAILROAD OR OTHER MASS TRANSPORTATION RIGHTS-OF-WAY AND TRACKAGE, including railroad passenger station, off-street turn-around, layover areas for transit vehicles, shelter stations and off-street parking facilities, provided such uses (except operating rights-of-way) do not extend within twenty (20) feet of a residential district boundary.
5. LANDING PADS AND STATIONS FOR HELICOPTERS; vertical take-off helipads or helicopter aircraft, as regulated in section 2.11, B, 1 (including facilities for maintenance of helicopters and accessory uses therefor).

6. TEMPORARY STRUCTURES INCIDENTAL TO THE DEVELOPMENT OF LAND or to the erection of structures, provided said temporary structures shall be removed at the termination of development or construction.
7. OFFICES, INCIDENTAL AND ACCESSORY TO A PERMITTED INDUSTRIAL USE, attached or detached, and including service facilities for employees or guests. Provided any service facilities shall be wholly within a building and shall have no exterior advertising display.
8. ACCESSORY UTILITY STRUCTURES OR FACILITIES.
9. ACCESSORY RECREATION AREAS, indoor or outdoor, provided primarily for the convenience and use of employees of a specific industry or an industrial area as a whole.
10. SIGNS, as regulated in Section 2.10.

B. I-1-S DEVELOPMENT STANDARDS

1. USE
 - a. ENCLOSED OPERATIONS. All operations, servicing or processing (except storage and off-street loading) shall be conducted within completely enclosed buildings.
 - b. OUTSIDE STORAGE. All storage of materials or products shall be:
 - (1) within completely enclosed buildings, or
 - (2) effectively screened by a chain link, lattice or similar type fence, with ornamental, non-solid or chain link or similar type entrance and exit gates. (Canvas may be attached to gates for effective screening.) The height of said fence shall be at least six (6) feet and shall not exceed eight (8) feet. Said fence shall be surrounded by trees or an evergreen hedge of a height not less than the height of said fence.
2. REQUIRED FRONT YARD, MINIMUM SETBACK a. A front yard, having at least seventy-five (75) feet width of frontage on a public street and having a minimum depth in accordance with the following setback requirements, shall be provided along the street right-of-way line.

No part of any structure (excluding an eave or cornice overhang not exceeding four (4) feet or a canopy at an entrance) shall be built closer to the centerline of the right-of-way of the following streets (as designated on the Official Thoroughfare Plan of Marion County, Indiana) than:

- | | |
|--------------------------------------|-------------------------------|
| (1) Expressway: | One hundred twenty (120) feet |
| (2) Primary thoroughfare or parkway: | One hundred five (105) feet |
| (3) Secondary Thoroughfare: | Ninety-five (95) feet |

- (4) or closer to the right-of-way line of all other streets (including but not limited to collector streets, local streets, cul-de-sacs and marginal access streets) than: Fifty (50) feet

No part of any structure shall be built closer to the right-of-way line of a street or highway designated as a Federal Interstate Route than sixty (60) feet, except:

- (1) Front roads immediately paralleling Federal Interstate Routes (with a coinciding right-of-way boundary) shall be considered collector streets, requiring a front setback of fifty (50) feet from the right-of-way line of such front road unless such front road is designated otherwise on the Official Thoroughfare Plan of Marion County, Indiana, or on the recorded plat thereof as required by the Subdivision Control Ordinance of Marion County, Indiana.
- (2) If side or rear lot lines coincide with a Federal Interstate Route right-of-way line, the required minimum side or rear setback for this district shall apply.

- 3. REQUIRED CORNER SIDE YARD, MINIMUM SETBACK In any case where the side lot line abuts a street right-of-way line, there shall be provided a corner side yard in which the setback of any structure shall comply with the MINIMUM FRONT SETBACK requirements of section 2.01, B 2, unless subject to the requirement for transitional yards of section 2.01, B 6.
- 4. REQUIRED SIDE YARDS, MINIMUM SIDE SETBACK A side yard and setback of not less than thirty (30) feet in depth shall be provided along each side lot line.

Provided, however, if the side lot line abuts a railroad operating right-of-way, the building shall be permitted to abut the railroad operating right-of-way, unless subject to the requirement for transitional yards of section 2.01, B 6.
- 5. REQUIRED REAR YARD, MINIMUM REAR SETBACK A rear yard and setback of not less than thirty (30) feet in depth shall be provided along the rear lot line.

Provided, however, if the rear lot line abuts a railroad operating right-of-way, the building shall be permitted to abut the railroad operating right-of-way, unless subject to the requirement for transitional yards of section 2.01, B 6.
- 6. TRANSITIONAL YARDS a. MINIMUM FRONT, SIDE AND REAR YARDS AND SETBACKS

(1) Where a front lot line faces a residential district on the opposite side of the street, a front yard and setback shall be provided not less than one hundred (100) feet in depth from the front lot line.

- (2) Where a side lot line abuts a side or rear lot line in an adjacent residential district, a side yard and setback not less than fifty (50) feet in depth shall be provided along such side lot line.
- (3) Where a rear lot line abuts a side or rear lot line in an adjacent residential district, a rear yard and setback not less than fifty (50) feet in depth shall be provided along such rear lot line.

Provided, however, additional front, side and/or rear setback distances for transitional yards, as specified in section 2.01, B 8, shall be required to permit building heights exceeding twenty-two (22) feet to a maximum height of thirty-five (35) feet.

b. SCREENING AND LANDSCAPING.

Where a side or rear lot line adjoins a residential district, a compact hedge, row of shrubbery or evergreen trees shall be provided along or within twenty (20) feet of such lot line, and not less than six (6) feet in height. Such hedge, shrubbery or row of trees shall extend the full length of said lot line--except that it shall be omitted between the front lot line and a point five (5) feet greater than the required or established building setback line of the adjacent residential or business district. Any ground area between such hedge, shrubbery or row of trees and the lot line shall be planted in grass and/or shrubbery, maintained in good condition, and kept free of litter.

Exception: Such hedge, row of shrubbery or evergreen trees shall not be required if:

- (1) The entire yard between the lot line and the building is landscaped with grass, trees, and shrubbery or hedges. Non-vegetative materials not exceeding twenty-five (25) per cent of the entire yard area may be used in combination with vegetation and structural or ornamental fixtures.

7. USE OF REQUIRED YARDS All required yards shall be planted with grass or landscaped with other suitable ground cover materials, except:

a. Required front yards may include:

- (1) Pedestrian walks, driveways, entrance guard boxes, flag poles, directional signs and similar appurtenant uses.
- (2) Off-street parking areas not exceeding ten (10) per cent of the total area of the required front yard and subject to the off-street regulations of section 2.09.
- (3) Access cuts and drives, provided they are not located within twenty (20) feet of a lot line abutting a residential district.

(1-1-S REGULATIONS)

b. Required side and rear yards may include:

- (1) Pedestrian walks, driveways, entrance guard boxes, flag poles, directional signs and similar appurtenant uses.
- (2) Off-street parking, subject to the off-street parking regulations of section 2.09.
- (3) Access cuts and drives, provided they are not located within twenty (20) feet of a lot line abutting a residential district.

8. HEIGHT OF BUILDINGS AND STRUCTURES Maximum vertical height of buildings and structures shall be thirty-five (35) feet. Provided, however, along any required front, side or rear setback line which is adjacent to a residential district, the maximum vertical height shall be:

Twenty-two (22) feet; or
Thirty-five (35) feet if for each foot of height in excess of twenty-two (22) feet, to an absolute maximum height of thirty-five (35) feet, one (1) additional foot setback shall be provided beyond such adjacent required front, side or rear setback line.

Height Exceptions. The following exceptions to the height regulations shall be permitted:

- a. Parapet walls not exceeding two (2) feet in height.
- b. Roof structures for the housing of elevators, stairways, air conditioning apparatus, roof water tanks, ventilating fans, sky lights, or similar equipment to operate and maintain the building.
- c. Chimneys, smokestacks, flag poles, radio and television antennas, and other similar structures.
- d. A monitor roof not exceeding twenty-five (25) per cent of the total horizontal area of the roof.

9. SIGNS Signs and advertising devices shall comply with the sign regulations of section 2.10.

10. OFF-STREET PARKING Off-street parking facilities shall be provided in accordance with the off-street parking regulations of section 2.09.

11. OFF-STREET LOADING Off-street loading facilities shall be provided in accordance with the off-street loading regulations of section 2.09.

C. I-1-S PERFORMANCE STANDARDS

1. NOISE, VIBRATION, ODOR, GLARE, HEAT In no case shall production or operational noise, vibration, odor, glare, or intense heat be permitted to escape beyond the lot lines.
2. SMOKE, PARTICULATE MATTER, NOXIOUS MATERIALS The emission of smoke, particulate matter, or noxious or toxic gases shall conform to the standards and regulations of the Air Pollution Control Ordinance of the City of Indianapolis, Indiana (a copy of which is on file in the office of the Metropolitan Planning Department of Marion County, Indiana, and which standards and regulations are hereby incorporated by reference and made a part hereof).
3. FIRE AND EXPLOSIVE HAZARDS The storage, utilization or manufacture of all products or materials shall conform to the standards prescribed by the National Fire Protection Association (a copy of which is on file in the office of the Metropolitan Planning Department of Marion County, Indiana, and which standards are hereby incorporated by reference and made a part hereof). Such storage, utilization or manufacturing shall not produce a hazard or endanger the public health, safety or welfare.
4. DISCHARGE OF WASTE MATTER AND STORM DRAINAGE No use shall accumulate or discharge beyond the lot lines any waste matter, whether liquid or solid, in violation of the applicable standards and regulations of the Division of Public Health of the Health and Hospital Corporation of Marion County, Indiana; the Indiana State Board of Health; the Stream Pollution Control Board of the State of Indiana; or in such a manner as to endanger the public health, safety or welfare; or cause injury to property.

Prior to improvement location permit issuance for any industrial use:

- a. Plans and specifications for proposed sewage disposal facilities therefor (unless a connection is being made to a public sewer), and industrial waste treatment and disposal facilities, shall be submitted to and written approval obtained from the Stream Pollution Control Board of the State of Indiana and the Division of Public Health of the Health and Hospital Corporation of Marion County, Indiana;
- b. written approval of proposed connection to a public sewer shall be obtained from the Board of Sanitary Commissioners of Indianapolis, Indiana; and
- c. plans and specifications for proposed storm drainage facilities shall be submitted to and written approval obtained from the Board of Sanitary Commissioners of Indianapolis, Indiana, and/or a registered engineer.

(1-2-S REGULATIONS)

SECTION 2.02 1-2-S LIGHT INDUSTRIAL SUBURBAN DISTRICT REGULATIONS

Note: This district is designed for those industries that typically do not create objectionable characteristics (such as dirt, noise, glare, heat, odor, etc.) which extend beyond the lot lines. Outdoor operations and storage are completely screened if adjacent to residential areas, and are limited throughout the district to a percentage of the total operation. Wherever possible, this district is located between a residential area and a heavier industrial area to serve as a buffer zone.

A. PERMITTED 1-2-S USES

The following uses shall be permitted in the 1-2-S DISTRICT. All uses in the 1-2-S DISTRICT shall conform to the 1-2-S Development Standards (section 2.02, B hereof) and 1-2-S Performance Standards (section 2.02, C hereof).

The following 1-2-S uses may also include (as accessory or incidental uses thereto) any of the 1-3-S DISTRICT uses specified in section 2.03, A, provided that:

- (a) Not more than twenty-five (25) percent of the gross floor area of the building(s) (excluding that used for offices and/or storage) is devoted to said 1-3-S uses;
 - (b) Said 1-3-S uses shall conform with all 1-2-S Development and Performance Standards; and
 - (c) Adequate operational techniques and safeguards shall be employed to insure performance control of noise, vibration, odor, glare, and heat to achieve operational characteristics consistent with light industry.
1. ANY 1-1-S USE SPECIFIED IN SECTION 2.01, A 2, 3, 4, 5, 6, 7, 8, 9, or 10.
 2. RADIO, FACSIMILE AND TELEVISION TOWERS, INCLUDING BROADCASTING STUDIOS AND RADIO OR TELEVISION BUSINESS OFFICES, as regulated in section 2.11, 8.
 3. ASSEMBLY OPERATIONS OF PRE-MANUFACTURED PARTS, SUB-ASSEMBLIES OR COMPONENTS.
 4. ASSEMBLY, REPAIR AND/OR MANUFACTURING OF LIGHT COMPONENT PARTS OF PRODUCTS.
 5. MANUFACTURE OF NON-ALCOHOLIC BEVERAGES, BOTTLING OR ALCOHOLIC AND/OR NON-ALCOHOLIC BEVERAGES.
 6. MANUFACTURE OF OFFICE MACHINERY, ELECTRICAL AND MECHANICAL.
 7. MANUFACTURE OF LIGHT PORTABLE HOUSEHOLD APPLIANCES; ELECTRIC HAND TOOLS; ELECTRICAL COMPONENTS AND SUB-ASSEMBLIES; ELECTRIC MOTORS; ELECTRIC AND NEON SIGNS.
 8. CLOTH PRODUCTS MANUFACTURING FROM FINISHED CLOTH.
 9. MILK PROCESSING; BOTTLING AND MANUFACTURING OF MILK PRODUCTS.
 10. JEWELRY MANUFACTURING, ENGRAVING.
 11. SECONDARY FOOD PROCESSING AND PACKAGING OF FOOD PRODUCTS INITIALLY PROCESSED OFF THE PREMISES.

12. LEATHER PRODUCTS MANUFACTURING FROM FINISHED LEATHER.
13. PHARMACEUTICAL, BIOLOGICAL, MEDICINE AND COSMETIC MANUFACTURING.
14. MANUFACTURE OF OPTICAL GOODS; RECORDING INSTRUMENTS; PHONOGRAPH RECORDS.
15. PAPER BOX AND PAPER PRODUCTS MANUFACTURING FROM FINISHED PAPER.
16. WAREHOUSING AND DISTRIBUTION OPERATIONS, completely enclosed within a building.
17. UPHOLSTERING SHOPS, MATTRESS MANUFACTURING.

B. 1-2-S DEVELOPMENT STANDARDS

1. USE
 - a. ENCLOSED OPERATIONS. All operations, servicing or processing located within five hundred (500) feet of a residential district boundary (except storage and off-street loading) shall be conducted within completely enclosed buildings.
 - b. OUTSIDE STORAGE. All storage of materials or products within five hundred (500) feet of a residential district boundary shall be:
 - (1) within completely enclosed buildings, or
 - (2) effectively screened by a chain link, lattice or similar type fence, with ornamental, non-solid or chain link gates. (Canvas may be attached to gates for effective screening.) The height of said fence shall be at least six (6) feet and shall not exceed eight (8) feet. Said fence shall be surrounded by trees or an evergreen hedge of a height not less than the height of said fence. The storage of materials or products within the enclosure may not exceed the height of the fence.
 - c. OUTSIDE OPERATIONS AND STORAGE AREA LIMITATION. In no case shall the total area of outside operations and storage exceed twenty-five (25) percent of the total gross floor area of enclosed structures and buildings.

2. REQUIRED FRONT YARD; MINIMUM SETBACK
 - a. A front yard, having at least seventy-five (75) feet width of frontage on a public street and having a minimum depth in accordance with the following setback requirements, shall be provided along the street right-of-way line.

No part of any structure (excluding an eave or cornice overhang not exceeding four (4) feet of a canopy at an entrance) shall be built closer to the centerline of the right-of-way of the following streets (as designated on the official Thoroughfare Plan of Marion County, Indiana) than:

- | | |
|--------------------------------------|-------------------------------|
| (1) Expressway: | One hundred twenty (120) feet |
| (2) Primary thoroughfare or parkway: | One hundred five (105) feet |

(1-2-S REGULATIONS)

(3) Secondary thoroughfare: Ninety-five (95) feet

(4) or closer to the right-of-way line of all other streets (including but not limited to collector streets, local streets, cul-de-sacs and marginal access streets) than: Fifty (50) feet

No part of any structure shall be built closer to the right-of-way line of a street or highway designated as a Federal Interstate Route than sixty (60) feet, except:

(1) Front roads immediately paralleling Federal Interstate Routes (with a coinciding right-of-way boundary) shall be considered collector streets, requiring a front setback of fifty (50) feet from the right-of-way line of such front road, unless such front road is designated otherwise on the official Thoroughfare Plan of Marion County, Indiana or on the recorded plat thereof as required by the Subdivision Control Ordinance of Marion County, Indiana.

(2) If side or rear lot lines coincide with a Federal Interstate Route right-of-way line, the required minimum side or rear setback for this district shall apply.

3. REQUIRED CORNER SIDE YARD, MINIMUM SETBACK In any case where the side lot line abuts a street right-of-way line, there shall be provided a corner side yard in which the setback of any structure shall comply with the MINIMUM FRONT SETBACK requirements of section 2.02, B 2, unless subject to the requirement for transitional yards of section 2.02, B 6.

4. REQUIRED SIDE YARDS, MINIMUM SIDE SETBACK A side yard and setback of not less than thirty (30) feet in depth shall be provided along each side lot line.
Provided, however, if the side lot line abuts a railroad operating right-of-way, the building shall be permitted to abut the railroad operating right-of-way, unless subject to the requirement for transitional yards of section 2.02, B 6.

5. REQUIRED REAR YARD, MINIMUM REAR SETBACK A rear yard and setback of not less than thirty (30) feet in depth shall be provided along the rear lot line.
Provided, however, if the rear lot line abuts a railroad operating right-of-way, the building shall be permitted to abut the railroad operating right-of-way, unless subject to the requirement for transitional yards of section 2.02, B 6.

6. TRANSITIONAL YARDS a. MINIMUM FRONT, SIDE AND REAR YARDS AND SETBACKS
(1) Where a front lot line faces a residential district on the opposite side of the street, a front yard and setback shall be provided not less than one hundred (100) feet in depth from the front lot line.

- (2) Where a side lot line abuts a side or rear lot line in an adjacent residential district, a side yard and setback not less than fifty (50) feet in depth shall be provided along such side lot line.
- (3) Where a rear lot line abuts a side or rear lot line in an adjacent residential district, a rear yard and setback not less than fifty (50) feet in depth shall be provided along such rear lot line.

Provided, however, additional front, side and/or rear setback distances for transitional yards, as specified in section 2.02, B 8, shall be required to permit building heights exceeding twenty-two (22) feet to a maximum height of thirty-five (35) feet.

b. SCREENING AND LANDSCAPING

Where a side or rear lot line adjoins a residential district, a compact hedge, row of shrubbery or evergreen trees shall be provided along or within twenty (20) feet of such lot line, and not less than six (6) feet in height. Such hedge, shrubbery or row of trees shall extend the full length of said lot line--except that it shall be omitted between the front lot line and a point five (5) feet greater than the required or established building setback line of the adjacent residential district. Any ground area between such hedge, shrubbery or row of trees and the lot line shall be planted in grass and/or shrubbery, maintained in good condition, and kept free of litter.

Exception: Such hedge, row of shrubbery or evergreen trees shall not be required if:

- (1) The entire yard between the lot line and the building is landscaped with grass, trees and shrubbery or hedges. Non-vegetative materials not exceeding twenty-five (25) percent of the entire yard area may be used in combination with vegetation and structural or ornamental fixtures.

7. USE OF
REQUIRED
YARDS

All required yards shall be planted with grass or landscaped with other suitable ground cover materials, except:

a. Required front yards may include:

- (1) Pedestrian walks, driveways, entrance guard boxes, flag poles, directional signs and similar appurtenant uses.
- (2) Off-street parking areas not exceeding ten (10) percent of the total area of the required front yard and subject to the off-street parking regulations of section 2.09.
- (3) Access cuts and drives, provided they are not located within twenty (20) feet of a lot line abutting a residential district

(1-2-5 REGULATIONS)

b. Required side and rear yards may include:

- (1) Pedestrian walks, driveways, entrance guard boxes, flag poles, directional signs and similar appurtenant uses.
- (2) Off-street parking, subject to the off-street parking regulations of section 2.09.
- (3) Access cuts and drives, provided they are not located within twenty (20) feet of a lot line abutting a residential district.

8. HEIGHT OF BUILDINGS AND STRUCTURES

Within five hundred (500) feet of any residential district, the maximum vertical height of buildings and structures shall be thirty-five (35) feet. Provided, however, along any required front, side or rear setback line which is adjacent to a residential district, the maximum vertical height shall be:

Twenty-two (22) feet; or
Thirty-five (35) feet if for each foot of height in excess of twenty-two (22) feet, to an absolute maximum height of thirty-five (35) feet, one (1) additional foot setback shall be provided beyond such required front, side or rear setback line.

Height Exceptions. The following exceptions to the height regulations shall be permitted:

- a. Parapet walls not exceeding two (2) feet in height.
- b. Roof structures for the housing of elevators, stairways, air conditioning apparatus, roof water tanks, ventilating fans, skylights, or similar equipment to operate and maintain the building.
- c. Chimneys, smokestacks, flag poles, radio and television antennas, and other similar structures.
- d. A monitor roof not exceeding twenty-five (25) percent of the total horizontal area of the roof.

9. SIGNS

Signs and advertising devices shall comply with the sign regulations of section 2.10

10. OFF-STREET PARKING

Off-street parking facilities shall be provided in accordance with the off-street parking regulations of section 2.09.

11. OFF-STREET LOADING

Off-street loading facilities shall be provided in accordance with the off-street loading regulations of section 2.09.

C. 1-2-S PERFORMANCE STANDARDS

1. SMOKE, PARTICULATE MATTER, NOXIOUS MATERIALS The emission of smoke, particulate matter, or noxious or toxic gases shall conform to the standards and regulations of the Air Pollution Control Ordinance of the City of Indianapolis, Indiana (a copy of which is on file in the office of the Metropolitan Planning Department of Marion County, Indiana, and which standards and regulations are hereby incorporated by reference and made a part hereof).
2. VIBRATION No use shall cause earth vibrations or concussions beyond the lot lines, endangering the public health, safety or welfare, or causing injury to property.
3. ODOR No use shall emit across the lot lines odorous matter in such quantities as to endanger the public health, safety or welfare, or cause injury to property.
4. NOISE No use shall emit sound beyond the lot lines in such a manner or intensity as to endanger the public health, safety or welfare, or cause injury to property.
5. GLARE AND HEAT No use shall produce heat or glare of such intensity beyond the lot lines as to endanger the public health, safety or welfare, or cause injury to property.
6. FIRE AND EXPLOSIVE HAZARDS The storage, utilization or manufacture of all products or materials shall conform to the standards prescribed by the National Fire Protection Association (a copy of which is on file in the office of the Metropolitan Planning Department of Marion County, Indiana, and which standards are hereby incorporated by reference and made a part hereof). Such storage, utilization or manufacturing shall not produce a hazard or endanger the public health, safety or welfare.
7. DISCHARGE OF WASTE MATTER AND STORM DRAINAGE No use shall accumulate or discharge beyond the lot lines any waste matter, whether liquid or solid, in violation of the applicable standards and regulations of the Division of Public Health of the Health and Hospital Corporation of Marion County, Indiana; the Indiana State Board of Health; the Stream Pollution Control Board of the State of Indiana; or in such a manner as to endanger the public health, safety of welfare, or cause injury to property.

Prior to improvement location permit issuance for any industrial use:

- (a) plans and specifications for proposed sewage disposal facilities therefor (unless a connection is being made to a public sewer), and industrial waste treatment and disposal facilities shall be submitted to and written approval obtained from the Stream Pollution Control Board of the State of Indiana and the Division of Public Health of the Health and Hospital Corporation of Marion County, Indiana;

(1-2-S REGULATIONS)

- (b) written approval of proposed connection to a public sewer shall be obtained from the Board of Sanitary Commissioners of Indianapolis, Indiana; and
- (c) plans and specifications for proposed storm drainage facilities shall be submitted to and written approval obtained from the Board of Sanitary Commissioners of Indianapolis, Indiana and/or a registered engineer.

SECTION 2.03 1-3-S MEDIUM INDUSTRIAL SUBURBAN DISTRICT REGULATIONS

Note: This district is designed as an intermediate district for industries which are heavier in character than those permitted in the Light Industrial Suburban District but which are not of the heaviest industrial types. Because of the nature of these industries, the district is located away from residential areas and buffered by lighter industrial districts. Where this district abuts residential districts, setbacks are large and enclosure of activities and storage is required.

A. PERMITTED 1-3-S USES

The following uses shall be permitted in the 1-3-S DISTRICT. All uses in the 1-3-S DISTRICT shall conform to the 1-3-S Development Standards (section 2.03, B hereof) and 1-3-S Performance Standards (section 2.03, C hereof).

The following 1-3-S uses may also include (as accessory or incidental uses thereto) any of the 1-4-S District uses specified in section 2.04, A provided that:

- (a) Not more than twenty-five (25) percent of the gross floor area of the building(s) (excluding that used for offices and/or storage) is devoted to said 1-4-S uses,
- (b) said 1-4-S uses shall conform with all 1-3-S Development and Performance Standards, and
- (c) adequate operational techniques and safeguards shall be employed to insure performance control of noise, vibration, odor, glare, and heat to achieve operational characteristics consistent with medium industry.

1. ANY USE PERMITTED IN THE 1-2-S DISTRICT.
2. MANUFACTURE AND ASSEMBLY OF MARINE EQUIPMENT.
3. CANNING, BOTTLING, PROCESSING, AND PACKAGING OF FOOD. (Does not include slaughtering of animals or fowl.)
4. CAN AND CONTAINER MANUFACTURING.
5. COFFEE ROASTING.
6. CABINET MANUFACTURING; FURNITURE MANUFACTURING.

7. MANUFACTURE AND ASSEMBLY OF MAJOR ELECTRIC AND/OR GAS HOUSEHOLD APPLIANCE.
8. MANUFACTURE OF COLORS, DYE, PAINT, AND OTHER COATINGS, excluding tar products.
9. MANUFACTURE AND ASSEMBLY OF COMMUNICATION EQUIPMENT.
10. ELECTROPLATING OPERATIONS.
11. MANUFACTURE OF TOOLS AND IMPLEMENTS, MACHINERY AND MACHINERY COMPONENTS.
12. MANUFACTURE OF OLEOMARGERINE.
13. MANUFACTURE AND ASSEMBLY OF OFFICE EQUIPMENT.
14. MANUFACTURE OF MUSICAL INSTRUMENTS.
15. STAMPING AND FABRICATING METAL SHOPS USING PRESS, BRAKES, AND ROLLS.
16. MANUFACTURE OF MALT PRODUCTS; BREWING, DISTILLATION OF LIQUOR AND SPIRITS.
17. MACHINE, WELDING, TOOL AND DIE SHOPS.
18. THERMAL, ELECTRIC, STEAM AND/OR ATOMIC POWER PLANTS.
19. MANUFACTURE OF GLASS AND GLASS PRODUCTS.
20. MOTOR TRUCK TERMINALS LESS THAN TEN (10) ACRES IN TOTAL AREA AND SUBJECT TO THE REGULATIONS OF SECTION 2.11, B, 3.
21. PAPER MANUFACTURING.
22. GRANARIES, GRAIN PROCESSING, STARCH MANUFACTURE.

B. 1-3-S DEVELOPMENT STANDARDS

1. USE
 - a. ENCLOSED OPERATIONS. All operations, servicing or processing located within five hundred (500) feet of a residential district boundary (except storage and off-street loading) shall be conducted within completely enclosed buildings.
 - b. OUTSIDE STORAGE. All storage of materials or products within five hundred (500) feet of a residential district boundary shall be:
 - (1) within completely enclosed buildings, or
 - (2) effectively screened by a chain link, solid, lattice or similar type fence or wall (with ornamental, non-solid, chain link or solid gates). (Canvas may be attached to gates for effective screening.) The height of said fence or wall shall be at least six (6) feet and shall not exceed eight (8) feet. Said fence shall be surrounded by trees or an evergreen hedge of a height not less than the height of the fence or wall. The storage of materials or products within the enclosure may not exceed the height thereof.

(1-3-S REGULATIONS)

- c. OUTSIDE OPERATIONS AND STORAGE AREA LIMITATION. In no case shall the total area of outside operations and storage exceed fifty (50) per cent of the total gross floor area of enclosed structures and buildings.

2. REQUIRED FRONT YARD, MINIMUM SETBACK

A front yard, having at least seventy-five (75) feet width of frontage on a public street and having a minimum depth in accordance with the following setback requirements, shall be provided along the street right-of-way line.

No part of any structure (excluding an eave or cornice overhang not exceeding four (4) feet or a canopy at an entrance) shall be built closer to the centerline of the right-of-way of the following streets (as designated on the official Thoroughfare Plan of Marion County, Indiana) than:

- | | |
|---|-------------------------------|
| (1) Expressway: | One hundred twenty (120) feet |
| (2) Primary thoroughfare or parkway: | One hundred five (105) feet |
| (3) Secondary thoroughfare: | Ninety-five (95) feet |
| (4) or closer to the <u>right-of-way</u> line of all other streets (including but not limited to collector streets, local streets, cul-de-sacs and marginal access streets) than: | Fifty (50) feet |

No part of any structure shall be built closer to the right-of-way line of a street or highway designated as a Federal Interstate Route than sixty (60) feet, except:

- (1) Front roads immediately paralleling Federal Interstate Routes (with a coinciding right-of-way boundary) shall be considered collector streets requiring a front setback of (50) feet from the right-of-way line of such front road, unless such front road is designated otherwise on the official Thoroughfare Plan of Marion County, Indiana, or on the recorded plat thereof as required by the Subdivision Control Ordinance of Marion County, Indiana.
- (2) If side or rear lot lines coincide with a Federal Interstate Route right-of-way line, the required minimum side or rear setback for this district shall apply.

3. REQUIRED CORNER SIDE YARD, MINIMUM SETBACK

In any case where the side lot line abuts a street right-of-way line, there shall be provided a corner side yard in which the setback of any structure shall comply with the MINIMUM FRONT SETBACK requirements of section 2.03, B 2, unless subject to the requirements for transitional yards of section 2.03, B 6.

4. REQUIRED SIDE YARDS, MINIMUM SIDE SETBACK A side yard and setback of not less than thirty (30) feet in depth shall be provided along each side lot line.
Provided, however, if the side lot line abuts a railroad operating right-of-way, the building shall be permitted to abut the railroad operating right-of-way, unless subject to the requirement for transitional yards of section 2.03, B 6.
5. REQUIRED REAR YARD, MINIMUM REAR SETBACK A rear yard and setback of not less than thirty (30) feet in depth shall be provided along the rear lot line.
Provided, however, if the rear lot line abuts a railroad operating right-of-way, the building shall be permitted to abut the railroad operating right-of-way, unless subject to the requirement for transitional yards of section 2.03, B 6.

6. TRANSITIONAL YARDS a. MINIMUM FRONT, SIDE AND REAR YARDS AND SETBACKS

- (1) Where a front lot line faces a residential district on the opposite side of the street, a front yard and setback shall be provided not less than one hundred fifty (150) feet in depth from the front lot line.
- (2) Where a side lot line abuts a side or rear lot line in an adjacent residential district, a side yard and setback not less than one hundred (100) feet in depth shall be provided along such side lot line.
- (3) Where a rear lot line abuts a side or rear lot line in an adjacent residential district, a rear yard and setback not less than one hundred (100) feet in depth shall be provided along such rear lot line.

Provided, however, additional front, side and/or rear setback distances for transitional yards, as specified in section 2.03, B 8, shall be required to permit building heights exceeding thirty-five (35) feet (to a maximum height of fifty (50) feet).

b. SCREENING AND LANDSCAPING

Where a side or rear lot line adjoins a residential district, a compact hedge, row of shrubbery or evergreen trees shall be provided along or within twenty (20) feet of such lot line, and be not less than six (6) feet in height. Such hedge, shrubbery or row of trees shall extend the full length of said lot line--except that it shall be omitted between the front lot line and a point five (5) feet greater than the required or established building setback line of the adjacent residential or business district. Any ground area between such hedge, shrubbery or row of trees and the lot line shall be planted in grass and/or shrubbery, maintained in good condition, and kept free of litter.

Exception: Such hedge, row of shrubbery or evergreen trees shall not be required if:

(1-3-S REGULATIONS)

- (1) The entire yard between the lot line and the building is landscaped with grass, trees, and shrubbery or hedges. Non-vegetative materials not exceeding twenty-five (25) percent of the entire yard area may be used in combination with vegetation and structural or ornamental fixtures.

7. USE OF REQUIRED YARDS All required yards shall be planted with grass or landscaped with other suitable ground cover materials except:

a. Required front yards may include:

- (1) Pedestrian walks, driveways, entrance guard boxes, flag poles, directional signs and similar appurtenant uses.
- (2) Off-street parking areas not exceeding ten (10) percent of the total area of the required front yard and subject to the off-street parking regulations of section 2.09.
- (3) Access cuts and drives, provided they are not located within twenty (20) feet of a lot line abutting a residential district.

b. Required side and rear yards may include:

- (1) Pedestrian walks, driveways, entrance guard boxes, flag poles, directional signs and similar appurtenant uses.
- (2) Off-street parking, subject to the off-street parking regulations of section 2.09.
- (3) Access cuts and drives, provided they are not located within twenty (20) feet of a lot line abutting a residential district.

8. HEIGHT OF BUILDINGS AND STRUCTURES

Within five-hundred (500) feet of any residential district, the maximum vertical height of buildings and structures shall be fifty (50) feet. Provided, however, along any required front, side, or rear setback line which is adjacent to a residential district, the maximum vertical height shall be:

- (1) Thirty-five (35) feet; or
- (2) Fifty (50) feet if for each foot of height in excess of thirty-five (35) feet, to an absolute maximum height of fifty (50) feet, one (1) additional foot setback shall be provided beyond such adjacent required front, side or rear setback line.

Height exceptions: The following exceptions to the above height regulations shall be permitted:

- a. Parapet walls not exceeding two (2) feet in height.
- b. Roof structures for the housing of elevators, stairways, air conditioning apparatus, roof water tanks, ventilating fans, sky lights, or similar equipment to operate and maintain the building.

- c. Chimneys, smokestacks, flag poles, radio and television antennas, and other similar structures.
 - d. A monitor roof not exceeding twenty-five (25) percent of the total horizontal area of the roof.
- 9. SIGNS Signs and advertising devices shall comply with the sign regulations of section 2.10.
 - 10. OFF-STREET PARKING Off-street parking facilities shall be provided in accordance with the off-street parking regulations of section 2.09.
 - 11. OFF-STREET LOADING Off-street loading facilities shall be provided in accordance with the off-street loading regulations of section 2.09.

C. 1-3-S PERFORMANCE STANDARDS

- 1. SMOKE, PARTICULATE MATTER, NOXIOUS MATERIALS The emission of smoke, particulate matter, or noxious or toxic gases shall conform to the standards and regulations of the Air Pollution Control Ordinance of the City of Indianapolis, Indiana, (a copy of which is on file in the office of the Metropolitan Planning Department of Marion County, Indiana, and which standards and regulations are hereby incorporated by reference and made a part hereof).
- 2. VIBRATION No use shall cause earth vibrations or concussions beyond the lot lines, endangering the public health, safety or welfare, or causing injury to property.
- 3. ODOR No use shall emit across the lot lines odorous matter in such quantities as to endanger the public health, safety or welfare, or cause injury to property.
- 4. NOISE No use shall emit sound beyond the lot lines in such a manner or intensity as to endanger the public health, safety or welfare, or cause injury to property.
- 5. GLARE AND HEAT No use shall produce heat or glare of such intensity beyond the lot lines as to endanger the public health, safety or welfare, or cause injury to property.
- 6. FIRE AND EXPLOSIVE HAZARDS The storage, utilization or manufacture of all products or materials shall conform to the standards prescribed by the National Fire Protection Association (a copy of which is on file in the office of the Metropolitan Planning Department of Marion County, Indiana, and which standards are hereby incorporated by reference and made a part hereof). Such storage, utilization or manufacturing shall not produce a hazard or endanger the public health, safety or welfare.

(1-3-S REGULATIONS)

7. DISCHARGE OF WASTE MATTER
- No use shall accumulate or discharge beyond the lot lines any waste matter, whether liquid or solid, in violation of the applicable standards and regulations of the Division of Public Health of the Health and Hospital Corporation of Marion County, Indiana; the Indiana State Board of Health; the Stream Pollution Control Board of the State of Indiana; or in such a manner as to endanger the public health, safety or welfare, or cause injury to property.

Prior to improvement location permit issuance for any industrial use:

- (a) plans and specifications for proposed sewage disposal facilities therefor (unless a connection is being made to a public sewer), and industrial waste treatment and disposal facilities, shall be submitted to and written approval obtained from the Stream Pollution Control Board of the State of Indiana and the Division of Public Health of the Health and Hospital Corporation of Marion County, Indiana;
- (b) written approval of proposed connection to a public sewer shall be obtained from the Board of Sanitary Commissioners of Indianapolis, Indiana; and
- (c) plans and specifications for proposed storm drainage facilities shall be submitted to and written approval obtained from the Board of Sanitary Commissioners of Indianapolis, Indiana and/or a registered engineer.

SECTION 2.04 1-4-S HEAVY INDUSTRIAL SUBURBAN DISTRICT REGULATIONS

Note: This district is designed for those heavy industrial uses which are typically characterized by certain factors which would be exceedingly difficult, expensive or impossible to eliminate. These industries are therefore buffered by sufficient area to minimize any detrimental aspects. The development standards and performance standards reflect the recognition of these problems. Wherever practical, this district is removed as far as possible from residential areas and buffered by intervening lighter industrial districts.

A. (1) PERMITTED 1-4-S USES

The following uses shall be permitted in the 1-4-S DISTRICT. All uses in the 1-4-S DISTRICT shall conform to the 1-4-S Development Standards (section 2.04, B hereof) and 1-4-S Performance Standards (section 2.04, C hereof).

1. ANY USE PERMITTED IN THE 1-3-S DISTRICT.
2. CREOSOTE MANUFACTURING AND TREATMENT.
3. BULK STORAGE OF PETROLEUM PRODUCTS.
4. BOILER TANK MANUFACTURING; STRUCTURAL STEEL FABRICATING.

5. MANUFACTURE OF DETERGENTS AND SOAPS.
6. FOUNDRIES.
7. RAILROAD EQUIPMENT MANUFACTURING, REPAIR AND SERVICING.
8. PROCESSING OF FOREST PRODUCTS SUCH AS, BUT NOT LIMITED TO, VENEER MILLS, PLANING MILLS AND SAW MILLS.
9. UTILITY POLE YARDS AND PIPE YARDS.
10. MOTOR TRUCK TERMINALS subject to the regulations of section 2.11, B, 3.

(2) 1-4-S USES PERMITTED BY SPECIAL EXCEPTION

In addition, the following uses shall be permitted in the 1-4-S DISTRICT by SPECIAL EXCEPTION ONLY, upon issuance of a SPECIAL EXCEPTION PERMIT therefor by the Metropolitan Board of Zoning Appeals as set forth in section 2.11, A, 1. These uses shall conform to the 1-4-S Development Standards (section 2.04, B hereof); 1-4-S Performance Standards (section 2.04, C hereof); all requirements set forth in section 2.11, A, 1 and all conditions attached to the grant of such Permit by the Metropolitan Board of Zoning Appeals-- in case of conflict, the more restrictive standards or requirements to control.

1. CEMENT, LIME AND GYPSUM MANUFACTURING. (Special exception permit required.)
2. OIL PROCESSING, REFINING AND MANUFACTURING. (Special exception permit required.)
3. OPEN HEARTHES AND BLAST FURNACES. (Special exception permit required.)
4. COKE OVENS. (Special exception permit required.)
5. FAT RENDERING AND FERTILIZER MANUFACTURING. (Special exception permit required.)
6. LEATHER CURING AND TANNING. (Special exception permit required.)
7. TAR, TAR PAPER AND TAR PRODUCTS MANUFACTURING AND PROCESSING. (Special exception permit required.)
8. SLAUGHTERING AND ALLIED FOOD PROCESSING. (Special exception permit required.)
9. MANUFACTURE OF EXPLOSIVES, MATCHES, AND FIREWORKS, subject to the requirements of section 2.11, 3. (Special exception permit required.)
10. CONCRETE MIXING; PRODUCTION OF CONCRETE BLOCKS AND SHAPES, CINDER BLOCKS AND OTHER SIMILAR BUILDING MATERIALS MANUFACTURE. (Special exception permit required.)
11. STOCK YARDS FOR SHIPPING, HOLDING AND THE SALE OF ANIMALS. (Special exception permit required.)
12. PRODUCTION OF EMULSIFIED ASPHALT AND PREPARATION OF ASPHALTIC CONCRETE PAVING MATERIAL. (Special exception permit required.)
13. MANUFACTURE OF CHEMICALS AND GASES. (Special exception permit required.)

(1-4-S REGULATIONS)

14. SAND, GRAVEL OR AGGREGATE WASHING, SCREENING OR PROCESSING (NOT INCLUDING MINING OR DREDGING). (Special exception permit required.)

B. 1-4-S DEVELOPMENT STANDARDS

1. USE OUTSIDE OPERATIONS AND STORAGE AREA LIMITATION. In no case shall the total area of outside operations and storage exceed seventy-five (75) percent of the total gross floor area of enclosed structures and buildings.

2. REQUIRED FRONT YARD, MINIMUM SETBACK A front yard, having at least seventy-five (75) feet width of frontage on a public street and having a minimum depth in accordance with the following setback requirements, shall be provided along the street right-of-way line.

No part of any structure (excluding an eave or cornice overhang not exceeding four (4) feet or a canopy at an entrance) shall be built closer to the centerline of the right-of-way of the following streets (as designated on the Official Thoroughfare Plan of Marion County, Indiana) than:

- | | |
|--|-------------------------------|
| (1) Expressway: | One hundred twenty (120) feet |
| (2) Primary thoroughfare or parkway: | One hundred five (105) feet |
| (3) Secondary thoroughfare: | Ninety-five (95) feet |
| (4) or closer to the <u>right-of-way</u> of all other streets (including but not limited to collector streets, local streets, cul-de-sacs and marginal access streets) than: | Fifty (50) feet |

No part of any structure shall be built closer to the right-of-way line of a street or highway designated as a Federal Interstate Route than sixty (60) feet, except:

- (1) Front roads immediately paralleling Federal Interstate Routes (with a coinciding right-of-way boundary) shall be considered collector streets, requiring a front setback of fifty (50) feet from the right-of-way line of such front road, unless such front road is designated otherwise on the Official Thoroughfare Plan of Marion County, Indiana, or on the recorded plat thereof as required by the Subdivision Control Ordinance of Marion County, Indiana.
- (2) If side or rear lot lines coincide with a Federal Interstate Route right-of-way line, the required minimum side or rear setback for this district shall apply.

3. REQUIRED CORNER SIDE YARD, MINIMUM SETBACK In any case where the side lot line abuts a street right-of-way line, there shall be provided a corner side yard in which the setback of any structure shall comply with the MINIMUM FRONT SETBACK requirements of section 2.04, B 2, unless subject to the requirement for transitional yards of section 2.04, B 6.

4. REQUIRED SIDE YARDS, MINIMUM SIDE SETBACK A side yard and setback of not less than thirty (30) feet in depth shall be provided along each side lot line.

Provided, however, if the side lot line abuts a railroad operating right-of-way, the building shall be permitted to abut the railroad operating right-of-way, unless subject to the requirement for transitional yards of section 2.04, B 6.

5. REQUIRED REAR YARD, MINIMUM REAR SETBACK A rear yard and setback of not less than thirty (30) feet in depth shall be provided along the rear lot line.

Provided, however, if the rear lot line abuts a railroad operating right-of-way, unless subject to the requirement for transitional yards of section 2.04, B 6.

6. TRANSITIONAL YARDS a. MINIMUM FRONT, SIDE AND REAR YARDS AND SETBACKS

(1) Where a front lot line faces a residential district on the opposite side of the street, a front yard and setback shall be provided not less than two hundred (200) feet in depth from the front lot line.

(2) Where a side lot line abuts a side or rear lot line in an adjacent residential district, a side yard and setback not less than one hundred fifty (150) feet in depth shall be provided along such side lot line.

(3) Where a rear lot line abuts a side or rear lot line in an adjacent residential district, a rear yard and setback not less than one hundred fifty (150) feet in depth shall be provided along such rear lot line.

b. SCREENING AND LANDSCAPING.

Where a side or rear lot line adjoins a residential district, a compact hedge, row of shrubbery or evergreen trees shall be provided along or within twenty (20) feet of such lot line, and not less than six (6) feet in height. Such hedge, shrubbery or row of trees shall extend the full length of said lot line--except that it shall be omitted between the front lot line and a point five (5) feet greater than the required or established building setback line of the adjacent residential. Any ground area between such hedge, shrubbery or row of trees and the lot line shall be planted in grass and/or shrubbery, maintained in good condition, and kept free of litter

Exception: Such hedge, row of shrubbery or evergreen trees shall not be required if:

(1) The entire yard between the lot line and the building is landscaped with grass, trees, and shrubbery or hedges. Non-vegetative materials not exceeding twenty-five (25) percent of the entire yard area may be used in combination with vegetation and structural or ornamental fixtures.

(1-4-S REGULATIONS)

7. USE OF
REQUIRED
YARDS

All required yards shall be planted with grass or landscaped with other suitable ground cover materials, except:

a. Required front yards may include:

- (1) Pedestrian walks, driveways, entrance guard boxes, flag poles, directional signs and similar appurtenant uses.
- (2) Off-street parking areas not exceeding ten (10) percent of the total area of the required front yard and subject to the off-street parking regulations of section 2.09.
- (3) Access cuts and drives, provided they are not located within twenty (20) feet of a lot line abutting a residential district.

b. Required side and rear yards may include:

- (1) Pedestrian walks, driveways, entrance guard boxes, flag poles, directional signs and similar appurtenant uses.
- (2) Off-street parking, subject to the off-street parking regulations of section 2.09.
- (3) Access cuts and drives, provided they are not located within twenty (20) feet of a lot line abutting a residential district.

8. HEIGHT OF
BUILDINGS
AND
STRUCTURES

Within one thousand (1000) feet of any residential district, the maximum vertical height of buildings and structures shall be fifty (50) feet.

Height Exceptions. The following exceptions to the above height regulations shall be permitted:

- (a) parapet walls not exceeding two (2) feet in height.
- (b) Roof structures for the housing of elevators, stairways, air conditioning apparatus, roof water tanks, ventilating fans, sky lights, similar equipment to operate and maintain the building.
- (c) Chimneys, smokestacks, flag poles, radio and television antennas, and other similar structures.
- (d) A monitor roof not exceeding twenty-five (25) percent of the total horizontal area of the roof.

9. SIGNS

Signs and advertising devices shall comply with the sign regulations of section 2.10.

10. OFF-
STREET
PARKING

Off-street parking facilities shall be provided in accordance with the off-street parking regulations of section 2.09.

11. OFF-STREET LOADING Off-street loading facilities shall be provided in accordance with the off-street loading regulations of section 2.09.

C. 1-4-S PERFORMANCE STANDARDS

1. SMOKE PARTICULATE MATTER, NOXIOUS MATERIALS The emission of smoke, particulate matter, or noxious or toxic gases shall conform to the standards and regulations of the Air Pollution Control Ordinance of the City of Indianapolis, Indiana (a copy of which is on file in the office of the Metropolitan Planning Department of Marion County, Indiana, and which standards and regulations are hereby incorporated by reference and made a part hereof).
2. VIBRATION No use shall cause earth vibrations or concussions beyond the lot lines, endangering the public health, safety or welfare, or causing injury to property.
3. ODOR No use shall emit across the lot lines odorous matter in such quantities as to endanger the public health, safety or welfare, or cause injury to property.
4. NOISE No use shall emit sound beyond the lot lines in such a manner or intensity as to endanger the public health, safety or welfare, or cause injury to property.
5. GLARE AND HEAT No use shall produce heat or glare of such intensity beyond the lot lines as to endanger the public health, safety or welfare, or cause injury to property.
6. FIRE AND EXPLOSIVE HAZARDS The storage, utilization or manufacture of all products or materials shall conform to the standards prescribed by the National Fire Protection Association (a copy of which is on file in the office of the Metropolitan Planning Department of Marion County, Indiana, and which standards are hereby incorporated by reference and made a part hereof). Such storage, utilization or manufacturing shall not produce a hazard or endanger the public health, safety or welfare.
7. DISCHARGE OF WASTE MATTER No use shall accumulate or discharge beyond the lot lines any waste matter, whether liquid or solid, in violation of the applicable standards and regulations of the Division of Public Health of the Health and Hospital Corporation of Marion County, Indiana; the Indiana State Board of Health; the Stream Pollution Control Board of the State of Indiana; or in such a manner as to endanger the public health, safety or welfare, or cause injury to property.

Prior to improvement location permit issuance for any industrial use:

- a. plans and specifications for proposed sewage disposal facilities therefor (unless a connection is being made to a public sewer), and industrial waste treatment and disposal facilities shall be submitted to and written approval obtained from the Stream Pollution Control Board of the State of Indiana and the Division of

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Public Health of the Health and Hospital Corporation of Marion County, Indiana; and

- b. written approval of proposed connection to a public sewer shall be obtained from the Board of Sanitary Commissioners of Indianapolis, Indiana; and
- c. plans and specifications for proposed storm drainage facilities shall be submitted to and written approval obtained from the Board of Sanitary Commissioners of Indianapolis, Indiana and/or a registered engineer.

SECTION 2.05 1-1-U RESTRICTED INDUSTRIAL URBAN DISTRICT REGULATIONS

Note: This district is designed for the same general uses as the 1-1-S DISTRICT. It is planned, however, for use within the existing developed urban area characterized by small lots, outmoded or obsolescent industrial buildings, erratic or partial land development. In addition, certain industrial and residential areas within redevelopment projects or adjacent to new interstate freeways are suitable for the 1-1-U classification. In order to stabilize existing establishments and districts, and to give impetus to future growth of older as well as new districts, these regulations are designed to permit improvement of the typical long-standing central city industrial areas without deterring expansion and new construction. In order to retain high character in this district, all operations must be contained within enclosed structures, except storage which must be completely screened.

A. PERMITTED 1-1-U USES

The following uses shall be permitted in the 1-1-U DISTRICT. All Uses in the 1-1-U DISTRICT shall conform to the 1-1-U Development Standards (section 2.05, B hereof) and 1-1-U Performance Standards (section 2.05, C hereof).

1. Any INDUSTRIAL MANUFACTURING, PROCESSING, REFINING, FABRICATING, ASSEMBLING, WHOLESALING, CLEANING, TESTING, OR REPAIRING OF GOODS, MATERIALS, OR PRODUCTS, (not including: (1) storage, utilization, or manufacture of materials intended for detonation except by special permission as set forth in section 2.11, A, 1 and 6; (2) motor truck terminals; (3) retail sales or services, business offices or discount establishments dealing directly with the consumer except as provided for in section 1-1-U, A 7).
2. ENGINEERING OR RESEARCH LABORATORIES; INDUSTRIAL SCHOOLS OR TRAINING FACILITIES; DATA PROCESSING OR ANALYSIS.
3. AGRICULTURAL BUILDINGS, STRUCTURES AND USES, including associated dwelling structures.
4. RAILROAD OR OTHER MASS TRANSPORTATION RIGHTS-OF-WAY AND TRACKAGE, including railroad passenger station, off-street turn-around, layover areas for transit vehicles, shelter stations and off-street parking facilities, provided such uses (except operating rights-of-way) do not extend within twenty (20) feet of a residential district boundary.

5. LANDING PADS AND STATIONS FOR HELICOPTERS; vertical take-off helipads or helicopter aircraft, as regulated in section 2.11, B,1 (including facilities for maintenance of helicopters and accessory uses therefor).
6. TEMPORARY STRUCTURES INCIDENTAL TO THE DEVELOPMENT OF LAND or to the erection of structures, provided said temporary structures shall be removed at the termination of development or construction.
7. OFFICES, INCIDENTAL AND ACCESSORY TO A PERMITTED INDUSTRIAL USE, attached or detached, and including service facilities for employees or guests. Provided any service facilities shall be wholly within a building and shall have no exterior advertising display (other than identification or directional signs as provided in section 2.10, 3).
8. ACCESSORY UTILITY STRUCTURES OR FACILITIES.
9. ACCESSORY RECREATION AREAS, indoor or outdoor, provided primarily for the convenience and use of employees of a specific industry or an industrial area as a whole.
10. SIGNS, as regulated in Section 2.10.

B. I-1-U DEVELOPMENT STANDARDS

1. USE
 - a. ENCLOSED OPERATIONS. All operations, servicing or processing (except storage and off-street loading) shall be conducted within completely enclosed buildings.
 - b. OUTSIDE STORAGE. All storage of materials or products shall be:
 - (1) within completely enclosed buildings, or
 - (2) effectively screened by a chain link, lattice or similar type fence, with ornamental, non-solid or chain link or similar type entrance and exit gates. (Canvas may be attached to gates for effective screening.) The height of said fence shall be at least six (6) feet and shall not exceed eight (8) feet. Said fence shall be surrounded by trees or an evergreen hedge of a height not less than the height of said fence. The storage of materials or products within the enclosure may not exceed the height of the fence. Total area of outside storage shall not exceed twenty-five (25) percent of the total gross floor area of enclosed structures and buildings.
2. REQUIRED FRONT YARD, MINIMUM SETBACK

A front yard, having at least fifty-five (55) feet width of frontage on a public street and having a minimum depth in accordance with the following setback requirements, shall be provided along the street right-of-way line.

No part of any structure (excluding an eave or cornice at an entrance) shall be built closer to the centerline of the right-of-way of the following streets (as designated on the Official Thoroughfare Plan of Marion County, Indiana) than:

(1-1-U REGULATIONS)

- (1) Expressway: One hundred twenty (120) feet
- (2) Primary thoroughfare or parkway: One hundred five (105) feet
- (3) Secondary thoroughfare: Ninety-five (95) feet
- (4) or closer to the right-of-way line of all other streets (including but not limited to collector streets, local streets, cul-de-sacs, and marginal access streets) than: Twenty (20) feet

No part of any structure shall be built closer to the right-of-way line of a street or highway designated as a Federal Interstate Route than sixty (60) feet, except:

- (1) Front roads immediately paralleling Federal Interstate Routes (with a coinciding right-of-way boundary) shall be considered collector streets, requiring a front setback of twenty (20) feet from the right-of-way line of such front road, unless such front road is designated otherwise on the Official Thoroughfare Plan of Marion County, Indiana, or on the recorded plat thereof as required by the Subdivision Control Ordinance of Marion County, Indiana.
- (2) If side or rear lot lines coincide with a Federal Interstate Route right-of-way line, the required minimum side or rear setback for this district shall apply.

- 3. REQUIRED CORNER SIDE YARD, MINIMUM SETBACK In any case where the side lot line abuts a street right-of-way line, there shall be provided a corner side yard in which the setback of any structure shall comply with the MINIMUM FRONT SETBACK requirements of section 2.05, B 2, unless subject to the requirement for transitional yards of section 2.05, B 6.
- 4. REQUIRED SIDE YARDS, MINIMUM SIDE SETBACK A side yard and setback of not less than twenty (20) feet in depth shall be provided along each side lot line.
Provided, however, if the side lot line abuts a railroad operating right-of-way, the building shall be permitted to abut the railroad operating right-of-way, unless subject to the requirement for transitional yards of section 2.05, B 6.
- 5. REQUIRED REAR YARD, MINIMUM REAR SETBACK A rear yard and setback of not less than twenty (20) feet in depth shall be provided along the rear lot line.
Provided, however, if the rear lot line abuts a railroad operating right-of-way, the building shall be permitted to abut the railroad operating right-of-way, unless subject to the requirement for transitional yards of section 2.05, B 6.

6. TRANSITIONAL YARDS a. MINIMUM FRONT, SIDE AND REAR YARDS AND SETBACKS

- (1) Where a front lot line faces a residential district on the opposite side of the street, a front yard and setback shall be provided not less than thirty (30) feet in depth from the front lot line.
- (2) Where a side lot line abuts a side or rear lot line in an adjacent residential district, a side yard and setback not less than thirty (30) feet in depth shall be provided along such side lot line.
- (3) Where a rear lot line abuts a side or rear lot line in an adjacent residential district, a rear yard and setback not less than thirty (30) feet in depth shall be provided along such rear lot line.

Provided, however, additional front, side and/or rear setback distances for transitional yards, as specified in section 2.05, B 8, shall be required to permit building heights exceeding twenty-two (22) feet to a maximum height of thirty-five (35) feet.

b. SCREENING AND LANDSCAPING

Where a side or rear lot line adjoins a residential district, a compact hedge, row of shrubbery or evergreen trees shall be provided along or within twenty (20) feet of such lot line, and not less than six (6) feet in height. Such hedge, shrubbery or row of trees shall extend the full length of said lot line -- except that it shall be omitted between the front lot line and a point five (5) feet greater than the required or established building setback line of the adjacent residential and ground area between such hedge, shrubbery or row of trees and the lot line shall be planted in grass and/or shrubbery, maintained in good condition, and kept free from litter.

Exception: Such hedge, row of shrubbery or evergreen trees shall not be required if:

- (1) The entire yard between the lot line and the building is landscaped with grass, trees and shrubbery or hedges. Non-vegetative materials not exceeding twenty-five (25) percent of the entire yard area may be used in combination with vegetation and structural or ornamental fixtures.

7. USE OF REQUIRED YARDS All required yards shall be planted with grass or landscaped with other suitable ground cover materials, except:

a. Required front yards may include:

- (1) Pedestrian walks, driveways, entrance guard boxes, flag poles, directional signs and similar appurtenant uses.

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(2) Access cuts and drives, provided they are not located within twenty (20) feet of a lot line abutting a residential district.

b. Required side and rear yards may include:

(1) Pedestrian walks, driveways, entrance guard boxes, flag poles, directional signs and similar appurtenant uses.

(2) Off-street parking, subject to the off-street parking regulations of section 2.09.

(3) Access cuts and drives, provided they are not located within twenty (20) feet of a lot line abutting a residential district.

8. HEIGHT OF BUILDINGS AND STRUCTURES

Maximum vertical height of buildings and structures shall be thirty-five (35) feet. Provided, however, along any required front, side or rear setback line which is adjacent to a residential district, the maximum vertical height shall be:

Twenty-two (22) feet; or
Thirty-five (35) feet if for each foot of height in excess of twenty-two (22) feet, to an absolute maximum height of thirty-five (35) feet, one (1) additional foot setback shall be provided beyond such adjacent required front, side or rear setback line.

Height Exceptions. The following exceptions to the height regulations shall be permitted:

a. Parapet walls not exceeding two (2) feet in height.

b. Roof structures for the housing of elevators, stairways, air conditioning apparatus, roof water tanks, ventilating fans, sky lights, or similar equipment to operate and maintain the building.

c. Chimneys, smokestacks, flag poles, radio and television antennas, and other similar structures.

d. A monitor roof not exceeding twenty-five (25) percent of the total horizontal area of the roof.

9. SIGNS

Signs and advertising devices shall comply with the sign regulations of section 2.10.

10. OFF-STREET PARKING

Off-street parking facilities shall be provided in accordance with the off-street parking regulations of section 2.09.

11. OFF-STREET LOADING

Off-street loading facilities shall be provided in accordance with the off-street loading regulations of section 2.09.

C. I-1-U PERFORMANCE STANDARDS

1. NOISE, VIBRATION, ODOR, GLARE, HEAT - In no case shall production or operational noise, vibration, odor, glare, or intense heat be permitted to escape beyond the lot lines.
2. SMOKE, PARTICULATE MATTER, NOXIOUS MATERIALS - The emission of smoke, particulate matter, or noxious or toxic gases shall conform to the standards and regulations of the Air Pollution Control Ordinance of the City of Indianapolis, Indiana (a copy of which is on file in the office of the Metropolitan Planning Department of Marion County, Indiana, and which standards and regulations are hereby incorporated by reference and made a part hereof).
3. FIRE AND EXPLOSIVE HAZARDS - The storage, utilization or manufacture of all products or materials shall conform to the standards prescribed by the National Fire Protection Association (a copy of which is on file in the office of the Metropolitan Planning Department of Marion County, Indiana, and which standards are hereby incorporated by reference and made a part hereof). Such storage, utilization or manufacturing shall not produce a hazard or endanger the public health, safety or welfare.
4. DISCHARGE OF WASTE MATTER AND STORM DRAINAGE - No use shall accumulate or discharge beyond the lot lines any waste matter, whether liquid or solid, in violation of the applicable standards and regulations of the Division of Public Health of the Health and Hospital Corporation of Marion County, Indiana; the Indiana State Board of Health; and Stream Pollution Control Board of the State of Indiana; or in such a manner as to endanger the public health, safety or welfare; or cause injury to property.

Prior to improvement location permit issuance for any industrial use:

- (a) Plans and specifications for proposed sewage disposal facilities therefor (unless a connection is being made to a public sewer), and industrial waste treatment and disposal facilities, shall be submitted to and written approval obtained from the Stream Pollution Control Board of the State of Indiana and the Division of Public Health of the Health and Hospital Corporation of Marion County, Indiana;
- (b) written approval of proposed connection to a public sewer shall be obtained from the Board of Sanitary Commissioners of Indianapolis, Indiana; and
- (c) plans and specifications for proposed storm drainage facilities shall be submitted to and written approval obtained from the Board of Sanitary Commissioners of Indianapolis, Indiana, and/or a registered engineer.

(1-2-U REGULATIONS)

SECTION 2.06 1-2-U LIGHT INDUSTRIAL URBAN DISTRICT REGULATIONS

Note: This district is designed for those industries that typically do not create objectionable characteristics (such as dirt, noise, glare, heat, odor, etc.) which extend beyond the lot lines. Outdoor operations and storage are completely screened if adjacent to residential areas, and are limited throughout the district to a percentage of the total operation. Wherever possible, this district is located between a residential area and a heavier industrial area to serve as a buffer zone. This district has been established for application to the older industrial districts within the central city and specifically provides for the use of shallow industrial lots.

A. PERMITTED 1-2-U USES

The following uses shall be permitted in the 1-2-U DISTRICT. All uses in the 1-2-U DISTRICT shall conform to the 1-2-U DEVELOPMENT STANDARDS (section 2.06, B hereof) and 1-2-U Performance Standards (section 2.06, C hereof).

The following 1-2-U uses may also include (as accessory or incidental uses thereto) any of the 1-3-U District uses specified in section 2.07, A, provided that:

- (a) Not more than twenty-five (25) percent of the gross floor area of the building(s) (excluding that used for offices and/or storage) is devoted to said 1-3-U Uses.
- (b) Said 1-3-U uses shall conform with all 1-2-U Development and Performance Standards, and
- (c) Adequate operational techniques and safeguards shall be employed to insure performance control of noise, vibration, odor, glare, and heat to achieve operational characteristics consistent with light industry.
 1. ANY 1-1-U USE SPECIFIED IN SECTION 2.05, A 2, 3, 4, 5, 6, 7, 8, 9, or 10.
 2. RADIO, FACSIMILE AND TELEVISION TOWERS, INCLUDING BROADCASTING STUDIOS AND RADIO OR TELEVISION BUSINESS OFFICES, as regulated in section 2.11, 8.
 3. ASSEMBLY OPERATIONS OR PRE-MANUFACTURED PARTS, SUBASSEMBLIES OR COMPONENTS.
 4. ASSEMBLY, REPAIR AND/OR MANUFACTURING OF LIGHT COMPONENT PARTS OF PRODUCTS.
 5. MANUFACTURE OF NON-ALCOHOLIC BEVERAGES, BOTTLING OF ALCOHOLIC AND/OR NON-ALCOHOLIC BEVERAGES.
 6. MANUFACTURE OF OFFICE MACHINERY, ELECTRICAL AND MECHANICAL.
 7. MANUFACTURE OF LIGHT PORTABLE HOUSEHOLD APPLIANCES; ELECTRIC HAND TOOLS; ELECTRICAL COMPONENTS AND SUBASSEMBLIES; ELECTRIC MOTORS; ELECTRIC AND NEON SIGNS.
 8. CLOTH PRODUCTS MANUFACTURING FROM FINISHED CLOTH.
 9. MILK PROCESSING; BOTTLING AND MANUFACTURING OF MILK PRODUCTS.
 10. JEWELRY MANUFACTURING, ENGRAVING.

11. SECONDARY FOOD PROCESSING AND PACKAGING OF FOOD PRODUCTS INITIALLY PROCESSED OFF THE PREMISES.
12. LEATHER PRODUCTS MANUFACTURING FROM FINISHED LEATHER.
13. PHARMACEUTICAL, BIOLOGICAL, MEDICINE AND COSMETIC MANUFACTURING.
14. MANUFACTURE OF OPTICAL GOODS; RECORDING INSTRUMENTS; PHONOGRAPH RECORDS.
15. PAPER BOX AND PAPER PRODUCTS MANUFACTURING FROM FINISHED PAPER.
16. WAREHOUSING AND DISTRIBUTION OPERATIONS, completely enclosed within a building.
17. UPHOLSTERING SHOPS, MATTRESS MANUFACTURING.

B. 1-2-U DEVELOPMENT STANDARDS

1. USE
 - a. ENCLOSED OPERATIONS. All operations, servicing or processing located within three hundred (300) feet of a residential district boundary (except storage and off-street loading) shall be conducted within completely enclosed building.
 - b. OUTSIDE STORAGE. All storage of materials or products within three hundred (300) feet of a residential district boundary shall be:
 - (1) within completely enclosed buildings, or
 - (2) effectively screened by a chain link, lattice or similar type fence, with ornamental, non-solid or chain link or similar type entrance and exit gates. (Canvas may be attached to gates for effective screening.) The height of said fence shall be at least six (6) feet and shall not exceed eight (8) feet. Said fence shall be surrounded by trees or an evergreen hedge or a height not less than the height of said fence. The storage of materials or products within the enclosure may not exceed the height of the fence.
 - c. OUTSIDE OPERATIONS AND STORAGE AREA LIMITATION. In no case shall the total area of outside operations and storage exceed twenty-five (25) percent of the total gross floor area of enclosed structures and buildings.

2. REQUIRED FRONT YARD, MINIMUM SETBACK A front yard, having at least thirty-five (35) feet width of frontage on a public street and having a minimum depth in accordance with the following setback requirements, shall be provided along the street right-of-way line.

No part of any structure (excluding an eave or cornice overhang not exceeding four (4) feet or a canopy at an entrance) shall be built closer to the centerline of the right-of-way of the following streets (as designated on the Official Thoroughfare Plan of Marion County, Indiana) than:

- (1) Expressway:

One hundred twenty (120) feet

(1-2-U REGULATIONS)

- (2) Primary thoroughfare or parkway: One hundred five (105) feet
- (3) Secondary thoroughfare: Ninety-five (95) feet
- (4) closer to the right-of-way line of all other streets (including but not limited to collector streets, local streets, cul-de-sacs and marginal access streets) than: Twenty (20) feet

No part of any structure shall be built closer to the right-of-way line of a street or highway designated as a Federal Interstate Route than sixty (60) feet, except:

- (1) Front roads immediately paralleling Federal Interstate Routes (with a coinciding right-of-way boundary) shall be considered collector streets, requiring a front setback of twenty (20) feet from the right-of-way line of such front road, unless such front road is designated otherwise on the Official Thoroughfare Plan of Marion County, Indiana, or on the recorded plat thereof as required by the Subdivision Control Ordinance of Marion County, Indiana.
- (2) If side or rear lot lines coincide with a Federal Interstate Route right-of-way line, the required minimum side or rear setback for this district shall apply.

Provided, however, that in the case of any lot which is less than two hundred (200) feet in depth, the minimum required setback shall be ten (10) percent of the depth of the lot or ten (10) feet, which ever is greater.

- 3. REQUIRED CORNER SIDE YARD, MINIMUM SETBACK In any case where the side lot line abuts a street right-of-way line, there shall be provided a corner side yard in which the setback of any structure shall comply with the MINIMUM FRONT SETBACK requirements for transitional yards of section 2.06, B 6.
- 4. REQUIRED SIDE YARDS, MINIMUM SIDE SETBACK A side yard and setback of not less than ten (10) feet in depth shall be provided along each side lot line. Provided, however, if the side lot line abuts a railroad operating right-of-way, the building shall be permitted to abut the railroad operating right-of-way, unless subject to the requirement for transitional yards of section 2.06, B 6.
- 5. REQUIRED REAR YARD, MINIMUM REAR SETBACK A rear yard and setback of not less than ten (10) feet in depth shall be provided along the rear lot line. Provided, however, if the rear lot line abuts a railroad operating right-of-way, the building shall be permitted to abut the railroad operating right-of-way, unless subject to the requirement for transitional yards of section 2.06, B 6.
- 6. TRANSITIONAL YARDS a. MINIMUM FRONT, SIDE AND REAR YARDS AND SETBACKS
 - (1) Where a front lot line faces a residential district on the opposite side of the street, a front yard and setback shall be provided

not less than thirty (30) feet in depth from the front lot line.

- (2) Where a side lot line abuts a side or rear lot line in an adjacent or residential district, a side yard and setback not less than thirty (30) feet in depth shall be provided along such side lot line.
- (3) Where a rear lot line abuts a side or rear lot line in an adjacent residential district, a rear yard and setback not less than thirty (30) feet in depth shall be provided along such rear lot line.

Provided, however, additional front, side and/or rear setback distances for transitional yards, as specified in section 2.06, B 8, shall be required to permit building heights exceeding twenty-two (22) feet to a maximum height of thirty-five (35) feet.

b. SCREENING AND LANDSCAPING

Where a side or rear lot line adjoins a residential district, a compact hedge, row of shrubbery or evergreen trees shall be provided along or within twenty (20) feet of such lot line, and not less than six (6) feet in height. Such hedge, shrubbery or row of trees shall extend the full length of said lot line-- except that it shall be omitted between the front lot line and a point five (5) feet greater than the required or established building setback line of the adjacent residential district. Any ground area between such hedge, shrubbery or row of trees and the lot line shall be planted in grass and/or shrubbery, maintained in good condition, and kept free of litter.

Exception: Such hedge, row of shrubbery or evergreen trees shall not be required if:

- (1) The entire yard between the lot line and the building is landscaped with grass, trees, and shrubbery or hedges. Non-vegetative materials not exceeding twenty-five (25) percent of the entire yard area may be used in combination with vegetation and structural or ornamental fixtures.

7. USE OF REQUIRED YARDS All required yards shall be planted with grass or landscaped with other suitable ground cover materials, except:

a. Required front yards may include:

- (1) Pedestrian walks, driveways, entrance guard boxes, flag poles, directional signs and similar appurtenant uses.
- (2) Access cuts and drives, provided they are not located within twenty (20) feet of a lot line abutting a residential district.

b. Required side and rear yards may include:

- (1) Pedestrian walks, driveways, entrance guard boxes, flag poles, directional signs and similar appurtenant uses.

(1-2-U REGULATIONS)

- (2) Off-street parking, subject to the off-street parking regulations of section 2.09.
- (3) Access cuts and drives, provided they are not located within twenty (20) feet of a lot line abutting a residential district.

8. HEIGHT OF BUILDINGS AND STRUCTURES Within three-hundred (300) feet of any residential district, the maximum vertical height of buildings and structures shall be thirty-five (35) feet. Provided, however, along any required front, side or rear setback line which is adjacent to a residential district, the maximum vertical height shall be:

Twenty-two (22) feet; or
Thirty-five (35) feet if for each foot of height in excess of twenty-two (22) feet, to an absolute maximum height of thirty-five (35) feet, (not to exceed two (2) stories) one (1) additional foot setback shall be provided beyond such adjacent required front, side or rear setback line.

Height Exceptions: The following exceptions to the height regulations shall be permitted:

- a. Parapet walls not exceeding two (2) feet in height.
- b. Roof structures for the housing of elevators, stairways, air conditioning apparatus, roof water tanks, ventilating fans, sky lights, or similar equipment to operate and maintain the building.
- c. Chimneys, smokestacks, flag poles, radio and television antennas, and other similar structures.
- d. A monitor roof not exceeding twenty-five (25) percent of the total horizontal area of the roof.

9. SIGNS Signs and advertising devices shall comply with the sign regulations of section 2.10.

10. OFF-STREET PARKING Off-street parking facilities shall be provided in accordance with the off-street parking regulations of section 2.09.

11. OFF-STREET LOADING Off-street loading facilities shall be provided in accordance with the off-street loading regulations of section 2.09.

C. 1-2-U PERFORMANCE STANDARDS

1. SMOKE, PARTICULATE MATTER, NOXIOUS MATERIALS The emission of smoke, particulate matter, or noxious or toxic gases shall conform to the standards and regulations of the Air Pollution Control Ordinance of the City of Indianapolis, Indiana (a copy of which is on file in the office of the Metropolitan Planning Department of Marion County, Indiana, and which standards and regulations are hereby incorporated by reference and made a part hereof).

2. VIBRATION No use shall cause earth vibrations or concussions beyond the lot lines, endangering the public health, safety or welfare, or causing injury to property.
3. ODOR No use shall emit across the lot lines odorous matter in such quantities as to endanger the public health, safety or welfare, or cause injury to property.
4. NOISE No use shall emit sound beyond the lot lines in such a manner or intensity as to endanger the public health, safety, or welfare, or cause injury to property.
5. GLARE AND HEAT No use shall produce heat or glare of such intensity beyond the lot lines as to endanger the public health, safety or welfare, or cause injury to property.
6. FIRE AND EXPLOSIVE HAZARDS The storage, utilization or manufacture of all products or materials shall conform to the standards prescribed by the National Fire Protection Association (a copy of which is on file in the office of the Metropolitan Planning Department of Marion County, Indiana, and which standards are hereby incorporated by reference and made a part hereof). Such storage, utilization or manufacturing shall not produce a hazard or endanger the public health, safety or welfare.
7. DISCHARGE OF WASTE MATTER AND STORM DRAINAGE No use shall accumulate or discharge beyond the lot lines any waste matter, whether liquid or solid, in violation of the applicable standards and regulations of the Division of Public Health of the Health and Hospital Corporation of Marion County, Indiana; and the Indiana State Board of Health; the Stream Pollution Control Board of the State of Indiana; or in such a manner as to endanger the public health, safety or welfare; or cause injury to property.

Prior to improvement location permit issuance for any industrial use:

- a. plans and specifications for proposed sewage disposal facilities therefor (unless a connection is being made to a public sewer), and industrial waste treatment and disposal facilities shall be submitted to and written approval obtained from the Stream Pollution Control Board of the State of Indiana and the Division of Public Health of the Health and Hospital Corporation of Marion County, Indiana;
- b. written approval of proposed connection to a public sewer shall be obtained from the Board of Sanitary Commissioners of Indianapolis, Indiana; and
- c. plans and specifications for proposed storm drainage facilities shall be submitted to and written approval obtained from the Board of Sanitary Commissioners of Indianapolis, Indiana, and/or a registered engineer.

(1-3-U REGULATIONS)

SECTION 2.07 1-3-U MEDIUM INDUSTRIAL/SUBURBAN DISTRICT REGULATIONS

Note: This district is designed as an intermediate central city district for industries which are heavier in character than those permitted in the Light Industrial Urban District but which are not of the heaviest industrial types. Because of the nature of these industries, the district will be located away from residential areas and buffered by lighter industrial districts. Where this district abuts residential or business districts, setbacks are large and enclosure of activities and storage is required.

A. PERMITTED 1-3-U USES

The following uses shall be permitted in the 1-3-U DISTRICT. All uses in the 1-3-U DISTRICT shall conform to the 1-3-U Development Standards (section 2.07, B hereof) and 1-3-U Performance Standards (section 2.07, C hereof).

The following 1-3-U uses may also include (as accessory or incidental uses thereto) any of the 1-4-U DISTRICT uses specified in section 2.07, A, provided that:

- (a) Not more than twenty-five (25) percent of the gross floor area of the building(s) (excluding that used for offices and/or storage) is devoted to said 1-4-U uses.
 - (b) Said 1-4-U uses shall conform with all 1-3-U Development and Performance Standards, and
 - (c) Adequate operational techniques and safeguards shall be employed to insure performance control of noise, vibration, odor, glare, and heat to achieve operational characteristics consistent with light industry.
1. ANY USE PERMITTED IN THE 1-2-U DISTRICT.
 2. MANUFACTURE AND ASSEMBLY OF MARINE EQUIPMENT.
 3. CANNING, BOTTLING, PROCESSING, AND PACKAGING OF FOOD. (Does not include slaughtering of animals or fowl.)
 4. CAN AND CONTAINER MANUFACTURING.
 5. COFFEE ROASTING.
 6. CABINET MANUFACTURING; FURNITURE MANUFACTURING.
 7. MANUFACTURE AND ASSEMBLY OF MAJOR ELECTRIC AND/OR GAS HOUSEHOLD APPLIANCES.
 8. MANUFACTURE OF COLORS, DYE, PAINT, AND OTHER COATINGS, excluding tar products.
 9. MANUFACTURE AND ASSEMBLY OF COMMUNICATION EQUIPMENT.
 10. ELECTROPLATING OPERATIONS.
 11. MANUFACTURE OF TOOLS AND IMPLEMENTS, MACHINERY AND MACHINERY COMPONENTS.
 12. MANUFACTURE OF OLEOMARGERINE.

13. MANUFACTURE AND ASSEMBLY OF OFFICE EQUIPMENT.
14. MANUFACTURE OF MUSICAL INSTRUMENTS.
15. STAMPING AND FABRICATING METAL SHOPS USING PRESS, BRAKES, AND ROLLS.
16. MANUFACTURE OF MALT PRODUCTS; BREWING, DISTILLATION OF LIQUOR AND SPIRITS.
17. MACHINE, WELDING, TOOL AND DIE SHOPS.
18. THERMAL, ELECTRIC, STEAM AND/OR ATOMIC POWER PLANTS.
19. MANUFACTURE OF GLASS AND GLASS PRODUCTS.
20. MOTOR TRUCK TERMINALS LESS THAN TEN (10) ACRES IN TOTAL AREA AND SUBJECT TO THE REGULATIONS OF SECTION 2.11, B 3.
21. PAPER MANUFACTURING.
22. GRANARIES, GRAIN PROCESSING, STARCH MANUFACTURE.

B. 1-3-U DEVELOPMENT STANDARDS

1. USE
 - a. ENCLOSED OPERATIONS. All operations, servicing, or processing located within three hundred (300) feet of a residential district boundary (except storage and off-street loading) shall be conducted within completely enclosed buildings.
 - b. OUTSIDE STORAGE. All storage of materials or products within three hundred (300) feet of a residential district boundary shall be:
 - (1) within completely enclosed buildings, or
 - (2) effectively screened by a chain link, lattice or similar type fence, with ornamental, non-solid or chain link gates. (Canvas may be attached to gates for effective screening.) The height of said fence shall be at least six (6) feet and shall not exceed eight (8) feet. Said fence shall be surrounded by trees or an evergreen hedge of a height not less than the height of said fence. The storage of materials or products within the enclosure may not exceed the height of the fence.
 - c. OUTSIDE OPERATIONS AND STORAGE AREA LIMITATION. In no case shall the total area of outside operations and storage exceed fifty (50) percent of the total gross floor area of enclosed structures and buildings.
2. REQUIRED FRONT YARD, MINIMUM SETBACK A front yard, having at least thirty-five (35) feet width of frontage on a public street and having a minimum depth in accordance with the following setback requirements, shall be provided along the street right-of-way line.

(1-3-U REGULATIONS)

No part of any structure (excluding an eave or cornice overhang not exceeding four (4) feet or a canopy at an entrance) shall be built closer to the centerline of the right-of-way of the following streets (as designated on the Official Thoroughfare Plan of Marion County, Indiana) than:

- (1) Expressway: One hundred twenty (120) feet
- (2) Primary thoroughfare or parkway: One hundred five (105) feet
- (3) Secondary Thoroughfare: Ninety-five (95) feet
- (4) or closer to the right-of-way line of all other streets (including but not limited to collector streets, local streets, cul-de-sacs and marginal access streets) than: Twenty (20) feet

No part of any structure shall be built closer to the right-of-way line of a street or highway designated as a Federal Interstate Route than sixty (60) feet, except:

- (1) Front roads immediately paralleling Federal Interstate Routes (with a coinciding right-of-way boundary) shall be considered collector streets, requiring a front setback of twenty (20) feet from the right-of-way line of such front road, unless such front road is designated otherwise on the Official Thoroughfare Plan of Marion County, Indiana, or on the recorded plat thereof as required by the Subdivision Control Ordinance of Marion County, Indiana.
- (2) If side or rear lot lines coincide with a Federal Interstate Route right-of-way line, the required minimum side or rear setback for this district.

- 3. REQUIRED CORNER SIDE YARD, MINIMUM SETBACK in any case where the side lot line abuts a street right-of-way line, there shall be provided a corner side yard in which the setback of any structure shall comply with the MINIMUM FRONT SETBACK requirements of section 2.07, B 2, unless subject to the requirement for transitional yards of section 2.07, B 6.
- 4. REQUIRED SIDE YARDS, MINIMUM SIDE SETBACK A side yard and setback of not less than ten (10) feet in depth shall be provided along each side lot line.
Provided, however, if the side lot line abuts a railroad operating right-of-way, the building shall be permitted to abut the railroad operating right-of-way, unless subject to the requirement for transitional yards of section 2.07, B 6.
- 5. REQUIRED REAR YARD, MINIMUM REAR SETBACK A rear yard and setback of not less than ten (10) feet in depth shall be provided along the rear lot line.
Provided, however, if the rear lot line abuts a railroad operating right-of-way, the building shall be permitted to abut the railroad operating right-of-way, unless subject to the requirement for transitional yards of section 2.07, B 6.

6. TRANSITIONAL YARDS a. MINIMUM FRONT, SIDE AND REAR YARDS AND SETBACKS.

- (1) Where a front lot line faces a residential district on the opposite side of the street, a front yard and setback shall be provided not less than forty (40) feet in depth from the front lot line.
- (2) Where a side lot line abuts a side or rear lot line in an adjacent residential district, a side yard and setback not less than forty (40) feet in depth shall be provided along such side lot line.
- (3) Where a rear lot line abuts a side or rear lot line in an adjacent residential district a rear yard and setback not less than forty (40) feet in depth shall be provided along such rear lot line.

Provided, however, additional front, side and/or rear setback distances for transitional yards, as specified in section 2.07, B 8, shall be required to permit building heights exceeding thirty-five (35) feet (to a maximum height of fifty (50) feet).

b. SCREENING AND LANDSCAPING.

Where a side or rear lot line adjoins a residential district, a compact hedge, row of shrubbery or evergreen trees shall be provided along or within twenty (20) feet of such lot line, and not less than six (6) feet in height. Such hedge, shrubbery or row of trees shall extend the full length of said lot line--except that it shall be omitted between the front lot line and a point five (5) feet greater than the required or established building setback line of the adjacent residential district. Any ground between such hedge, shrubbery or row of trees and the lot line shall be planted in grass and/or shrubbery, maintained in good condition, and kept free of litter.

Exception: Such hedge, row of shrubbery or evergreen trees shall not be required if:

- (1) The entire yard between the lot line and the building is landscaped with grass, trees, and shrubbery or hedges. Non-vegetative materials not exceeding twenty-five (25) percent of the entire yard area may be used in combination with vegetation and structural or ornamental fixtures.

7. USE OF REQUIRED YARDS All required yards shall be planted with grass or landscaped with other suitable ground cover materials, except:

a. Required front yards may include:

- (1) Pedestrian walks, driveways, entrance guard boxes, flag poles, directional signs and similar appurtenant uses.

(2) Access cuts and drives, provided they are not located within twenty (20) feet of a lot line abutting a residential district.

b. Required side and rear yards may include:

- (1) Pedestrian walks, driveways, entrance guard boxes, flag poles, directional signs and similar appurtenant uses.
- (2) Off-street Parking, subject to the off-street parking regulations of section 2.09.
- (3) Access cuts and drives, provided they are not located within twenty (20) feet of a lot line abutting a residential district.

8. HEIGHT OF BUILDINGS AND STRUCTURES

Within three hundred (300) feet of any residential district, the maximum vertical height of buildings and structures shall be fifty (50) feet. Provided, however, along any required front, side or rear setback line which is adjacent to a residential district, the maximum vertical height shall be:

Thirty-five (35) feet; or
Fifty (50) feet if for each foot of height in excess of thirty-five (35) feet, to an absolute maximum height of fifty (50) feet, one (1) addition foot setback shall be provided beyond such required front, side or rear setback line.

Height Exceptions. The following exceptions to the above height regulations shall be permitted:

- (a) Parapet walls not exceeding two (2) feet in height.
- (b) Roof structures for the housing of elevators, stairways, air conditioning apparatus, roof water tanks, ventilating fans, sky lights, or similar equipment to operate and maintain the building.
- (c) Chimneys, smokestacks, flag poles, radio and television antennas, and other similar structures.
- (d) A monitor roof not exceeding twenty-five (25) percent of the total horizontal area of the roof.

9. SIGNS

Signs and advertising devices shall comply with the sign regulations of section 2.10.

10. OFF-STREET PARKING

Off-street parking facilities shall be provided in accordance with the off-street parking regulations of section 2.09.

11. OFF-STREET LOADING

Off-street loading facilities shall be provided in accordance with the off-street loading regulations of section 2.09.

C. 1-3-U PERFORMANCE STANDARDS

1. SMOKE, PARTICULATE MATTER, NOXIOUS MATERIALS The emission of smoke, particulate matter, or noxious or toxic gases shall conform to the standards and regulations of the Air Pollution Control Ordinance of the City of Indianapolis, Indiana, (a copy of which is on file in the office of the Metropolitan Planning Department of Marion County, Indiana, and which standards and regulations are hereby incorporated by reference and made a part hereof).
2. VIBRATION No use shall cause earth vibrations or concussions beyond the lot lines, endangering the public health, safety or welfare, or causing injury to property.
3. ODOR No use shall emit across the lot lines odorous matter in such quantities as to endanger the public health, safety or welfare, or cause injury to property.
4. NOISE No use shall emit sound beyond the lot lines in such a manner or intensity as to endanger the public health, safety or welfare, or cause injury to property.
5. GLARE AND HEAT No use shall produce heat or glare of such intensity beyond the lot lines as to endanger the public health, safety or welfare, or cause injury to property.
6. FIRE AND EXPLOSIVE HAZARDS The storage, utilization or manufacture of all products or materials shall conform to the standards prescribed by the National Fire Protection Association (a copy of which is on file in the Office of the Metropolitan Planning Department of Marion County, Indiana, and which standards are hereby incorporated by reference and made a part hereof). Such storage, utilization or manufacturing shall not produce a hazard or endanger the public health, safety or welfare.
7. DISCHARGE OF WASTE MATTER AND STORM DRAINAGE No use shall accumulate or discharge beyond the lot lines any waste matter, whether liquid or solid, in violation of the applicable standards and regulations of the Division of Public Health of the Health and Hospital Corporation of Marion County, Indiana; the Indiana State Board of Health; the Stream Pollution Control Board of the State of Indiana; or in such a manner as to endanger the public health, safety or welfare, or cause injury to property.

Prior to improvement location permit issuance for any industrial use:

- a. plans and specifications for proposed sewage disposal facilities therefor (unless a connection is being made to a public sewer), and industrial waste treatment and disposal facilities shall be submitted to and written approval obtained from the Stream Pollution Control Board of the State of Indiana and the Division of Public Health of the Health and Hospital Corporation of Marion County, Indiana;

(1-3-U REGULATIONS)

- b. written approval of proposed connection to a public sewer shall be obtained from the Board of Sanitary Commissioners of Indianapolis, Indiana; and
- c. plans and specifications for proposed storm drainage facilities shall be submitted to and written approval obtained from the Board of Sanitary Commissioners of Indianapolis, Indiana, and/or a registered engineer.

SECTION 2.08 1-4-U HEAVY INDUSTRIAL CENTRAL CITY DISTRICT REGULATIONS

Note: This district is designed for those heavy industrial uses within the central city which are typically characterized by certain factors which would be exceedingly difficult, expensive or impossible to eliminate, and should be buffered by sufficient area to minimize any detrimental aspects. The development standards and performance standards reflect the recognition of these problems. Wherever practical, this district is removed as far as possible from residential areas and buffered by intervening lighter industrial districts.

A. (1) PERMITTED 1-4-U USES

The following uses shall be permitted in the 1-4-U DISTRICT. All uses in the 1-4-U DISTRICT shall conform to the 1-4-U Development Standards (section 2.08, B hereof) and 1-4-U Performance Standards (section 2.08, C hereof).

1. ANY USE PERMITTED IN THE 1-3-U DISTRICT.
2. CREOSOTE MANUFACTURING AND TREATMENT.
3. BULK STORAGE OF PETROLEUM PRODUCTS.
4. BOILER TANK MANUFACTURING; STRUCTURAL STEEL FABRICATING.
5. MANUFACTURE OF DETERGENTS AND SOAPS.
6. FOUNDRIES.
7. RAILROAD EQUIPMENT MANUFACTURING, REPAIR AND SERVICING.
8. PROCESSING OF FOREST PRODUCTS SUCH AS, BUT NOT LIMITED TO VENEER MILLS, PLANING MILLS AND SAW MILLS.
9. UTILITY POLE YARDS AND PIPE YARDS.
10. MOTOR TRUCK TERMINALS subject to the regulations of section 2.11, B 3.

(2) 1-4-U USES PERMITTED BY SPECIAL EXCEPTION.

In addition, the following uses shall be permitted in the 1-4-U DISTRICT by SPECIAL EXCEPTION only, upon issuance of a SPECIAL EXCEPTION PERMIT therefor by the Metropolitan Board of Zoning Appeals as set forth in section 2.11, A 1.

These uses shall conform to the 1-4-U Development Standards (section 2.08, B hereof); 1-4-U Performance Standards (section 2.08, C hereof); all requirements set forth in section 2.11, A 1 and all conditions attached to the grant of such Permit by the Metropolitan Board of Zoning Appeals--in case of conflict, the more restrictive standards or requirements to control.

1. CEMENT, LIME AND GYPSUM MANUFACTURING. (Special exception permit required.)
2. OIL PROCESSING, REFINING AND MANUFACTURING. (Special exception permit required.)
3. OPEN HEARTHES AND BLAST FURNACES. (Special exception permit required.)
4. COKE OVENS. (Special exception permit required.)
5. FAT RENDERING AND FERTILIZER MANUFACTURING. (Special exception permit required.)
6. LEATHER CURING AND TANNING. (Special exception permit required.)
7. TAR, TAR PAPER AND TAR PRODUCTS MANUFACTURING AND PROCESSING. (Special exception permit required.)
8. SLAUGHTERING AND ALLIED FOOD PROCESSING. (Special exception permit required.)
9. MANUFACTURE OF EXPLOSIVES, MATCHES, AND FIREWORKS, subject to the requirements of section 2.11, 3. (Special exception permit required.)
10. CONCRETE MIXING; PRODUCTION OF CONCRETE BLOCKS AND SHAPES, CINDER BLOCKS AND OTHER SIMILAR BUILDING MATERIALS MANUFACTURE. (Special exception permit required.)
11. STOCK YARDS FOR SHIPPING, HOLDING AND THE SALE OF ANIMALS. (Special exception permit required.)
12. PRODUCTION OF EMULSIFIED ASPHALT AND PREPARATION OF ASPHALTIC CONCRETE PAVING MATERIAL. (Special exception permit required.)
13. MANUFACTURE OF CHEMICALS AND GASES. (Special exception permit required.)
14. SAND, GRAVEL OR AGGREGATE WASHING, SCREENING OR PROCESSING (NOT INCLUDING MINING OR DREDGING). (Special exception permit required.)

B. 1-4-U DEVELOPMENT STANDARDS

1. USE OUTSIDE OPERATIONS AND STORAGE AREA LIMITATION. In no case shall the total area of outside operations and storage exceed seventy-five (75) percent of the total gross floor area of enclosed structures and buildings.
2. REQUIRED FRONT YARD, MINIMUM SETBACK A front yard, having at least fifty-five (55) feet width of frontage on a public street and having a minimum depth in accordance with the following setback requirements, shall be provided along the street right-of-way line.

(1-4-U REGULATIONS)

No part of any structure (excluding an eave or cornice overhang not exceeding four (4) feet or a canopy at an entrance shall be built closer to the centerline of the right-of-way of the following streets (as designated on the Official Thoroughfare Plan of Marion County, Indiana) than:

- (1) Expressway: One hundred twenty (120) feet
- (2) Primary thoroughfare or parkway: One hundred five (105) feet
- (3) Secondary thoroughfare: Ninety-five (95) feet
- (4) or closer to the right-of-way line of all other streets (including but not limited to collector streets, local streets, cul-de-sacs and marginal access streets) than: Twenty (20) feet

No part of any structure shall be built closer to the right-of-way line of a street or highway designated as a Federal Interstate Route than sixty (60) feet, except:

- (1) Front roads immediately paralleling Federal Interstate Routes (with a coinciding right-of-way boundary) shall be considered collector streets, requiring a front setback of twenty (20) feet from the right-of-way line of such front road, unless such road is designated otherwise on the Official Thoroughfare Plan of Marion County, Indiana, or on the recorded plat thereof as required by the Subdivision Control Ordinance of Marion County, Indiana.
- (2) If side or rear lot lines coincide with a Federal Interstate Route right-of-way line, the required minimum side or rear setback for this district shall apply.

- 3. REQUIRED CORNER SIDE YARD, MINIMUM SETBACK In any case where the side lot line abuts a street right-of-way line, there shall be provided a corner side yard in which the setback of any structure shall comply with the MINIMUM FRONT SETBACK requirements of section 2.08, B 2, unless subject to the requirement for transitional yards of section 2.08, B 6.
- 4. REQUIRED SIDE YARDS, MINIMUM SIDE SETBACK A side yard and setback of not less than twenty (20) feet in depth shall be provided along each side lot line.
Provided, however, if the side lot line abuts a railroad operating right-of-way, the building shall be permitted to abut the railroad operating right-of-way, unless subject to the requirement for transitional yards of section 2.08, B 6.
- 5. REQUIRED REAR YARD, MINIMUM SETBACK A rear yard and setback of not less than twenty (20) feet in depth shall be provided along the rear lot line.
Provided, however, if the rear lot line abuts a railroad operating right-of-way, the building shall be permitted to abut the railroad

operating right-of-way, unless subject to the requirement for transitional yards of section 2.08, B 6.

6. TRANSITIONAL YARDS

a. MINIMUM FRONT, SIDE AND REAR YARDS AND SETBACKS

- (1) Where a front lot line faces a residential district on the opposite side of the street, a front yard and setback shall be provided not less than fifty (50) feet in depth from the front lot line.
- (2) Where a side lot line abuts a side or rear lot line in an adjacent residential district a side yard and setback not less than fifty (50) feet in depth shall be provided along such side lot line.
- (3) Where a rear lot line abuts a side or rear lot line in an adjacent residential district, a rear yard and setback not less than fifty (50) feet in depth shall be provided along such rear lot line.

b. SCREENING AND LANDSCAPING.

Where a side or rear lot line adjoins a residential district, a compact hedge, row of shrubbery or evergreen trees shall be provided along or within twenty (20) feet of such lot line, and not less than six (6) feet in height. Such hedge, shrubbery or row of trees shall extend the full length of said lot line--except that it shall be omitted between the front line and a point five (5) feet greater than the required or established building setback line of the adjacent residential district. Any ground area between such hedge, shrubbery or row of trees and the lot line shall be planted in grass and/or shrubbery, maintained in good condition, and kept free of litter.

Exception: Such hedge, row of shrubbery or evergreen trees shall not be required if:

- (1) The entire yard between the lot line and the building is landscaped with grass, trees, and shrubbery or hedges. Non-vegetative materials not exceeding twenty-five (25) percent of the entire yard area may be used in combination with vegetation and structural or ornamental fixtures.

7. USE OF REQUIRED YARDS

All required yards shall be planted with grass or landscaped with other suitable ground cover materials except:

a. Required front yards may include:

- (1) Pedestrian walks, driveways, entrance guard boxes, flag poles, directional signs and similar appurtenant uses.
- (2) Access cuts and drives, provided they are not located within twenty (20) feet of a lot line abutting a residential district.

(1-4-U REGULATIONS)

b. Required side and rear yards may include:

- (1) Pedestrian walks, driveways, entrance guard boxes, flag poles, directional signs and similar appurtenant uses.
- (2) Off-street parking subject to the off-street parking regulations of section 2.09.
- (3) Access cuts and drives, provided they are not located within twenty (20) feet of a lot line abutting a residential district.

8. HEIGHT Within three hundred (300) feet of any residential district the maximum BUILDINGS vertical height of buildings and structures shall be fifty (50) feet.
AND

STRUC- Height Exceptions: The following exceptions to the above height regu-
TURES lations shall be permitted:

- (a) Parapet walls not exceeding two (2) feet in height.
- (b) Roof structures for the housing of elevators, water tanks, ventilating fans, sky lights, or similar equipment to operate and maintain the building.
- (c) Chimneys, smokestacks, flag poles, radio and television antennas, and other similar structures.
- (d) A monitor roof not exceeding twenty-five (25) percent of the total horizontal area of the roof.

9. SIGNS Signs and advertising devices shall comply with the sign regulations of section 2.10.

10. OFF-STREET PARKING Off-street parking facilities shall be provided in accordance with the off-street parking regulations of section 2.09.

11. OFF-STREET LOADING Off-street loading facilities shall be provided in accordance with the off-street loading regulations of section 2.09.

C. 1-4-U PERFORMANCE STANDARDS

1. SMOKE, PARTICULATE MATTER, NOXIOUS MATERIALS The emission of smoke, particulate matter, or noxious or toxic gases shall conform to the standards and regulations of the Air Pollution Control Ordinance of the City of Indianapolis, Indiana, (a copy of which is on file in the office of the Metropolitan Planning Department of Marion County, Indiana, and which standards and regulations are hereby incorporated by reference and made a part hereof).

2. VIBRATION No use shall cause earth vibrations or concussions beyond the lot lines, endangering the public health, safety or welfare, or causing injury to property.

3. ODOR No use shall emit across the lot lines odorous matter in such quantities as to endanger the public health, safety or welfare, or cause injury to property.
4. NOISE No use shall emit sound beyond the lot lines in such a manner or intensity as to endanger the public health, safety or welfare, or cause injury to property.
5. GLARE AND HEAT No use shall produce heat or glare of such intensity beyond the lot lines as to endanger the public health, safety or welfare, or cause injury to property.
6. FIRE AND EXPLOSIVE HAZARDS The storage, utilization or manufacture of all products or materials shall conform to the standards prescribed by the National Fire Protection Association (a copy of which is on file in the office of the Metropolitan Planning Department of Marion County, Indiana, and which standards are hereby incorporated by reference and made a part hereof). Such storage, utilization or manufacturing shall not produce a hazard or endanger the public health, safety or welfare.
7. DISCHARGE OF WASTE MATTER AND STORM DRAINAGE No use shall accumulate or discharge beyond the lot lines any waste matter, whether liquid or solid, in violation of the applicable standards and regulations of the Division of Public Health of the Health and Hospital Corporation of Marion County, Indiana; the Indiana State Board of Health; the Stream Pollution Control Board of the State of Indiana; or in such a manner as to endanger the public health, safety or welfare; or cause injury to property.

Prior to improvement location permit issuance for any industrial use:

- (a) plans and specifications for proposed sewage disposal facilities therefor (unless a connection is being made to a public sewer), and industrial waste treatment and disposal facilities shall be submitted to and written approval obtained from the Stream Pollution Control Board of the State of Indiana and the Division of Public Health of the Health and Hospital Corporation of Marion County, Indiana;
- (b) written approval of proposed connection to a public sewer shall be obtained from the Board of Sanitary Commissioners of Indianapolis, Indiana; and
- (c) plans and specifications for proposed storm drainage facilities shall be submitted to and written approval obtained from the Board of Sanitary Commissioners of Indianapolis, Indiana, and/or a registered engineer.

PARKING AND LOADING REGULATIONS

SECTION 2.09 OFF-STREET PARKING AND LOADING REGULATIONS

A. GENERAL PROVISIONS

1. APPLICATION OF REGULATIONS The off-street parking and loading provisions of this ordinance 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 ordinance, accessory parking and loading facilities 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 ordinance, and provided that construction is begun within six (6) months of such effective date and diligently prosecuted to completion, but not to exceed two (2) years after the issuance of said building permit, parking and loading facilities in the amounts required for issuance of said permits may be provided in lieu of any different amounts required by the off-street parking and loading regulations of this ordinance.

b. BUILDINGS, STRUCTURES, USES EXISTING OR HEREAFTER ESTABLISHED--
INCREASED INTENSITY OF USE.

When the intensity of use of any building, structure or premises (existing on the effective date of this ordinance or hereafter established) shall be increased (through addition of gross floor area or other unit of measurement specified herein for required parking or loading facilities), parking and loading facilities 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 ordinance shall be required to provide such additional parking or loading facilities unless and until the aggregate increase in units of measurement shall equal not less than fifteen percent (15%) in which event parking and loading facilities as required herein shall be provided for the total increase.

c. CHANGE OF USE

Whenever the use of a building, structure or premises shall hereafter be changed to a new use permitted by this ordinance, parking and loading facilities shall be provided as required for such new use.

2. EXISTING PARKING OR LOADING FACILITIES Accessory off-street parking or loading facilities in existence on the effective date of this ordinance shall not hereafter be reduced below, or if already less than, shall not be further reduced below, the requirement for such a new building or use under the provisions of this ordinance.

PARKING AND LOADING REGULATIONS

3. NEW OR EXPANDED PARKING OR LOADING FACILITIES Nothing in this ordinance shall be deemed to prevent the establishment of off-street parking or loading facilities to serve any existing use of land or buildings, provided that all regulations herein governing the location, design and operation of such facilities shall be adhered to.
4. DAMAGE OR DESTRUCTION For any non-conforming building or use which is hereafter damaged or partially destroyed by fire or other disaster not exceeding two-thirds (2/3) of the gross floor area of the structures or facilities affected, and which is reconstructed, off-street parking and loading facilities 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 facilities in excess of those required by this ordinance for equivalent new use or construction.
5. CONTROL OF OFF-SITE PARKING FACILITIES In cases where accessory parking facilities are permitted on land other than the lot on which the building or use served is located, such facilities shall be in the same possession as the lot occupied by the building or use to which the parking facilities are accessory.
6. SUBMISSION OF PLOT PLAN Any application for an improvement location permit shall include therewith a plot plan--drawn to scale and fully dimensioned--showing:
 - a. parking or loading facilities to be provided in compliance with this ordinance,
 - b. method of draining surface and storm waters, and
 - c. location and design of driveways and/or loading areas.
7. COMPUTATION In determining the minimum required number of off-street parking spaces or loading berths, if the unit of measurement (number of persons or square foot area, etc.) is any fraction of the unit specified in relation to the number of parking spaces to be provided, said fraction shall be considered as being the next unit and shall be counted as requiring one space or berth.
8. COLLECTIVE PARKING AREAS Off-street parking facilities for separate uses may be provided collectively if 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 spaces, in relation to the use served are adhered to.

B. OFF-STREET PARKING REGULATIONS

Off-street parking facilities 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 2.09, A.

1. MINIMUM PARKING SPACE DIMENSIONS A required off-street parking space shall be at least nine (9) feet in width and at least twenty (20) feet in length, exclusive of access drives or aisles, ramps, columns, or office or work areas.

PARKING AND LOADING REGULATIONS

2. ACCESS TO AND FROM PARKING AREAS
- a. Each required 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 facilities 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.
 - c. No driveway extending into the street right-of-way (between the lot line and street pavement) shall exceed a width of twenty-five (25) feet. Provided, however, two driveways, not exceeding twenty-five (25) feet in width each, may constitute a single entrance-exit.
 - d. In any industrial "S" district, each industrial use which is so located that it fronts upon and provides access to a parkway, secondary or primary thoroughfare, or expressway, shall provide a frontage lane paralleling and adjoining the improved part of the right-of-way and at least eleven (11) feet in width for right turn traffic entering the lot except, however, that uses located on the left hand side of a one-way street shall provide a left turn lane. The access point(s) shall be located so that the frontage lane shall be a minimum of one hundred (100) feet in length, exclusive of the entrance way. Provided, however, if the lot frontage is too small to provide such one hundred (100) feet of frontage lane, the entrance shall be so located that the frontage lane shall extend the entire width of the lot (except for the side yard twenty (20) foot setback requirement of sections 2.01, B7; 2.02, B7; 2.03, B7; and 2.04, B7; for access drives in the case of lots abutting a residential district), except when regulated by section 2.09, B2, e.
 - e. Off-street parking and loading entrances shall be located a minimum distance of fifty (50) feet from the nearest point of two intersecting street right-of-way lines. Such access cuts shall further conform to all requirements of traffic engineering departments having jurisdiction thereof.
3. LOCATION AND SETBACK
- a. All parking spaces required to serve buildings or uses erected or established after the effective date of this ordinance shall be located on the same lot as the building or use served. Buildings or uses existing on the effective date of this ordinance which are subsequently altered or enlarged so as to require the provision of additional parking spaces under the requirements of this ordinance may be served by parking facilities located on land other than the lot on which the building or use served is located, provided such facilities are within five hundred (500) feet of a lot line of the use served. (See CONTROL OF OFF-SITE PARKING FACILITIES, section 2.09, A 5 hereof.)
 - 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

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the total parking area does not occupy more than ten percent (10%) 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 provided it does not extend within twenty (20) feet of any lot line abutting a residential district.
4. SCREENING AND LANDSCAPING The ground area between the required off-street parking area setback and any lot line abutting a residential district shall be screened and landscaped in accordance with the requirements of section 2.01, B 6.
5. USE OF PARKING AREA
- a. The parking area shall not be used for the storage, display, advertisement, sale, repair, dismantling or wrecking of any vehicle, equipment, or materials, and shall be for the sole use of the occupants and visitors of the premises.
 - b. The required parking area shall not be used for the storage of any commercial vehicles.
 - c. Buildings or structures shall be permitted for shelters for guards, attendants or watchmen; however, any such structure shall not occupy required off-street parking space.
 - d. Loading and unloading spaces and maneuvering area as required in section 2.09, C, shall not constitute required off-street parking space; nor shall off-street parking area be used for off-street loading purposes.
6. SURFACE OF PARKING AREA
- a. Open and Enclosed Parking Spaces: Off-street parking spaces 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 major structure and subject to all requirements thereof.
 - b. All open off-street parking areas shall be paved with concrete or improved with a compacted macadam base, and surfaced with an asphaltic pavement to adequately provide a durable and dust-free surface which shall be maintained in good condition and free of weeds, dirt, trash and debris, except that:
 - (1) A gravel surface may be used for a period not exceeding one (1) year after the parking area is opened for use where ground 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 which 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.

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- c. The surface shall be graded and drained in such a manner that there will be no free flow of water onto either adjacent properties or public sidewalks.
 - d. The parking area(s) shall be so lined or designated where abutting a required yard that no part of the parked vehicles shall extend beyond the boundary of the established parking area into any minimum required yard or into adjoining property.
 - e. When lighting facilities are used to illuminate the parking area(s) they shall be so located, shielded, and directed upon the parking area that they do not create or reflect onto adjacent properties or interfere with street traffic. In no instance shall bare incandescent bulbs be used for such illumination.
7. AMOUNT
- 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 parking space for each one and one-half ($1\frac{1}{2}$) persons on the premises, computed on the basis of the greatest estimated number of persons at any one 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 parking space for each two (2) persons on the premises, computed on the basis of the greatest estimated number of persons at any one period during the day or night.

C. OFF-STREET LOADING REGULATIONS

Off-street loading facilities accessory to uses in the Industrial Districts shall be provided in accordance with the following regulations, in addition to the requirements of section 2.09, A.

- 1. MINIMUM AREA A required off-street loading berth 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.
- 2. ACCESS TO AND FROM OFF-STREET LOADING
 - a. Each required off-street loading 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 loading space.
 - b. All off-street loading facilities 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.
 - c. No driveway extending into the street right-of-way (between the lot line and street pavement) shall exceed a width of twenty-five (25) feet. Provided, however, two driveways not exceeding twenty-five (25) feet in width each, may constitute a single entrance-exit.
 - d. In any industrial "S" district, each industrial use which is so located that it fronts upon and provides access to a parkway, secondary or primary thoroughfare, or expressway, shall provide a

frontage lane paralleling and adjoining the improved part of the right-of-way and at least eleven (11) feet in width for right turn traffic entering the lot except, however, that uses located on the left hand side of a one-way street shall provide a left turn lane. The access point(s) shall be located so that the frontage land shall be a minimum of one hundred (100) feet in length, exclusive of the entrance way. Provided, however, if the lot frontage is too small to provide such one hundred (100) feet of frontage lane, the entrance shall be so located that the frontage lane shall extend the entire width of the lot (except for the side yard twenty (20) foot setback requirement of sections 2.01, B7; 2.02, B7; 2.03, B7; and 2.04, B7; for access drives in the case of lots abutting a residential district), except when regulated by section 2.09, B2, e.

- e. Off-street loading entrances shall be located a minimum distance of fifty (50) feet from the nearest point of two intersecting street right-of-way lines. Such access cuts shall further conform to all requirements of traffic engineering departments having jurisdiction thereof.
3. LOCATION AND SETBACK
- a. All required loading berths 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.
 - b. No open loading berth shall be located in a minimum required front yard of the area between the front lot line and the front line of the principal building.
 - c. No loading berth shall be located in a minimum required side or rear yard.
4. SCREENING
- All motor vehicle loading berths on any lot abutting a residential district or separated by an alley from a residential district shall be enclosed within a building or screened and landscaped in accordance with the industrial district's regulations for screening and landscaping transitional yards.
5. USE OF LOADING AREA
- Space allotted to off-street loading berths and maneuvering area shall not be used to satisfy the off-street parking space requirements.
6. SURFACE OF LOADING AREA
- a. Open and Enclosed Loading Areas: Off-street loading berths 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 major structure and subject to all requirements thereof.

PARKING AND LOADING REGULATIONS

- b. All open off-street loading areas shall be paved with concrete, or improved with a compacted macadam base, and surfaced with an asphaltic surfacer to adequately provide a durable and dust-free surface which shall be maintained in good condition and free of weeds, dirt, trash, and debris, except that:
 - (1) A gravel surface may be used for a period not exceeding one (1) year after the loading area is opened for use where ground 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 which 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 and drained in such a manner that there will be no detrimental flow of water onto adjacent properties or public sidewalks.
- d. When lighting facilities are used to illuminate a loading area, they shall be so located, shielded, and directed upon the loading area that they do not create glare or reflect onto adjacent properties or interfere with street traffic.

7. AMOUNT

Off-street loading facilities shall be provided in accordance with the following minimum requirements for all Industrial Districts.

<u>Gross Floor Area of Building (Square Feet)</u>	<u>Required Number of Loading Berths</u>
0- 40,000	1
40,001-100,000	2
100,001-200,000	3

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

SECTION 2.10 SIGN REGULATIONS

A. DEVELOPMENT STANDARDS

The following development standards shall apply to all signs and sign structures in the industrial zoning districts:

- 1. GENERAL REGULATIONS a. No sign or sign structure attached to the wall of a building shall extend more than six (6) feet above the roof or parapet line of such building.

SIGN REGULATIONS

- b. Roof top signs or sign structures shall not extend more than thirty (30) feet above the roof line. Roof top signs or sign structures shall not extend beyond or overhang any exterior wall of the building upon which secured.
- c. Signs may be illuminated, flashing, or animated. Light reflectors shall not extend more than twelve (12) feet from the face of the sign.
- d. Signs or sign structures located on a marquee or canopy shall be affixed flat to the surface thereof and shall not:
 - (1) be greater than three (3) feet in vertical measurement above the marquee;
 - (2) extend vertically below the marquee or canopy limits;
 - (3) extend horizontally more than eighteen (18) inches beyond the marquee or canopy limits.
- e. Signs located on an awning shall be affixed flat to the surface thereof, shall not extend vertically or horizontally beyond the limits of the awning, shall be non-illuminated, and may indicate only the name and/or address of the use.
- f. No sign structure except a projecting sign structure, attached to the wall of a building shall extend more than eighteen (18) inches horizontally from such wall.
- g. Not more than one projecting sign structure shall be allowed for each grade level use and the maximum surface area of such sign shall not exceed two hundred forty (240) square feet per side. (Only one side of a projecting sign shall be considered in computing total allowable sign surface area.) No sign structure shall project closer than eighteen (18) inches to an imaginary perpendicular vertical plane at the street pavement line and in no case shall such sign structure extend more than eight (8) feet from or beyond its supporting building, structure or column. No projecting sign or sign structure (except for the supporting building, structure or column) shall be, at its lowest point, less than nine (9) feet above grade level.
- h. No sign or sign structure shall be placed on private or public property without the written consent of the owner or agent thereof.
- i. No sign or sign structure other than official highway markers shall be placed upon any street or highway right-of-way.
- j. No sign or sign structure shall be erected at any location where it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device. No rotating beam, beacon or flashing illumination resembling an emergency light shall be used in connection with any sign display.

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- k. No sign or sign structure shall be located in such a manner as to materially impede the view of any street or highway intersection; or in such a manner as to materially impede the view of the intersection of a street or highway with a railroad grade crossing.
- l. Temporary signs announcing construction, remodeling, or rebuilding; sale, lease, or rental shall be permitted for each lot frontage. Such signs shall be removed when construction, sale, lease or other indicated purpose is completed. One temporary sign not exceeding sixty-four (64) square feet shall be permitted for each lot frontage of one hundred fifty (150) feet or less. Temporary signs not exceeding one hundred sixty (160) square feet shall be permitted for each lot frontage of more than one hundred fifty (150) feet provided, however, that no two signs shall be located closer than three hundred (300) feet on any one lot. Where lot frontage is sufficient to permit two signs, one sign may be used in substitution, provided the total area does not exceed two hundred forty (240) square feet. Only one side of a double-faced sign shall count toward total temporary sign area permitted.
- m. Signs or sign structures shall be set back in accordance with the building setback lines required by the industrial zoning district. In case the supporting building, structure, or column for a projecting sign is located closer than eight (8) feet to the building setback line, the projecting sign may extend in front of said setback line, but not more than eight (8) feet beyond its supporting building, structure or column.
- n. Any sign or sign structure located on an industrially zoned lot which abuts a residentially zoned lot shall be setback so as to meet the side, rear, and front setback requirements of said abutting residential district if such residential setback requirements exceed those of the industrial district. In any event, no sign facing the side or rear lot line of an abutting residentially zoned lot shall be located within fifty (50) feet of such side or rear lot line. Flashing and/or animated signs shall be prohibited within three hundred (300) feet of any residentially zoned lot.
- o. If a street elevation to which the sign is oriented is more than ten (10) feet greater than the grade elevation at the base of the sign structure the street elevation may be used in determining the permitted height; however, in no case shall height above grade elevation at the base of the sign structure exceed eighty (80) feet. This provision shall apply to all sign structures erected upon the ground.
- p. Maintenance and Removal.
 - (1) All signs and sign structures shall be kept in repair and in proper state of preservation.
 - (2) Signs which are no longer functional or are abandoned shall be removed or relocated in compliance with the provisions of this ordinance, within thirty (30) days following such disfunction.

SIGN REGULATIONS

- (3) Any legally established non-conforming sign shall be permitted without alteration in size or location. If such sign is damaged exceeding two-thirds (2/3) of its replacement value, it shall not be rebuilt; provided, however, that nothing herein shall prevent maintenance, repainting or posting of legally established non-conforming signs.
2. ADVERTISING SIGNS
- a. One advertising sign structure shall be permitted on a lot having a frontage of less than four hundred (400) feet; one additional advertising sign structure shall be permitted for each four hundred (400) feet of frontage in excess of four hundred (400) feet. An advertising sign structure shall not exceed eighteen (18) X fifty-five (55) feet, and shall not contain more than two (2) advertising signs per facing. On lots where more than one advertising sign structure is permitted, there shall be a lineal distance of at least two hundred fifty (250) feet between structures--except, however, in the case of single-faced signs, where the back of one sign faces the back of another sign and there is no intervening sign structure.
 - b. Maximum height of advertising sign structures shall not exceed forty (40) feet above grade level at the base of such structures except when qualifying under section 2.10, A, 1, o.
3. BUSINESS SIGNS
- a. The sign surface area of all business signs on a lot shall not exceed two hundred (200) square feet for the first fifty (50) feet of the lot's street frontage, plus an additional three (3) square feet in area for each lineal foot of street frontage over fifty (50) feet. In addition, in the case of a corner lot, twenty percent (20%) of the allowable sign surface area for one street frontage may be deducted and added to the other street frontage.
 - b. The maximum height of business sign structures shall not exceed forty (40) feet above grade level at the base of such sign structures except when qualifying under section 2.10, A, 1, o.
4. INCIDENTAL SIGNS
- a. The number of incidental signs shall be unlimited; provided, however, that the surface area of each sign shall not exceed one (1) square foot.
 - b. Incidental signs, except those accessory to parking and loading areas, shall be set back in accordance with the building setback lines required by the industrial zoning district for the lot.
 - c. Signs accessory to parking and loading areas, shall be subject to the following requirements:
 - (1) Directional signs for traffic, pedestrian or other control, or designating entrances or exits to or from a parking or loading area, shall not exceed nine (9) square feet in surface area per sign.

SIGN REGULATIONS

- (2) One sign, maximum surface area of sixteen (16) square feet, identifying a parking or loading area shall be permitted for each street frontage of such parking area. Said sign may include the name of the owner and/or name of the use for which it is provided.
 - (3) Signs accessory to parking or loading areas shall be set back a minimum of two (2) feet from any lot line unless attached flat to a building wall.
5. INTE-GRATED CENTERS AND INDUSTRIAL PARKS
 - a. Content: Such sign shall be limited to the name of the park or center, trade mark, product, activity, or service of each industry and directional guide to the location of each industrial unit in the integrated center or industrial park. It may be illuminated, but shall be neither flashing nor animated.
 - b. Area: The maximum surface area of such sign shall be one (1) square foot for each lineal foot of frontage of the lot, but not to exceed six hundred (600) square feet.
 - c. Height: The sign structure shall not project higher than forty (40) feet above grade level (at base of sign structure) except when qualifying under section 2.10, A, 1, o.

B. DEFINITIONS

1. SIGN SIGN: shall mean and include any outdoor announcement, declaration, device, demonstration or insignia used for direction, information, identification or to advertise or promote any business, product, activity, services or any interests.
2. ADVERTISING SIGN ADVERTISING SIGN: a sign which directs attention to any business, product, activity, or service; provided, however, that such sign shall not be related or make reference to the primary use, business, activity or service conducted on the premises.
3. BUSINESS SIGN BUSINESS SIGN: a sign which directs attention to a business, product, activity or service manufactured, sold or offered upon the premises as the primary use(s) where such sign is located.
4. INCIDENTAL SIGN INCIDENTAL SIGN: a name plate or sign relating to the lot or use thereof and designating accessory uses, direction, identification, information, or real estate for sale, rent, or lease.
5. SIGN SURFACE SIGN SURFACE: the entire area within a single, continuous perimeter inclosing all elements of the sign which form an integral part of the display.
6. FACING FACING: the surface of the sign upon, against or through which the message of the sign is exhibited.
7. SIGN STRUCTURE SIGN STRUCTURE: the supports, uprights, bracing and frame work for the sign. In the case of a sign structure consisting of two or more sides, where the angle formed between any of the sides (or the projection there-

of) exceeds fifteen (15) degrees, each side shall be considered a separate sign structure.

8. PROJECT- PROJECTING SIGN: a sign suspended from or supported by a building, PROJECTING SIGN structure, or column and projecting out therefrom more than eighteen (18) inches.

SECTION 2.11 SPECIAL EXCEPTIONS AND SPECIAL REGULATIONS

A. SPECIAL EXCEPTIONS

1. SPECIAL EXCEPTIONS-- The Metropolitan Board of Zoning Appeals of Marion County, Indiana, is hereby authorized to grant and permit SPECIAL EXCEPTIONS to the Industrial District's standard terms, regulations and requirements, as specified in this ordinance, and issue SPECIAL EXCEPTION PERMITS therefor.
- BY METROPOLITAN BOARD
- a. Such SPECIAL EXCEPTION and PERMIT shall be granted (following application filed with the Secretary of said Board by the landowner petitioner, notice to owners of adjoining parcels of land and public hearing by said Board--all in accordance with the Rules of Procedure of the Metropolitan Board of Zoning Appeals) ONLY UPON THE METROPOLITAN BOARD'S DETERMINATION THAT:
- (1) The grant will not be injurious to the public health, safety, convenience or general welfare.
 - (2) The grant will not injure or adversely affect the adjacent area or property values therein.
 - (3) The grant will be in harmony with the character of the district and land use authorized therein.
- b. The grant of such Special Exception and Permit shall be conditioned upon the following requirements:
- (1) The proposed use shall conform to all performance standards of the applicable Industrial District.
 - (2) The proposed use shall conform to all development standards of the applicable Industrial District, except as specifically modified by the grant of Special Exception and Permit.
 - (3) The proposed use shall conform to all other applicable requirements of this ordinance and all restrictions and conditions attached to the grant of Special Exception and Permit by said Board (in case of conflict, the more restrictive standards or requirements to control). All restrictions or conditions attached to the grant of any Special Exception and Permit by the Metropolitan Board of Zoning Appeals shall be limited by standards (1), (2), and (3) of paragraph a. above, and shall be imposed by said Board to ensure compliance with said standards.

SPECIAL EXCEPTIONS AND SPECIAL REGULATIONS

2. UNCLASSIFIED INDUSTRIAL USE AUTOMATICALLY CLASSIFIED I-4-S AND I-4-U; AND PERMITTED IN I-4-S AND I-4-U DISTRICTS BY SPECIAL EXCEPTION

Any use industrial in nature which is not classified as a permitted use in any Industrial District or which cannot comply with the required standards of any Industrial District shall be automatically classified as an I-4-S and I-4-U use, permitted in I-4-S and I-4-U Districts by Special Exception Permit only (granted by the Metropolitan Board of Zoning Appeals in accordance with section 2.11, A 1) and subject to any conditions and restrictions deemed necessary by the Metropolitan Board of Zoning Appeals to ensure compliance with the standards of section 2.11, A 1.

3. CLASSIFIED INDUSTRIAL USES-- MAY BE PERMITTED IN HIGHER INDUSTRIAL DISTRICTS BY SPECIAL EXCEPTION

Any industrial use specified as a permitted use in an I-3-S, I-4-S, I-3-U or I-4-U District may be permitted in any higher Industrial District by SPECIAL EXCEPTION PERMIT (granted by the Metropolitan Board of Zoning Appeals in accordance with Section 2.11, A 1) and subject to any additional conditions and restrictions deemed necessary by the Metropolitan Board of Zoning Appeals to ensure compliance with the standards of section 2.11, A 1, provided:

- a. The petitioner shall present adequate evidence that the proposed use will conform to all development and performance standards of such higher Industrial District.
- b. All development and use shall be in accordance with the requirements of the higher Industrial Zoning District and all conditions and restrictions attached to the grant of Special Exception Permit by said Board.

4. INDUSTRIAL PARKS--MAY BE PERMITTED IN ANY INDUSTRIAL DISTRICT BY SPECIAL EXCEPTION

An "Industrial Park" shall be defined as a planned Industrial subdivision comprising a single parcel of land of not less than twenty-five (25) acres, having not less than four hundred (400) feet of continuous frontage on a public street and developed according to a general overall plan to provide serviced sites for uses permitted in the applicable Industrial Zoning District--including manufacturing, processing, assembly plants, distribution, wholesalers, warehouses and/or related industrial uses and accessory facilities therefor; and commercial, professional and public and semi-public uses as provided for in Section 2.11, A 5.

An "Industrial Park," as so defined in this ordinance, shall be permitted in any Industrial District by SPECIAL EXCEPTION PERMIT (granted by the Metropolitan Board of Zoning Appeals in accordance with section 2.11, A 1) provided:

- a. All development standards and performance standards of the Industrial District shall be met, except as specifically modified by the grant of SPECIAL EXCEPTION PERMIT. (The specific exceptions requested shall be stated on the application for SPECIAL EXCEPTION PERMIT and indicated on the site plan for the proposed Industrial Park.)

SPECIAL EXCEPTIONS AND SPECIAL REGULATIONS

- b. The petitioner shall submit with the application for SPECIAL EXCEPTION PERMIT (filed with the Secretary of the Metropolitan Board of Zoning Appeals) a general site plan of the proposed Industrial Park. The site plan shall be a scaled drawing of the development plan of the Industrial Park, and shall have indicated (on the plan or in written reference) exceptions or deviations, as follows (from the standard regulations and requirements of the Industrial Zoning District or Districts comprising said Industrial Park).

EXCEPTIONS, which may be authorized by grant of Special Exception Permit for An Industrial Park shall include but not be limited to:

(1) FRONT SETBACK AND FRONTAGE ON PUBLIC STREET

Sites for uses within the Industrial Park may front upon and be serviced by private interior access roads, provided:

- a. Each such site shall have front yard and setback (from the interior access road) of adequate depth in relation to building height, width and area; and
- b. the Industrial Park shall have at least four hundred (400) feet of frontage on a public street and that a front yard and setback (in accordance with the Industrial Zoning District's standard requirements) shall be provided along all public streets abutting the periphery of the Industrial Park.

(2) SIDE YARD AND SETBACK

The total of the required side yards and setbacks may be provided entirely on one side or divided in any proportion between the two sides; provided, however, that the sides of any two buildings shall be separated by a minimum of twenty (20) feet unless abutting.

(3) DECELERATION LANE

No deceleration lane shall be required within the Industrial Park provided the streets or private interior access roads are of sufficient width and number of lanes that continuous movement of through traffic is not impeded.

- c. All development and use of the area included in the Industrial Park shall be in accordance with all requirements of the applicable Industrial Zoning Districts, as modified by the grant of Special Exception Permit, conditions thereof

SPECIAL EXCEPTIONS AND SPECIAL REGULATIONS

and site plan therefor (as approved and granted by the Metropolitan Board of Zoning Appeals in accordance with section 2.11, A 1). Such conditions and site plan shall be a part of and incorporated in the grant of SPECIAL EXCEPTION PERMIT by said Board.

- d. Said Industrial Park shall be so designed:
- (1) That all special treatment and handling of street patterns, and arrangement of grouping of buildings, off-street parking and loading, accessory uses, etc., shall result in a superior land development scheme which accomplishes the objectives and carries out the spirit of the applicable comprehensive plan and zoning ordinance;
 - (2) To create and maintain desirable, efficient and economical use of land with high aesthetic value, attractiveness and compatibility of land use;
 - (3) To permit reasonable deviation from standard zoning district requirements where necessary due to special size or shape of site(s) or character or condition of topography and terrain or other special conditions;
 - (4) To permit adequate private interior access roads to serve industrial sites and uses within such Industrial Park;
 - (5) To provide sufficient and adequate access, parking and loading areas for all uses and structures therein;
 - (6) To provide adequate traffic control and street plan integration with existing and planned streets;
 - (7) To provide adequate sanitation, drainage and public utilities servicing the Industrial Park; and
 - (8) To allocate adequate sites for all uses proposed-- the design, character, grade, location, and orientation thereof to be appropriate for the uses proposed, logically related to existing and proposed topographical and other conditions, and consistent with the Comprehensive Plan of Marion County, Indiana.

5. COMMERCIAL SALES AND SERVICES, PROFESSIONAL, PUBLIC, AND SEMI-PUBLIC USES--MAY BE PERMITTED IN ANY INDUSTRIAL DISTRICT BY SPECIAL EXCEPTION Commercial sales and services, offices, retail, wholesale, and discount establishments, professional and public or semi-public uses shall be permitted in any Industrial District by SPECIAL EXCEPTION PERMIT, (granted by the Metropolitan Board of Zoning Appeals in accordance with section 2.11, A 1) and subject to any additional conditions and restrictions deemed necessary by the Metropolitan Board of Zoning Appeals to ensure compliance with the standards of section 2.11, A 1.

provided:

- a. The proposed use is provided primarily for service to industrial uses within the Industrial District and to employees, guests and visitors to such industrial uses.
- b. The proposed use shall conform to all development and performance standards of the applicable Industrial District--except that adequate off-street parking shall be provided for such non-industrial use.
- c. The petitioner shall submit with the application for SPECIAL EXCEPTION PERMIT (filed with the Secretary of the Metropolitan Board of Zoning Appeals) a complete general layout and elevation set of building plans, a land use area map and site plan to scale. The site plan shall indicate:
 - (1) Primary building and accessory building(s).
 - (2) Off-street parking layouts.
 - (3) Vehicular entrances and exits and turn-off lanes.
 - (4) Setbacks.
 - (5) Landscaping, screens, walls, fences.
 - (6) Sewage disposal facilities.
 - (7) Storm drainage facilities.
 - (8) Other utilities if above ground facilities are needed.

6. STORAGE,
UTILIZATION,
MANUFACTURE
OF EXPLOSIVES--
MAY BE PERMITTED
IN ANY INDUSTRIAL
DISTRICT BY
SPECIAL EXCEPTION

The storage, utilization and/or manufacture of materials intended for detonation (explosives) shall be permitted in any Industrial District by SPECIAL EXCEPTION PERMIT only, (granted by the Metropolitan Board of Zoning Appeals in accordance with section 2.11, A 1), provided all development standards and performance standards of such District shall be met, and provided:

- a. The petitioner shall submit with the application for SPECIAL EXCEPTION PERMIT (filed with the Secretary of the Metropolitan Board of Zoning Appeals) a complete general layout and set of building elevation plans, a site plan and land use area map to scale (covering an area of 1,000 feet radius from the location of the proposed use).
- b. The petitioner shall present adequate evidence that the proposed storage, utilization and/or manufacture of explosive materials shall not endanger life or property outside any property line of the proposed use. Such evidence and petitioner's site plan shall show all measures taken to provide a safe development.
- c. In no case shall any lot line of such development be permitted within 500 feet of a residential or business district boundary.

SPECIAL EXCEPTIONS AND SPECIAL REGULATIONS

B. SPECIAL REGULATIONS

1. HELIPORTS--
(PERMITTED
IN ANY INDUS-
TRIAL DISTRICT)

Landing pads and stations for helicopters and vertical take-off aircraft shall be subject to the following special requirements:

DEVELOPMENT STANDARDS

- a. Minimum heliport size shall be two hundred (200) feet by four hundred (400) feet.
- b. No heliport shall be located within two hundred (200) feet of a residential district.
- c. A clear zone (which no structure shall penetrate) shall be provided. Such clear zone shall be described by a projected imaginary surface, the base of which encompasses the landing area, extends upward and outward at a slope equal to one (1) foot of vertical elevation to eight (8) feet of horizontal distance, and extends to a vertical projection of the heliport boundary.
- d. A clean landing surface shall be provided free of dust, loose gravel, and debris which may be blown about by the downwash of the helicopters' rotors.
- e. The landing area shall be well drained.
- f. If a roof top is used as a landing area, it shall be located on a building not more than four stories or fifty (50) feet high, and the same obstruction clearance as required under paragraph c. above shall apply.
- g. The minimum setbacks required by the zoning district in which the heliport is located shall apply to all structures and the landing area.
- h. A three (3) feet chain link fence or other suitable barrier shall be erected at least seventy-five (75) feet from all landing surfaces.

2. RADIO
FACSIMILE,
AND TELE-
VISION TOWERS--
(PERMITTED IN
I-2-S, I-3-S,
I-4-S, I-2-U,
I-3-U and I-4-U
DISTRICTS)

Towers and antennas for the transmitting or receiving of electromagnetic emissions shall be subject to the following special requirements:

- a. There shall be no height limitation, except conformity with all requirements and limitations of the Airport District Ordinance of Marion County, Indiana.
- b. Setbacks from lot lines shall conform to the applicable requirements, regular and transitional, of the Industrial Zoning District, and

- (1) No part of the tower or antenna shall be located in any required front, side or rear yard.
- (2) Any guy anchorages shall be set back at least thirty (30) feet from any lot line.

3. MOTOR TRUCK
TERMINALS--
(PERMITTED
IN I-4-S AND
I-4-U DISTRICTS)

Motor truck terminals shall be subject to the regulations of the applicable I-3 or I-4 District, except that:

The parking of trucks and/or trailers shall not be defined or construed as outside storage in computing permitted outside storage and operations within said districts.

4. MODIFIED SETBACK
PROVISIONS--I-1-U,
I-2-U, I-3-U AND
I-4-U DISTRICTS

a. New Construction

In any block in any I-1-U, I-2-U, I-3-U or I-4-U District, in which an existing front setback is established (by existing legally established industrial buildings) for more than twenty-five percent (25%) of the frontage of the block (or distance of four hundred (400) feet, whichever is lesser), the required setback for any new building shall be the average of such established setback and the required setback of the Industrial District.

b. Expansion

The required setback in an I-1-U, I-2-U, I-3-U or I-4-U District, for any existing industrial building, (having a legally established front setback which is less than the required setback of the District) shall be modified to permit expansion of such building along its existing established front setback line--provided the lineal front footage of expansion does not exceed fifty percent (50%) of the lineal front footage of the original building.

CHAPTER III

SECTION 3.00 SEVERABILITY

If any section, subsection, paragraph, subparagraph, clause, phrase, work, provision or portion of this ordinance shall be held to be unconstitutional or invalid by any court of competent jurisdiction, such holding or decision shall not affect or impair the validity of this ordinance as a whole or any part thereof, other than the section, subsection, paragraph, subparagraph, clause, phrase, work, provision or portion so held to be unconstitutional or invalid.

NOW BE IT FURTHER ORDAINED that the same shall be in full force and effect from and after this date.

Edwin J. Koch

James A. Buck

H. Norris Cottingham

Ronald E. Bingman

William A. Brown

Harry E. Foxworthy

THE MARION COUNTY COUNCIL
OF
MARION COUNTY, INDIANA

DATED November 7, 1963

ATTEST: John T. Sutton
AUDITOR OF MARION COUNTY,
INDIANA