

ARTICLE 12

INDUSTRIAL DISTRICTS (I)

SECTION 1200 – Industrial Districts Intent

The intent of this article is to create districts, which provide for central, compact centers of industry, which are compatible in activities and scale. In addition, this article will provide for appropriate public facilities and/or services to the permitted uses identified in the district and adequate support infrastructure. Such districts are located in areas which provide employment opportunities for community and regional labor markets. Districts will be located on suitable lands accessible from expressways and/or arterials. This article allows for integrated office campus and/or industrial/warehouse developments with a business park setting, characterized by landscaped entrances, boulevard streets, large amount of green space and low building coverage ratio, multi-level buildings, constant architectural and signage theme, parking structures, and integrated pedestrian and recreation facilities.

Commercial and retail businesses permitted by this article are intended to serve the manufacturing and industrial uses permitted within this article and not serve as additional business districts.

SECTION 1202 – I-1 Light Industrial District Intent

The purpose of the I-1 district is to allow different types of small to large-scale light manufacturing, warehouse, distribution and related service uses, which require direct accessibility to a regional transportation system. Manufacturing operations in this district will generally not utilize unrefined raw materials, whose processing may potentially create undesirable noise, odors, dust, smoke, hazardous materials or waste or be delivered in large bulk transportation forms.

SECTION 1204 – Principally Permitted Uses I-1

The following uses are permitted in an I-1 Light Industrial District.

- (a) Manufacturing, processing or assemblies of products, materials, or articles that meet the performance standards for this district, provided that it is not specifically prohibited.
- (b) Wholesale, storage, and warehouse uses
- (c) Agricultural businesses and supplies
- (d) Any repair or reconditioning operation
- (e) Any utility structure

SECTION 1206 – Permitted Exceptions I-1

The following uses are prohibited in the Map Designation I-1, unless permitted as a Special Exception by the Board of Zoning Appeals under Indiana code 36-7-4-918.2

- (a) Fuel storage and agricultural chemicals
- (b) Penal or correctional institution
- (c) Concrete and asphalt mixing, processing, or storage
- (d) Storage or processing of any salvage materials including automobiles salvage and wrecking operations and industrial waste salvage operation

Said storage shall be shielded from view by means of sturdy, sight-obscuring, eight foot high fence in good repair and two rows of alternate planted evergreen trees or like vegetation.

- (e) Manufacturing of asphalt, cement, gypsum, or wood preservatives
- (f) Saw mills and finishing or processing of wood products
- (g) Livestock Exchanges

SECTION 1208 - Performance Standards I-1

In the event that it is necessary to determine if an industrial site is in compliance with the performance standards set forth herein, it shall be the obligation of the owner of the industrial site to obtain the appropriate testing and reports to substantiate compliance with the various performance standards.

1. Physical Appearance. Normal daily wastes of an inorganic nature shall be stored in containers outside the building provided the containers are screened and not readily visible from the road.

2. Noise. No operating shall be carried on which involves noise in excess of the normal adjacent traffic road noise.

- (a) Noise shall be measured at the property line, when the level of noise cannot be determined by observation with the natural senses, a suitable instrument may be used and measurement may include breakdowns into a reasonable number of frequency ranges.
- (b) All noises shall be muffled so as not to be objectionable due to intermittence, best frequency, pound or shrillness.

3. Sewage and Liquid Waste. All sewage must be in compliance with Federal and State Regulation and with local ordinances.

4. Air Contaminants. All Federal and State air emissions regulations shall be met.

(a) Due to the fact that the possibilities of air contamination cannot be reasonably covered in this section due to the comprehensive nature of air contaminates, there shall be applied the general rule that there shall not be discharged from any sources whatsoever quantities of air contaminants or other material in such a quantity as to cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public in general; to endanger the comfort, repose, health, or safety of any considerable number of persons or to the public in general; or to cause or have a natural tendency to cause injury or damage to business, vegetation, or property.

5. Odor. The emission of odors that are generally agreed to be obnoxious to any considerable number of persons shall be prohibited.

- (a) Observation of odor shall be made at the property line of the establishment causing the odor.
- (b) As a guide to classification of odor, it shall be deemed that strong odors of putrefaction and fermentation tend to be obnoxious within the meaning of this chapter.

6. Gasses. The gasses, sulfur dioxide and hydrogen sulfide, shall not exceed five parts per million. Measurement shall be taken at the property line of the particular establishment involved.

7. Glare and Heat. All glares, such as welding arcs and open furnaces, shall be shielded so that they shall not be visible from the property line. No heat from furnaces or processing equipment shall be sensed at the property line to the extent of raising the temperature of air or materials more than 5 degrees Fahrenheit.

8. Vibrations. All machines, including punch presses and stamping machines, shall be mounted so as to minimizing vibration; in no case shall vibrations exceed a displacement of 3/1000 of an inch measured at the property line.

SECTION 1210 – Development Requirements I-1

When located less than 600 feet from the nearest Residence; Residential, R-District; or Business, B-District; any such operation must submit an application to the Decatur County Board of Zoning Appeals to approve a variance of the setback requirement. Options for the Board of Zoning Appeals to consider would be to enclose the area by a fence, not less than six feet in height, an earth embankment not less than twenty feet in height, or two rows of alternated planted evergreen trees or similar vegetation with said plant material to be located no closer than 30 feet from the district line. The Board of Zoning Appeals shall have full discretion to mandate the type of buffer area required in order to grant a variance for the I-1 Light Industrial District to be located closer than the 600 foot setback requirement. Any remodel, expansion, or improvement of existing structures or parcels shall be subject to the regulations. Employee parking is permitted within the 600 foot setback area.

SECTION 1212 – Prohibited Uses I-1

- (a) All residential dwellings and mobile homes used as a residence
- (b) Schools, hospitals, clinics, libraries, churches, chapels, public parks, public recreational areas, lodges or club facilities, and cemeteries.
- (c) Confinement feeding operations used for the growing of animals.
- (d) Sanitary landfill operations.

SECTION 1214 – Size and Distance Regulations I-1

All distances in this section shall be measured from the edge of any established right-of-way. In the event there is no established right-of-way, then all distances shall be measured from the center of the County Road. Height limitations apply to all structures in this section, from the ground to the structures highest point.

See Table in Section 1244 for Size and Distance Regulations in I-1.

SECTION 1216 – I-2 Intermediate Industrial District Intent

The purpose of the I-2 Intermediate Industrial District is to provide for those types of industrial uses, which have extensive outside storage requirements, require large movement of vehicles and goods and cannot be accommodated in an I-1 district. Uses in this district involve equipment, machinery, or other products, which require sufficient infrastructure and results in a substantial economic impact. Uses in this district will generally utilize unrefined raw materials, whose processing may potentially create noise, odors, dust, smoke; involve hazardous materials

or waste or be delivered in large bulk transportation forms. Such districts will be organized to provide employment opportunities for regional and extra regional labor markets. Districts will be located on lands with direct access to expressways and/or arterials, rail lines and navigable waterways.

SECTION 1218 – Permitted Principal Uses I-2

The following principal uses and structures shall be permitted in the Intermediate Industrial Districts (I-2):

- (a) Any use permitted in the light industrial district (I-1)
- (b) Livestock exchanges
- (c) All Auction Barns or facilities including animals, vehicles or farm equipment
- (d) Transportation facility or service
- (e) Concrete and Asphalt mixing, processing, or storage
- (f) Penal or Correctional Institution
- (g) Fuel Storage and Agricultural Chemicals
- (h) Storage or processing of any salvage materials including automobiles, salvage wrecking operations, industrial waste salvage operation. Said storage shall be shielded from view by means of sturdy, sight-obscuring, eight foot high fence in good repair and two rows of alternating planted evergreen trees or like vegetation.
- (i) Sawmills and finishing or processing of wood products
- (j) Semi-Truck wash business

In the event any junk, salvage, auto wrecking, or similar operation is conducted in this I-2 zoning classification, it shall be shielded from the view of the public by means of a sturdy, sight-obscuring, eight foot high fence in good repair.

SECTION 1220 – Permitted Exceptions I-2

After the provisions of this chapter relating to special exceptions have been fulfilled, the Board of Zoning Appeals may permit, as a special exception in an Intermediate Industrial District, any use that is consistent with the intent of this district and which is not prohibited.

- (a) Bio industries or ethanol plants
- (b) Bulk storage of petroleum not used on site manufacturing
- (c) Explosives manufacturing
- (d) Fertilizer manufacturing, stock yard, slaughter house, leather curing and tanning
- (e) Incinerator used for the reduction of refuse
- (f) Junk or salvage yard
- (g) Mineral extraction
- (h) Petroleum refining and manufacturing
- (i) Reclaiming processes involving material or chemicals that are considered dangerous to the health, safety and welfare of the general public as determined by the State Board of Health.
- (j) Refining or manufacturing of asphalt, cement, gypsum, lime or wood preservatives.

- (k) Refining or manufacturing of petroleum and or petroleum products.
- (l) Sand and gravel extraction pit or sales
- (m) Sanitary landfill
- (n) Waste transfer stations or treating of waste
- (o) Compressed Gas Filling Stations

SECTION 1222 - Performance Standards I-2

In the event that it is necessary to determine if an industrial site is in compliance with the performance standards set forth herein, it shall be the obligation of the owner of the industrial site to obtain the appropriate testing and reports to substantiate compliance with the various performance standards.

1. Physical Appearance. Normal daily wastes of an inorganic nature shall be stored in containers outside the building provided the containers are screened and not readily visible from the road.

2. Noise. No operating shall be carried on which involves noise in excess of the normal adjacent traffic road noise.

- (a) Noise shall be measured at the property line, when the level of noise cannot be determined by observation with the natural senses, a suitable instrument may be used and measurement may include breakdowns into a reasonable number of frequency ranges.
- (b) All noises shall be muffled so as not to be objectionable due to intermittence, best frequency, pound or shrillness.

3. Sewage and Liquid Waste. All sewage must be in compliance with Federal and State Regulation and with local ordinances.

4. Air Contaminants. All Federal and State air emissions regulations shall be met.

(a) Due to the fact that the possibilities of air contamination cannot be reasonably covered in this section due to the comprehensive nature of air contaminates, there shall be applied the general rule that there shall not be discharged from any sources whatsoever quantities of air contaminants or other material in such a quantity as to cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public in general; to endanger the comfort, repose, health, or safety of any considerable number of persons or to the public in general; or to cause or have a natural tendency to cause injury or damage to business, vegetation, or property.

5. Odor. The emission of odors that are generally agreed to be obnoxious to any considerable number of persons shall be prohibited.

- (a) Observation of odor shall be made at the property line of the establishment causing the odor.
- (b) As a guide to classification of odor, it shall be deemed that strong odors of putrefaction and fermentation tend to be obnoxious within the meaning of this chapter.

6. Gasses. The gasses, sulfur dioxide and hydrogen sulfide, shall not exceed five parts per million. All nitrous fumes shall not exceed one part per million. Measurement shall be taken at the property line of the particular establishment involved.

7. Glare and Heat. All glares, such as welding arcs and open furnaces, shall be shielded so that they shall not be visible from the property line. No heat from furnaces or processing equipment shall be sensed at the property line to the extent of raising the temperature of air or materials more than 5 degrees F.

8. Vibrations. All machines, including punch presses and stamping machines, shall be mounted so as to minimizing vibration; in no case shall vibrations exceed a displacement of 3/1000 of an inch measured at the property line.

SECTION 1224 – Development Requirements I-2

When located less than 600 feet from the nearest Residence; Residential, R-District; or Business, B-District; any such operation must submit an application to the Decatur County Board of Zoning Appeals to approve a variance of the setback requirement. Options for the Board of Zoning Appeals to consider would be to enclose the area by a fence, not less than six feet in height, an earth embankment not less than twenty feet in height, or two rows of alternated planted evergreen trees or similar vegetation with said plant material to be located no closer than 30 feet from the district line. The Board of Zoning Appeals shall have full discretion to mandate the type of buffer area required in order to grant a variance for the I-1 Light Industrial District to be located closer than the 600 foot setback requirement. Any remodel, expansion, or improvement of existing structures or parcels shall be subject to the regulations. Employee parking is permitted within the 600 foot setback area.

SECTION 1226 – Prohibited Uses I-2

- (a) All residential dwellings and mobile homes used as a residence
- (b) Schools, hospitals, clinics, libraries, churches, chapels, public parks, public recreational areas, lodges or club facilities, and cemeteries.
- (c) Confinement feeding operations used for the growing of animals.
- (d) Sanitary landfill operations.

SECTION 1228 – Size and Distance Regulations I-2

All distances in this section shall be measured from the edge of any established right-of-way. In the event there is no established right-of-way, then all distances shall be measured from the center of the County Road. Height limitations apply to all structures in this section, from the ground to the structures highest point.

See Table in Section 1244 for Size and Distance Regulations in I-2.

SECTION 1230 - I-3 Heavy Industrial District Intent

The purpose of the I-3 Heavy Industrial District is to provide for those types of heavy industrial uses, which have extensive outside storage requirements, require large movement of vehicles and goods and cannot be accommodated in an I-1 or I-2 district. Uses in this district involve heavy equipment, machinery, or other products, which require sufficient infrastructure and results in a substantial economic impact. Uses in this district will generally utilize unrefined raw materials, whose processing may potentially create noise, odors, dust, smoke; involve hazardous materials

or waste or be delivered in large bulk transportation forms. Such districts will be organized to provide employment opportunities for regional and extra regional labor markets. Districts will be located on lands with direct access to expressways and/or arterials, rail lines and/or navigable waterways.

SECTION 1232 – Principally Permitted Uses I-3

The following principal uses and structures shall be permitted in Heavy Industrial Districts (I-3)

- (a) Any use permitted in the Light Industrial District (I-1) and the Intermediate Industrial District (I-2)
- (b) Meat and poultry packing, slaughtering, eviscerating and skinning, and the rendering of byproducts of slaughtering and killing of animals or poultry.
- (c) Fertilizer manufacturing
- (d) Any industrial use or operation that is not allowed in any other district under this ordinance.
- (e) Bio Industries or Ethanol Plants
- (f) Bulk storage of petroleum not used on site manufacturing
- (g) Explosives manufacturing
- (h) Fertilizer manufacturing, stock yard, slaughter house, leather curing and tanning
- (i) Junk or salvage yard
- (j) Petroleum refining and manufacturing
- (k) Waste transfer stations or treating of waste
- (l) Compressed Gas Filling Stations

In the event any junk, salvage, auto wrecking, or similar operation is conducted in this I-3 zoning classification, it shall be shielded from the view of the public by means of a sturdy, sight-obscuring, eight foot high fence in good repair.

SECTION 1234– Permitted Exceptions I-3

After the provisions of this chapter relating to special exceptions have been fulfilled, the Board of Zoning Appeals may permit, as a special exception in a Heavy Industrial District, any use that is consistent with the intent of this district and which is not prohibited.

- (a) Mineral extraction
- (b) Reclaiming processes involving material or chemicals that are considered dangerous to the health, safety and welfare of the general public as determined by the State Board of Health.
- (c) Sand and gravel extraction pit or sales
- (d) Sanitary landfill

SECTION 1236 – Performance Standards I-3

In the event that it is necessary to determine if an industrial site is in compliance with the performance standards set forth herein, it shall be the obligation of the owner of the industrial site to obtain the appropriate testing and reports to substantiate compliance with the various performance standards.

1. Physical Appearance. Normal daily wastes of an inorganic nature shall be stored in containers outside the building provided the containers are screened and not readily visible from the road.

2. Noise . No operating shall be carried on which involves noise in excess of the normal traffic noise of the adjacent street at the time of the daily peak hour.

- (a) Noise shall be measured at the property line; when the level of noise cannot be determined by observation with the natural senses, a suitable instrument may be used and measurement may include breakdown into a reasonable number of frequency ranges.
- (b) All noises shall be muffled so as not to be objectionable due to intermittence, best frequency, or shrillness.

3. Sewage and Liquid Wastes. All sewage waste must be in compliance with Federal and State Regulations and with local ordinances.

4. Air Contaminates. All Federal and State air emissions regulations shall be met.

(a) Due to the fact that the possibilities of air contamination cannot be reasonably covered in this section due to the comprehensive nature of air contaminants, there shall be applied the general rule that there shall not be discharged from any sources whatsoever quantities of air contaminants or other material in such a quantity as to cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public in general; to endanger the comfort, repose, health, or safety of any considerable number of persons or to the public in general; or to cause or have a natural tendency to cause injury or damage to business, vegetation, or property.

5. Odor. The emission of odors that are generally agreed to be obnoxious to any considerable number of persons shall be prohibited.

- (a) Observation of the odor shall be made at the property line of the establishment causing the odor.
- (b) As a guide to classification of odor, it shall be deemed that strong odors of putrefaction and fermentation tend to be obnoxious and that odors associated with baking shall not normally be considered obnoxious.

6. Vibration. All machines, including punch presses and stamping machines, shall be mounted so as to minimize vibration; in no case shall vibrations exceed a displacement of 3/1000 of an inch measured at the property line.

7. Gasses. The gasses, sulfur dioxide and hydrogen sulfide, shall not exceed five parts per million. All nitrous fumes shall not exceed one part per million. Measurement shall be taken at the property line of the particular establishment involved.

8. Glare and Heat. All glares, such as welding arcs and open furnaces, shall be shielded so that they shall not be visible from the property line. No heat from furnaces or processing equipment shall be sensed at the property line to the extent of raising the temperature of air or materials more than 5 degrees Fahrenheit.

SECTION 1238 – Development Requirements I-3

When located less than 1000 feet from the nearest Residence; Residential, R-District; or Business, B-District; any such operation must submit an application to the Decatur County Board of Zoning Appeals to approve a variance of the setback requirement. Options for the Board of Zoning Appeals to consider would be to enclose the area by a fence, not less than eight feet in height, an earth embankment not less than eight feet in height, or two rows of alternated planted evergreen trees or similar vegetation with said plant material to be located no closer than 30 feet from the property line. The Board of Zoning Appeals shall have full discretion to mandate the type of buffer area required in order to grant a variance for the I-3 Heavy Industrial District to be located closer than the 1000 foot setback requirement. Any remodel, expansion, or improvement of existing structures or parcels shall be subject to the regulations. Employee parking is permitted within the 1000 foot setback area.

SECTION 1240 – Prohibited Uses I-3

- (a) All residential dwellings used as a residence
- (b) Schools, hospitals, clinics, libraries, churches, chapels, public parks, public recreational areas, lodges or club facilities, and cemeteries.
- (c) Confinement feeding operations used for the growing of animals.

SECTION 1242 – Size and Distance Regulations I-3

All distances in this section shall be measured from the edge of any established right-of-way. In the event there is no established right-of-way, then all distances shall be measured from the center of the County Road. Height limitations apply to all structures in this section, from the ground to the structures highest point.

See Table in Section 1244 for Size and Distance Regulations in I-3.

SECTION 1244 – Size and Distance Regulations I-1, I-2, and I-3

SPECIFICATIONS	I-1	I-2	I-3
Minimum Lot Size	50,000 square feet	2 acres	5 acres
Minimum Lot Width	200 feet	200 feet	250 feet
Minimum Front Setback	60 feet	100 feet	100 feet
Minimum Side Setback	60 feet	100 feet	100 feet
Minimum Rear Setback	60 feet	100 feet	100 feet
Maximum Height	60 feet	60 feet	60 feet
Maximum Lot Coverage of Structures	80% of Lot Size	80% of Lot Size	80% of Lot Size