

CITY-COUNTY GENERAL ORDINANCE NO. 157, 1975

METROPOLITAN DEVELOPMENT COMMISSION
DOCKET NO. 74-AO-3

AMENDMENT TO D-11 DWELLING DISTRICT REGULATIONS

OF

DWELLING DISTRICT ZONING ORDINANCE

OF MARION COUNTY, INDIANA

(ORDINANCE 66-AO-2, AS AMENDED)

METROPOLITAN DEVELOPMENT COMMISSION

1975

Legal draft -- 11/5/75

CITY-COUNTY GENERAL ORDINANCE NO. 157, 1975

METROPOLITAN DEVELOPMENT COMMISSION
DOCKET NO. 74-AO-3

AN ORDINANCE to amend Marion County Council Ordinance No. 8-1957, as amended, the Zoning Ordinance for Marion County, Indiana, and fixing a time when the same shall take effect.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY-COUNTY COUNCIL
OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

Section 1. That Marion County Council Ordinance No. 8-1957 adopted by the Marion County Council on March 28, 1957, and the Dwelling Districts Zoning Ordinance of Marion County, Indiana (Ordinance 66-AO-2), adopted as an amendment thereto, as amended, pursuant to Chapter 283 of the Indiana Acts of 1955, as amended, and Chapter 173 of the Indiana Acts of 1969, be amended as follows:

That section 2.12 of said Dwelling Districts Zoning Ordinance of Marion County, Indiana (Ordinance 66-AO-2) be amended to read as follows:

SECTION 2.12 D-11 DWELLING DISTRICT ELEVEN REGULATIONS

A. Permitted D-11 Uses

The following uses shall be permitted in the D-11 DISTRICT. All uses in the D-11 DISTRICT shall conform to the D-11 Development Standards (section 2.12,B) and the Dwelling District Regulations of section 2.00.

1. MOBILE DWELLING PROJECTS, subject to all development standards of section 2.12, B, including the fifteen (15) acre minimum project area requirement of section 2.12, B1.

Each permitted mobile dwelling within a mobile dwelling project shall be limited to one-family use and occupancy.

2. TEMPORARY USES, as regulated in section 2.14.
3. ACCESSORY USES, subject to the Accessory Use requirements of section 2.15, B:
 - a. MANAGER'S OFFICE AND APARTMENT; PROJECT MAINTENANCE EQUIPMENT STORAGE FACILITY.
 - b. COMMON RECREATION AND SERVICE BUILDINGS AND AREAS, including laundry facilities.
 - c. OPEN STORAGE AREA.
 - d. ACCESSORY PARKING AREAS.
 - e. SIGNS, subject to the regulations of Ordinance 71-A0-4 Sign Regulations of Marion County.
 - f. CARPORTS, CANOPIES, COVERED PATIOS, STORAGE ROOMS, PORCHES, AWNINGS, SWINGS and other play structures or equipment, provided the height thereof shall not exceed ten (10) feet measured from the finished mobile dwelling lot grade, and that floors of carports, patios, storage rooms and porches shall be of concrete or other permanent hard surface material.
 - g. Wholesale and retail sales of mobile dwellings conducted as a business by dealers or mobile dwelling project owners/operators shall be prohibited in the D-11 District. Except, however, a mobile dwelling project owner/operator may display not more than six (6) "model" mobile dwelling units on lots in the interior of the project, provided such model units shall not be displayed for sale or removal outside the project; and further provided that no signs relative to the "model" units shall be installed so as to be

visible to the public outside the project. A model home sign, as regulated in section 14.04-3(2)vi. of Ordinance 71-A0-4 Sign Regulations of Marion County, shall be permitted for each "model" mobile dwelling. Provided further, however, nothing contained herein shall restrict the right of any individual owner of any mobile dwelling unit to sell or lease such unit.

B. D-11 Development Standards

1. **MINIMUM PROJECT AREA** A minimum contiguous project area of fifteen (15) acres shall be required.
2. **MAXIMUM PROJECT DENSITY** Project density shall not exceed seven (7) mobile dwelling units per gross project acre.

(Each double-wide mobile dwelling accommodated in the project shall be considered the equivalent of one single-wide mobile dwelling unit for purposes of project density).
3. **MINIMUM PROJECT FRONTAGE** Each project shall have at least one hundred fifty (150) feet of frontage on a public street and shall gain access from said street.
4. **MINIMUM YARDS**
 - a. Minimum front yards where the project abuts public perimeter streets shall be a minimum of sixty (60) feet from the street right-of-way line, or from the proposed right-of-way line of any thoroughfare which is to be widened under the Official Thoroughfare Plan.
 - b. Minimum side and rear yards of at least fifty (50) feet in depth shall be provided wherever the project abuts adjoining perimeter property.
 - c. Minimum interior yards within the project (in addition to the requirements of a. and b. above) shall be provided for all mobile dwellings in accordance with the following standards:
 - (1) A minimum required setback of ten (10) feet from the curb of any interior street or roadway within the project.
 - (2) A minimum required yard of fifty (50) feet between any recreational or other project common building and any mobile dwelling within the project.
 - (3) A minimum distance of twenty five (25) feet between mobile dwellings at their closest points to each other. Except, however, that any mobile dwelling accessory structure, open on at least two (2) sides, may project into such required interior yard provided the distance between such accessory structure and any other mobile dwelling, or between such accessory structures of two mobile dwellings, shall be at least fifteen (15) feet.

5. *MINIMUM
RECREATIONAL
AND OPEN
SPACE AREAS*

Developed recreational and common open space areas equal to, at a minimum, eight (8) percent of the total area of the mobile dwelling project shall be required.

- a. Developed recreational areas may include, but shall not be limited to, such facilities as playgrounds, tot lots, swimming pools, shuffleboard courts and common recreational buildings. An imaginative approach to the provision and design of such areas is encouraged. Project recreational needs will depend upon such factors as project site, size and the anticipated age characteristics of the residents. These areas shall be appropriately located within the project with respect to the residents they are designed to serve and with regard to adjacent land uses.*
- b. Common open space areas are those areas within the project set aside for the common use of all project residents. The general design of these areas should demonstrate an awareness of their intended use for passive enjoyment. Utilization of common open space areas may be enhanced by improvements such as walkways, meandering trails, benches, flowers, shrubs and tree plantings, while still maintaining their natural open character.*
- c. Common open storage areas developed as required in section 2.12, B8, a. may be included in the open space computation, not exceeding twenty-five (25) percent thereof.*

In addition, other items such as drainage swales may be included as open space if, through proper design, they add favorably to the open space inventory and site development of the project and do not present a health or safety hazard to project residents.

Minimum required yards shall be excluded from the computation of developed recreational and common open space area requirements.

- d. Off-street pedestrian ways and/or bike paths shall be constructed where necessary to provide safe access to recreational and other service areas. Such off-street pathways should be at least three (3) feet wide and paved with an all-weather hard-surfaced material.*

6. MINIMUM
PARKING
AREA

- a. A minimum of two (2) paved off-street parking spaces shall be required for each mobile dwelling.
- b. One (1) parking space for each one hundred eighty (180) square feet or fraction thereof of gross floor area shall be required for the manager's office (not including storage space), and one (1) parking space for each three hundred (300) square feet or fraction thereof of gross floor area shall be required for any common recreation buildings located within the mobile dwelling project.
- c. Off-street parking facilities shall be provided and maintained in accordance with section 2.17, E(2), b.
- d. Off-street parking areas shall not be permitted in any required yard abutting a perimeter public street.

7. SCREENING,
LANDSCAPING,
LIGHTING AND
GROUNDS
MAINTENANCE

a. SCREENING:

- (1) Front yards. An ornamental, decorative fence or masonry wall, not more than two and one-half (2-1/2) feet in height if solid, or six (6) feet if open, may be used in conjunction with the required landscaping.
- (2) Side and rear yards. An ornamental, decorative fence or masonry wall may be used in conjunction with the required landscaping.

Provided, however, if any portion of a side or rear yard abutting a residential or agricultural District is used for a driveway or off-street parking area, there shall be provided and maintained along the entire length of such lot line to the front setback line, a wall or fence of ornamental block, brick, solid wood fencing, or combination thereof. Said wall or fence shall be at least six (6) feet in height and shall be so constructed to such height to restrict any view therethrough.

- b. LANDSCAPING: Landscaping of all required perimeter yards shall consist of trees, shrubs, evergreens, grasses or ground cover materials, planted or transplanted and maintained, or preserved as existing natural vegetation areas (woods, thickets and/or meadows).

There shall be one tree planted at a maximum of every twenty-five (25) feet on center of linear distance along all perimeter yard property lines. Trees may be planted in groups as close as twelve (12) feet on center. Trees shall be deciduous and/or evergreen with a spreading branch habit. A group of shrubs may be substituted for a tree upon approval by the Administrator of the Division of Planning and Zoning and shall be planted five (5) feet or less on center.

All trees shall be underplanted with creeping red fescue and/or bluegrass sod or seed, *Euonymus Coloratus fortunei*, *Vinca minor*, English ivy or the equivalent thereof. Groups of prostrate deciduous or evergreen shrubs may be used as ground cover upon approval by the Administrator of the Division of Planning and Zoning.

The size of all required landscape plant materials planted on the site shall be as follows:

- (1) Deciduous trees - two and one-half to three (2 1/2-3) inch caliper or larger at one (1) foot above the ground.
- (2) Evergreen trees - five (5) feet in height or larger.
- (3) Deciduous shrubs - four to five (4-5) feet in height.
- (4) Evergreen shrubs - thirty to thirty-six (30-36) inches spread or larger.

Deciduous shrubs used for hedges shall be planted an average of forty-two (42) inches or less on center. Evergreen trees and shrubs used for hedges shall be planted an average of twenty-four (24) inches on center.

All trees, shrubs and evergreens shall be planted or transplanted with a ball of earth.

The removal from a minimum required front, side or rear yard of any existing deciduous tree over two and one-half (2 1/2) inch caliper or shrub or evergreen tree over five (5) feet in height, must first be approved by the Administrator of the Division of Planning and Zoning.

All existing trees larger than ten (10) inch caliper at one foot above the ground which are to be preserved shall be maintained without injury and with sufficient area for the root system to breathe. Care, such as providing temporary protective fencing, shall be taken to prevent alteration, compaction or increased depth of the soil in the root system area during and after construction. Construction shall not be any closer than the dripline (branch tips) of a tree unless approved by the Administrator of the Division of Planning and Zoning.

The Administrator of the Division of Planning and Zoning, upon request by the applicant and upon receiving a suitable alternative plan, shall have the power to modify or waive any landscape requirements deemed by the Administrator to be unfeasible or unreasonably burdensome. Such modification or waiver shall be in writing and shall become a part of the file for the Improvement Location Permit.

c. *LIGHTING: All access entrances, interior streets and intersections, dead ends, apices of curves, open storage areas, walks and passive and active recreation areas shall be provided with lighting devices to adequately illuminate these areas. The lighting devices shall be so located, shielded and directed that they do not glare onto or interfere with internal or external street traffic or property uses. Recommended illumination levels are:*

- . Access Entrances - 1.0 footcandle*
- . Interior streets and open storage - 0.4 footcandle*
- . Walkways and passive recreation areas - 0.2 footcandle*
- . Active recreation areas - 10.0 footcandles*

Lighting devices may be mounted at heights beginning at (or slightly below) ground level to forty-two (42) inches above ground or from 10 (10) to thirty (30) feet above ground. Spacing of all lighting devices shall be determined by the height above ground level and maximum footcandles of each device in conjunction with their capacity to adequately illuminate the required area. Maximum spacing distance, at thirty (30) feet maximum height, shall be one hundred fifty (150) feet. All lighting for private streets and roadways shall require the approval of the Administrator of the Division of Planning and Zoning.

d. *GROUNDS MAINTENANCE: The project management shall:*

- (1) maintain the entire site in a safe, neat and clean condition, free from litter, trash, debris and junk;*
- (2) maintain all sidewalks, pedestrian ways, interior streets and roadways, and parking facilities in good repair and reasonably free of dirt, water, ice and snow;*
- (3) maintain the landscaping by keeping lawns mowed and all plants properly pruned or replaced when needed, except in natural vegetation areas; and*
- (4) provide sanitary refuse disposal facilities as required by Regulation HSE 21 of the Indiana State Board of Health.*

8. STORAGE
AREAS

- a. An open storage area shall be provided within the project boundaries for the purpose of storing travel trailers, campers, boats and other recreational vehicles owned by project residents. Such open storage areas shall not be directly visible from any perimeter boundary of the project and shall be enclosed with a six (6) foot, or higher, decorative screen, wall or fence. Travel trailers, campers, boats and other recreational vehicles shall be permitted to be stored only in such storage areas, whether temporarily or permanently.

- b. In order to provide adequate storage facilities on or conveniently near each mobile dwelling site for the storage of outdoor equipment, furniture and tools, and other materials used only seasonally or infrequently, or incapable of convenient storage within the mobile dwellings, a minimum of one-hundred-fifty (150) cubic feet for general storage space per mobile dwelling unit shall be provided on the mobile dwelling lot, or in compounds located within reasonable distance thereof, generally not more than one hundred (100) feet from each mobile dwelling. Each such storage facility shall be constructed and located in conformity with the approved SITE PLAN required by section 2.12, B14. Provided, however, all or a portion of such storage space for any fully skirted mobile dwelling unit may be provided under such unit, in lieu of separate storage facilities.

9. PATIOS
AND
STANDS

All mobile dwelling lots shall be improved as follows.

- a. A hard surfaced walkway or patio connecting the mobile dwelling with its off-street parking area shall be provided.
- b. Concrete runners, concrete pillars or a paved stand shall be provided to accommodate each mobile dwelling. An anchoring system shall be provided as required by Regulation HSE 21 of the Indiana State Board of Health.

Stand shall be defined as the area reserved for the placement of a mobile dwelling, appurtenant structure and any additions thereto, including necessary electrical, plumbing and other utility installations.

10. SKIRTING

Mobile dwellings shall have skirting or other design attachments installed by the mobile dwelling owner which shall harmonize with the architectural style of the mobile dwelling.

Skirting shall be defined as an insulation attachment placed around the base of a mobile dwelling unit that also serves as a sight barrier screening the mobile dwelling's undercarriage.

11. UTILITIES

- a. All electric, telephone and cablevision utilities shall comply with Underground Utility Line Regulations Ordinance 72-A0-5.
- b. Individual radio and television antennas, not exceeding four feet in height, shall be permitted; or a central system utilizing underground wiring to individual mobile dwellings and accessory buildings may be installed.

12. MAXIMUM
HEIGHT

All structures and buildings: twenty-five (25) feet.

13. STREETS

- a. Public streets and private interior access roads or driveways shall be provided in accordance with section 2.17.
- b. Private interior access roads and driveways (in addition to the requirement of a. above) shall be constructed with curbs and gutters and shall have a minimum width, including curbs and gutters, of:
 - . One-way, no parking - twelve (12) feet
 - . One-way, parking on one side only - twenty (20) feet
 - . Two-way, no parking - twenty (20) feet
 - . Two-way, parking on one side only - twenty-seven (27) feet
 - . Two-way, parking on both sides - thirty-six (36) feet

14. PROJECT
AND
SITE
PLAN
REQUIREMENTS

In order that a D-11 zoning petition can be evaluated, the petitioner shall file with the rezoning petition a project FEASIBILITY STUDY, ORIENTATION MAP and TOPOGRAPHIC MAP (as specified in paragraphs a., b. and c. below).

A SITE PLAN and LANDSCAPE PLAN (as specified in paragraphs d. and e. below) shall be filed with the Division of Planning and Zoning of the Department of Metropolitan Development and approved by the Administrator thereof prior to the issuance of an Improvement Location Permit.

- a. The FEASIBILITY STUDY shall include an analysis of the demand for a project in the proposed location, the facilities to be included in the project, and the project's relationship to and impact upon schools, recreational areas, jobs, transportation and other public facilities.
- b. The ORIENTATION MAP shall include a legal description and delineate the boundaries of the project site; and shall show the location of all the features listed below existing within one (1) mile of the project site.
 - . public schools
 - . thoroughfares
 - . railroads
 - . fire protection services
 - . public transportation
 - . major shopping areas
 - . public recreational facilities
 - . other important features which may affect the planned project

c. The TOPOGRAPHIC MAP shall be current, dated, prepared and signed by a registered land surveyor or civil engineer and shall clearly show the following:

- . contours having an interval of:
 - two (2) foot intervals where slopes are five (5) percent or less, and
 - five (5) foot intervals where slopes exceed five (5) percent
- . all existing buildings and other structures or improvements such as walls, fence lines, culverts, bridges, roadways, etc., with spot elevations indicated
- . location and spot elevations of rock outcrops, high points, water courses, depressions, ponds, and marsh areas, with any previous flood elevations as may be determined by survey
- . boundaries of any floodway or flood plain zones or areas subject to periodic inundation
- . size, variety, caliper and accurate location of all trees over two and one-half (2 1/2) inch caliper, except within natural vegetation areas (woods, thickets and/or meadows) that will not be developed, but will be left and maintained as natural areas
- . boundary lines of property and corner monuments
- . soil types - careful attention must be given in the location and construction of mobile dwelling projects to the ability of the soil to support the development
- . location of any test pits or borings if required to determine subsoil conditions
- . all easements, rights-of-way and other restrictions

d. The SITE PLAN shall indicate:

- . existing and proposed streets, interior access roads, sidewalks and pedestrian ways
- . all paving materials
- . ingress to and egress from the project site to/from public streets
- . minimum required yards
- . location of all parking, recreational and storage areas
- . individual mobile dwelling lots or spaces
- . location of mobile dwelling foundation stands
- . mobile dwelling project facilities such as office, laundry, storage and recreation structures
- . location, height and type of screens, walls and fences
- . all adjacent properties
 - (1) lot lines
 - (2) existing land use and zoning classification
 - (3) approximate location of all structures within one hundred (100) feet of the project's property lines
- . a legend which shall include a listing of the overall acreage; gross and net density of lots, spaces or units; percentage and area of open spaces by types, number of spaces, coverage by project buildings or structures; parking spaces required and provided, and estimated total population profile.

e. The LANDSCAPE PLAN shall:

- . be drawn on a copy of the SITE PLAN (or a simplified scale drawing thereof) showing exact location, outlines and dimensions of all buildings, mobile dwelling foundation stands, patios, sidewalks and pedestrian ways, streets, refuse collection and storage, project access and interior access roads, individual and project storage, permanent lighting fixtures, signage, benches, screens, walls, fences, natural vegetation areas, open space, recreational areas, buffer yards, adjacent property uses and physical features, and all underground lines with depths indicated at intervals where lines change direction or where terminals or connections are provided.
- . show dimensioned detailed elevation or section drawings of any patios, sidewalks, streets, interior access roads, refuse facilities, individual project and storage areas, benches, walls, fences, permanent lighting fixtures and signage (indicating sign content).
- . show all existing elevations and proposed land contour lines having an interval of:
 - (1) two (2) foot intervals where slopes are five (5) percent or less, and
 - (2) five (5) foot intervals where slopes exceed five (5) percent.
- . show location and nature of existing and proposed drainage systems and their flow.
- . show exact location of existing trees of over two and one-half (2 1/2) inch caliper one (1) foot above the ground and all flowering trees, shrubs and evergreens; all being accurately labeled in the drawing as existing (to remain), existing to be removed or to be transplanted and as to kind and size. Exception: those trees and shrubs located in natural vegetation areas (woods, thickets and/or meadows) that will not be developed, but will be left and maintained as a natural untouched area.
- . show all proposed plantings and transplantings with plants and plant groups labeled in the drawing as to quantity, kind, shape, size, spacing (on centers), and purpose (visual and/or noise abatement screen, hedge, specimen or ground cover).

15. EXISTING
NONCONFORMING
PROJECTS;
CONFORMITY
WITH CERTAIN
STANDARDS
REQUIRED;
PLAN APPROVAL

a. All nonconforming mobile dwelling projects on the effective date of this ordinance:

(1) Shall conform to the development standards and requirements of section 2.12, B7, d. (GROUNDS MAINTENANCE) and section 2.12, B10 (MOBILE DWELLING SKIRTING ATTACHMENTS) of this ordinance on or before January 1, 1977, or the use thereof shall be terminated after such date; and

(2) Shall conform to the development standards and requirements of sections 2.12, B7, a. (SCREENING), 2.12, B7, b. (LANDSCAPING) and 2.12, B7, c. (LIGHTING) of this ordinance on or before January 1, 1981, or the use thereof shall be terminated after such date.

b. A plan for each such nonconforming project shall be filed with the Division of Planning and Zoning of the Department of Metropolitan Development and approved by the Administrator thereof in accordance with the following schedule. Within 90 days after the effective date of this ordinance, a plan shall be filed setting forth a legal perimeter description, the number of mobile home stands, location of streets, light poles, and the existing nature of perimeter landscaping or visual screening. Within 3 years after the effective date of this ordinance, a plan for compliance or a statement of existing compliance shall be filed setting forth the proposed or existing manner of compliance with section 15. a. (2) of this ordinance. The project's required development in conformity with provisions of this ordinance specified in paragraph a. above shall be in accordance with such approved plan.

As a part of such plan approval, the Administrator of the Division of Planning and Zoning shall have power to modify or waive any screening or landscape requirements deemed by the Administrator to be unnecessary, unfeasible or unreasonably burdensome.

c. In all subsections of this section where the Administrator of the Division of Planning and Zoning of the Department of Metropolitan Development is given the authority of discretionary approval of plans and specifications, or the method or manner of qualification, or any other similar authority, any party of interest shall have the right to bring such action by the Administrator before the Metropolitan Development Commission for its review and approval or disapproval.

That section 2.15, A of said Dwelling Districts Zoning Ordinance of Marion County, Indiana (Ordinance 66-A0-2) be amended to read as follows:

A. PERMITTED ACCESSORY USES

The following Accessory Uses shall be permitted in all Dwelling Districts except the D-11 Dwelling District, subject to the Accessory Use Requirements of section 2.15, B and the Dwelling District Regulations of section 2.00:

1. Accessory garages; carports; canopies; patios; outdoor fireplaces; porte-cocheres; bathhouses; cabanas; children's play houses; swings and other play structures or equipment; greenhouses and other accessory buildings or structures.
2. Off-street motor vehicle parking areas, as regulated in section 2.17, E.
3. Signs, as regulated in section 2.18.
4. Private swimming pools, as regulated in section 2.15, B3.
5. Amateur radio sending and receiving antennae, provided the height thereof (including masts) shall not exceed seventy five (75) feet measured from finished lot grade.
6. Management office in multiple-family districts and other facilities normally associated with tenants' convenience, such as vending machines and washing machines, provided, however, there is no exterior display.
7. Fallout shelters (either contained in other permitted structures or constructed separately), as regulated in section 2.15, B4.
8. Residential occupancy of no more than two nontransient guests; provided that at least one off-street parking space shall be provided for each guest bedroom, that no sign shall be displayed and no separate culinary facilities are maintained in connection with such accessory use.
9. Residential Occupancy by domestic employees employed on the premises.
10. Foster family care where children unrelated to the residents by blood or adoption are cared for; provided that no sign shall be displayed.
11. Day care of preschool children unrelated to the residents by blood or adoption when no more than five such children are cared for; provided, that at least one additional off-street parking space shall be provided, and that no sign shall be displayed.

That section 2.15, B3 of said Dwelling Districts Zoning Ordinance of Marion County, Indiana (Ordinance 66-A0-2) be amended to read as follows:

3. ADDITIONAL
REQUIREMENTS
FOR ACCESSORY
PRIVATE SWIM-
MING POOLS

The following additional requirements shall apply to accessory private swimming pools:

- a. A swimming pool shall not be located closer to any front, side or rear lot line than the required minimum front, side and rear yard distances of the Dwelling District.
- b. The pool area shall be enclosed by a substantial protective barrier, which shall be adequate to prevent persons, children or animals from danger or harm, and shall be equipped with a self-closing, self-latching back gate. Such protective barrier shall be chain-link or ornamental fence, solid fence or wall, and shall be not less than five (5) feet in height.
- c. A buffer screen shall be provided and maintained between the pool and the lot lines.
- d. No pool shall be erected or constructed until an Improvement Location Permit has been obtained therefor.

That section 2.15, B4 of said Dwelling Districts Zoning Ordinance of Marion County, Indiana (Ordinance 66-A0-2) be amended to read as follows:

4. ADDITIONAL
REQUIREMENTS
FOR ACCESSORY
FALLOUT
SHELTERS

The following additional requirements shall apply to accessory Fallout Shelters:

- a. A fallout shelter shall not be located closer to any front, side or rear lot line than the required minimum front, side and rear yard distances of the Dwelling District. Except, however, subject to the following requirements, any underground shelter, or portion thereof, may be located within said minimum required yards, but not closer than three (3) feet to any lot line:
 - (1) Such shelter or portion thereof shall be totally below ground level, with no appurtenances, air circulation equipment, vent pipes or other accessory equipment, or part thereof, projecting above ground level within said minimum required yards.
 - (2) No shelter entrance shall be located within said minimum required yards.
- b. No fallout shelter shall be erected or constructed until an Improvement Location Permit has been obtained therefor.

That section 2.17, A4, c of said Dwelling Districts Zoning Ordinance of Marion County, Indiana (Ordinance 66-AO-2) be amended to read as follows:

c. as required by sections:

D-6 District:	2.07, B 3, b and a
D-6 II District:	2.075, B 3, b and d.
D-7 District:	2.08, B 3, b and d.
D-8 District:	2.09, B 3, b, c and e.
D-9 District:	2.10, B 3, b and d.
D-10 District:	2.11, B 3, b and d.
D-11 District:	2.12, B 4, b
D-12 District:	2.13, B 3, b (2) and (4).

That section 2.17, B of said Dwelling Districts Zoning Ordinance of Marion County, Indiana (Ordinance 66-AO-2) be amended to read as follows:

B. ATTACHED MULTI-FAMILY DWELLINGS, SINGLE-FAMILY CLUSTER DWELLINGS AND MOBILE DWELLING PROJECTS - SITE PLAN REQUIREMENT PRIOR TO IMPROVEMENT LOCATION PERMIT ISSUANCE

Prior to Improvement Location Permit issuance for any structure within an attached multi-family dwelling, single-family cluster dwelling or mobile dwelling project, two copies of the site plan for the entire project shall be filed with the Division of Planning and Zoning of the Department of Metropolitan Development.

That section 2.17, D of said Dwelling Districts Zoning Ordinance of Marion County, Indiana (Ordinance 66-AO-2) be amended to read as follows:

D. REQUIREMENTS FOR PRIVATE INTERIOR ACCESS ROADS OR DRIVEWAYS - ATTACHED MULTI-FAMILY DWELLINGS, SINGLE-FAMILY CLUSTER DWELLINGS AND MOBILE DWELLING PROJECTS

1. All interior access roads (within a multiple dwelling project) and driveways shall be paved with concrete or improved with a compacted aggregate base, and surfaced with an asphaltic pavement, to adequately provide a durable and dust-free surface.
2. Interior access roads and driveways shall be privately maintained (not by governmental agencies) in good condition and free of weeds, dirt, trash and debris.
3. Where interior access roads or driveways intersect with public streets, a turning radius of not less than 10 feet shall be provided.
4. No fence, wall, hedge, tree, shrub or other sight obstruction shall be located within the turning radius described in 3 above to materially impede the view of any street, highway or railroad intersection with an interior access road or driveway.
5. Interior access roads and driveways shall be designed with sufficient width to provide at all times for the passage of emergency vehicles.
6. Interior access roads or driveways shall be located a minimum distance of twenty-five (25) feet from the nearest point of intersecting street right-of-way lines. Such locations shall further conform to all requirements of traffic engineering departments having jurisdiction thereof.

That section 2.17, E1 of said Dwelling Districts Zoning Ordinance of Marion County, Indiana (Ordinance 66-AO-2) be amended to read as follows:

1. Number of Spaces Required
 - a. For every one-family dwelling or two-family dwelling in the D-S, D-1, D-2, D-3, D-4, D-5 and D-12 Dwelling Districts, there shall be provided at least two off-street parking spaces.
 - b. For every attached multi-family dwelling, detached single-family cluster dwelling and urban dwelling in the D-6, D-6II, D-7, D-8, D-9, D-10 and D-12 Dwelling Districts, off-street parking spaces shall be provided in accordance with the Development Amenities of each district.
 - c. For every mobile dwelling project in the D-11 Dwelling Districts, off-street parking spaces shall be provided in accordance with the requirements of section 2.12, B6.

Section 2. That an emergency exists for the passage of this ordinance and the same shall be in full force and effect from and after its passage.

CITY-COUNTY COUNCIL OF INDIANAPOLIS
AND OF MARION COUNTY, INDIANA

Beurt SerVaas

President (or Presiding Officer)

Date December 1, 1975

Attest: Jean A. Wyttenbach
(Clerk)