Metropolitan Plan Commission
Docket No. 59-AO-5

O R D I N A N C E

BE IT ORDAINED by The Marion County Council of Marion County, Indiana, that Marion County Council Ordinance No. 8-1957, and the Marion County Master Plan Permanent Zoning Ordinance, said Marion County Master Plan Permanent Zoning Ordinance being one of the zoning ordinances adopted as Ordinance No. 8-1957, 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, be amended in the following particulars:

That a new Special Use District (42) be added to Section 1.001 of Chapter XI of said Marion County Master Plan Permanent Zoning Ordinance, which shall read as follows:

(42) Gas conditioning and control facilities, including odorizing, mixing, metering and high pressure regulating sub-stations.

The following standards shall be applicable to all uses permitted under such Special Use District (42), and where the work "lot" is used in the following twenty paragraphs it shall be deemed to include, but not be limited to, any area of land designated as a lot on a platted subdivision or described on a duly recorded deed or area or parcel of land or site:

(1) No use shall cause earth vibrations or concussions which are detectable beyond the lot lines without the aid of instruments.

(2) No use shall emit smoke of a density equal to or greater than No. 2 according to the Ringelmann Scale, as now published and used by the United States Bureau of Mines, which Scale is on file in the office of the Metropolitan Planning Department of Marion County, Indiana, and is hereby incorporated by reference and made a part hereof.

(3) No use shall cause dust, dirt or fly-ash of any kind to escape beyond the lot lines in a manner detrimental to or endangering the public health, safety or welfare or causing injury to property or business.

(4) No use shall discharge across the lot lines noxious, toxic or corrosive matter, fumes or gases in such concentration as to be detrimental to or endanger the public health, safety or welfare or cause injury to property or business.

(5) No use shall emit across the lot lines odorous matter in such quantities as to be readily detectable at any point along the lot lines or as to be detrimental to or endanger the public health, safety or welfare or cause injury to property or business.

(6) No use shall produce sound in such a manner as to endanger the public health, safety or welfare or cause injury to property or business. Sound shall be muffled so as not to become detrimental due to intermittance, beat frequency, shrillness or vibration.

(7) No use shall produce intense heat or glare creating a hazard or perceptible from any point along the lot lines.

(8) 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 manufacture shall not produce a hazard or endanger the public health, safety and welfare.

(9) 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 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 or business.

(10) All uses shall conform to the Atomic Energy Commission's standards for protection against radiation, 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.

(11) All uses shall conform to the Federal Communications Commission's standards governing electromagnetic radiation, 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.

(12) No building or structure for uses permitted under such Special Use District (42) shall be constructed and no premises shall be used for such purposes on any lot which does not have direct frontage on one permanently surfaced public street or highway.

(13) All uses permitted under such Special Use District (42) shall provide off-street parking areas with hard usable surface, including as a minimum requirement one space (containing 330 square feet in addition to the necessary ingress and egress lanes) for each two employees, computed on the basis of the greatest number of persons employed at any one period during the day or night. Such parking areas must not extend within 20 feet of any lot boundary except where said lot boundary abuts a railroad line.

Such parking areas shall not be leased or rented for hire, but shall be for the sole use of the occupants and visitors of the premises.

(14) The total of the gross floor area of all structures on the lot, excluding the gross floor area of off-street parking building space, shall not exceed one-half the area of the lot on which the structures are located.

(15) A front yard shall be required along every front lot line. A front yard shall be not less than the established set-back for abutting land; provided, however, in the event such established set-backs of abutting land shall not be of equal depth, the front yard shall be not less than the depth of the greater, and in the event the abutting land is in an Industrial or Business District the front yard shall be not less than 60 feet in depth. Provided further that in the event said lot adjoins a Residential or Agricultural District, the fence and hedge referred to in paragraph (20) hereof shall not be located closer to any street right of way than the established set-back line of said Residential or Agricultural District, said fence to be not less than 15 additional feet from the outside of the building or structure as provided in said paragraph (20) hereof. Except for necessary walks, drives and parking areas not exceeding 10% of the front yard area, a front yard shall be planted in grass or other suitable ground cover.

(16) A side yard shall be provided along each side lot line. A side yard shall be at least 50 feet in depth (except where it abuts a mainline railroad) plus one foot for each foot of height by which the building or structure exceeds 20 feet.

On a corner lot, the side yard adjacent to a street shall be subject to the standards applicable to front yards, except that such side yard may be used for off-street parking not extending within 20 feet of the street right of way.

(17) A rear yard shall be provided along each rear yard line. A rear yard shall be at least 50 feet in depth (except where it abuts a main line railroad) plus one foot for each foot of height by which the building or structure exceeds 20 feet.

(18) All signs shall meet the requirements of the Marion County Master Plan Permanent Zoning Ordinance, except that no signs other than directional signs not exceeding 6 square feet in area shall be permitted between the lot line and set-back line.

(19) All gas conditioning and control facilities permitted under such Special use District (42) and equipment relating thereto shall be housed in buildings or structures of masonary construction, unless otherwise prescribed by law or by the standards of the National Fire Protection Association which are incorporated herein by reference and made a part hereof.

(20) Each building or structure housing such facilities and equipment shall be enclosed by a 6 foot chain link fence, with locked gate, not less than 15 feet from the outside of such building or structure and a compact hedge not less than 6 feet in height between such fence and the property line. Said hedge shall not be located closer than 25 feet to any street right of way. In the event said lot adjoins a Residential or Agricultural District, said fence and hedge shall not be located closer to any street right of way than the established set-back line of said Residential or Agricultural District.

NOW BE IT FURTHER ORDAINED that an emergency exists for the passage of this ordinance and that the same shall be in full force and effect from and after this date.

Josephine K. Bicket

Fred W. Nordsiek

John A. Kitley

Edwin J. Koch

Louie Moller

Frank J. Billeter

John D. Hardin

THE MARION COUNTY COUNCIL

DATED: June 5, 1959

ATTEST: Clem Smith by W. E. Suess, Deputy
AUDITOR OF MARION COUNTY, INDIANA