METROPOLITAN PLAN COMMISSION
DOCKET NO. 61-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 Chapter I of Title II of the Municipal Code of the City of Indianapolis (said Chapter I of Title II thereof having been adopted as part of Ordinance No. 8-1957 by the Marion County Council of 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 sub-section (b) of Section II-115 of said Chapter I be amended to read as follows:

> (b) U5 Uses Subject to Specified Requirements. The following enumerated uses shall be permitted in whole or in part in a U5 or second industrial district and on a lot determined by the board of zoning appeals, after public notice and hearing, to be so located that such use will, in the judgement of said board, substantially serve the public convenience and welfare, and will not substantially or permanently injure the appropriate use of neighboring property:
>
> > (1) Storage or bailing in the open or within buildings of scrap iron, junk, scrap paper, rags, discarded bottles, used lumber and other salvageable used materials or articles.
> >
> > (2) Open air wrecking of motor driven or trailer vehicles and open air storage and sale of second-hand automobile parts or tires.
> >
> > (3) Open air storage of motor driven vehicles or trailers that have been wrecked or dismantled in whole or in part or are not in good, serviceable condition.
> >
> > (4) Class U6 uses enumerated in section II-116.

Provided, however, that all uses permitted under this sub-section (b) of Section II-115 shall be conditioned upon, and subject to the following standards and requirements; and the word "lot" whenever used in such standards and requirements 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 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 and 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 intermittence, beat frequency, shrilliness 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 material 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 Communication 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) All uses shall utilize operational procedures, processes, machinery, and equipment which will most effectively eliminate or restrict noise, vibration, odor, glare, heat, smoke, particulate matter, noxious and toxic gases, in compliance with the above standards.

(13) No building or structure for uses permitted under this chapter shall be constructed and no premises shall be used for such purpose on any lot which does not have direct frontage on, and direct adequate access over a permanently established and permanently surfaced right-of-way easement to one permanently surfaced public street or highway.

(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) No part of any structure shall be built closer than sixty (60) feet to any right-of-way line of a freeway, expressway, parkway or primary thoroughfare as defined in the Subdivision Control Ordinance of Marion County, Indiana, as amended, and in accordance with the Thoroughfare Plan of Marion County, Indiana; closer than forty (40) feet to any right-of-way line of a secondary thoroughfare as defined therein and in accordance with said Thoroughfare Plan; and closer than thirty (30) feet to any right-of-way line of all other streets, including but not limited to collector streets, local streets, cul-de-sacs, and marginal access streets, as defined therein and in accordance with said Thoroughfare Plan.

(16) All buildings, structures, outside uses and storage shall be not less than four hundred (400) feet from a U4 district or eight hundred (800) feet from a U1, U2, or U3 district.

(17) A front yard shall be required along every front lot line and shall be not less than fifty (50) feet in depth from the edge of the public right-of-way on which the lot fronts to the nearest part of any building on the lot (excluding an eave or cornice overhang not exceeding four (4) feet). A front yard shall be planted in grass and/or other suitable ground cover except for walks, driveways, and other appurtenant fixtures.

(18) A side yard shall be provided along each side lot line and shall be at least fifty (50) feet in depth (except where it abuts a mainline railroad) provided, however, that such side yards may be used for off-street parking.

(19) A rear yard shall be provided along each rear lot line and shall be at least fifty (50) feet in depth (except where it abuts a mainline railroad) provided, however, that such rear yard may be used for off-street parking.

(20) Off-street parking shall be provided in accordance with section 11-114 (b).

(21) Off-street loading shall be provided in accordance with section 11-114 (c).

That Section 11-116 of said Chapter 1 be amended to read as follows:

11-116 Class U6 uses-- Prohibited uses.-- (a) Prohibited Uses Continuance. Within the corporation limits of the City of Indianapolis (except in a U5 district where per-

mitted by the board of zoning appeals in accordance with the requirements of sub-section (b) of Section 11-115), no building or structure or part thereof shall be erected, altered or used, or premises used in whole or in part, which is arranged, intended or designed for any of the following prohibited uses:

(1) Petroleum refining, including reclamation of used oils or lubricants.

(2) Cement, lime, gypsum or plaster of Paris manufacture.

(3) Chlorine, or hydrochloric, nitric, picric or sulphuric acid manufacture, smelting of copper, tin, zinc, or iron ore.

(4) Explosives, manufacture or storage.

(5) Stockyards, slaughterhouse and abattoir, fat rendering.

(6) Distillation of bones, glue manufacture, fertilizer manufacture, hair manufacture, offal or dead animals reduction or dumping, and raw hides or skins storage, curing or tanning.

(7) Housing, breeding or raising mink, or other fur-bearing animals, for production of fur pelts or skins.

Provided, That any of the uses enumerated in the foregoing seven subdivisions, if established on defined premises within the corporation limits prior to December 20, 1922, or on defined premises included in an area annexed to the city subsequent to that date and legally existing at the time of such annexation, shall be permitted to continue as non-conforming uses.

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.

John A. Kitley

Louie Moller

Edwin J. Koch

Albert L. Steinmeier

Frank J. Billeter

Henry Pierce

John D. Hardin

THE MARION COUNTY COUNCIL

DATED: December 28, 1961

ATTEST: Clem Smith by

Auditor or Marion County, Indiana
Mary N. Darko, Deputy