

## CHAPTER 16

### LIGHT INDUSTRIAL -"M-1" DISTRICT

#### GENERAL.

The following regulations shall apply in all "M-1" Districts.

#### 16.1 USE REGULATIONS.

No building or structure or part thereof shall be erected, altered or used, or land or water used in whole or in part for other than one or more of the following uses:

- (A) Any commercial use permitted in a "C-4" Commercial District, but excluding all buildings or structures used for dwelling purposes subject to the use regulations specified in said District.
- (B) USES to be conducted wholly within a completely enclosed building, except for on the site parking or delivery vehicles which are incidental thereto.
- (C) The manufacture, processing, compounding, assembling, treatment or use of the following:
  - (1) Awnings, metal.
  - (2) Beverage(non-alcoholic) manufacture and blending.
  - (3) Blacksmith.
  - (4) Broom and Brush.
  - (5) Buttons except button blanks from shell.
  - (6) Carbon paper and ink ribbons.
  - (7) Carpentry products, cabinet making and pattern shops.
  - (8) Chemicals (packaging only).
  - (9) Clay products of handicraft nature, including ceramics, pottery, tile (glazed), or similar products.
  - (10) Cleaning and dyeing of garments, hats and rugs.
  - (11) Clocks and watches.

- (12) Cloth products, including canvas, clothing garments.
- (13) Cosmetics or toiletries.
- (14) Electrical appliance and apparatus assembly (small) including fans, fixtures, hot plates, irons, mixers, motion picture equipment (home), phonographs, radios, television sets, toasters, toys, or similar products, but not including electrical machinery.
- (15) Electrical supplies, including cable or wire assemblies, batteries (dry cell), insulation, lamps, switches, or similar supplies.
- (16) Flowers, artificial.
- (17) Food processing, including creamery and dairy bakery products (wholesale), candy manufacture, coffee, tea, and spices (processing and packaging), ice cream manufacture, macaroni and noodle manufacture, oleo/margarine (compounding and packaging only).
- (18) Fur finishing and fur goods, not including tanning or dyeing.
- (19) Grain elevator and grain storage.
- (20) Glass products from previously manufactured glass.
- (21) Greenhouses, wholesale.
- (22) Hair, felt, or feather products.
- (23) Hat finishing and millinery from straw and other fibers.
- (24) Ink or ink ribbon, packaging.
- (25) Jewelry.
- (26) Laboratories, research experimental or testing but not including combustion type motor testing.
- (27) Leather products (no tanning operation), including shoes, machine belting, or similar products.
- (28) Luggage.
- (29) Machine shops.

- (30) Machines, business, including accounting machines, calculators, card-counting equipment, typewriters, or similar products.
- (31) Medical appliances, including braces, limbs, stretchers, supports, or similar products.
- (32) Motion picture products.
- (33) Musical instruments (including pianos and organs).
- (34) Novelty products (from prepared materials).
- (35) Optical equipment.
- (36) Paper products, including bags, boxes, bulk goods, containers (shipping) envelopes, interior packaging components, stationery, tubes, wallpaper, or similar products.
- (37) Pharmaceutical products.
- (38) Photographic equipment.
- (39) Precision instruments.
- (40) Printing, publishing, engraving, including photo-engraving.
- (41) Scenery construction.
- (42) Signs and displays.
- (43) Soaps or detergents, including washing or cleaning powder or soda, packaging only.
- (44) Statuary and art goods, other than stone and concrete including church art, figurines, mannequins, religious art, (excluding foundry operations).
- (45) Stamps (hand), stencils, and brands.
- (46) Toys and games.
- (47) Trade and business schools.
- (48) Umbrellas and parasols.

- (49) Upholstery and furniture shops, wholesale.
- (50) Vehicles, children's including baby carriages, bicycles, scooters, wagons, or similar vehicles.
- (51) Window shades, venetian blinds, awnings, tarpaulin, and canvas specialties.
- (52) Wood products including furniture, baskets, boxes, crates, or similar products, and cooperage works.
- (53) Accessory Uses and Structures.
- (54) Other Uses not prohibited by law, not specifically permitted by this ordinance and which are found to be similar in character to a USE specifically permitted.
- (55) The processing and marketing of any recycled or composted product if excluded under the "M-3" Solid Waste Disposal Facility District, provided no permit for the operation is required from the Indiana Department of Environmental Management and written verification is submitted by the land owner to the Area Plan Commission of the same prior to the start of the operation.

#### 16.2 AREA.

There shall be no required area or width of lot.

#### 16.3 YARD.

There shall be a minimum of 5 feet front, side and rear yard required except where the side of a lot in an "M-1" District abuts upon a lot in an "R" (Residential) District a side yard at least 20 feet in width shall be provided on the side of a lot adjacent to the "R" District.

#### 16.4 HEIGHT.

Forty-five (45) feet within one hundred and fifty (150) feet of an "R" (Residential) Zone, otherwise, no limit.



## CHAPTER 17

### GENERAL INDUSTRIAL "M-2" DISTRICT

#### GENERAL.

The following regulations shall apply in all "M-2" Districts.

#### 17.1 PRINCIPAL PERMITTED USES.

No building or structure or part thereof shall be erected, altered or used, or land or water used, in full or in part, for other than one or more of the following specified uses.

- (A) The uses permitted in an "M-1" District.
- (B) The manufacture, processing, compounding, assembling, treatment or use of the following.
  - (1) Air conditioners.
  - (2) Aircraft and aircraft parts.
  - (3) Aluminum, extrusion, rolling, fabrication, molding, and casting.
  - (4) Aluminum powder and paint.
  - (5) Apparel or other textile products from textiles or other materials, including had bodies of fur, wool, felt or similar products.
  - (6) Assembly of automobile, carriage, engine (rebuilt), motorcycle, trailer, truck, wagon, including parts.
  - (7) Asphalt and bituminous materials.
  - (8) Athletic or sports equipment.
  - (9) Baskets and hampers (wood, reed, rattan, and the like).
  - (10) Battery, storage (wet cell).
  - (11) Bedding materials (mattress, pillow, quilt), including rebuilding or renovating.
  - (12) Boat manufacture of vessels less than five tons, and boat building or repair of boats, less than 100 feet in length.

- (13) Boilers.
- (14) Boxes and crates.
- (15) Brick, firebrick, tile, clay products, including refectories.
- (16) Building materials (cement, lime sand, gravel, lumber and the like).
- (17) Carpets, rugs mats.
- (18) Cider and vinegar.
- (19) Stone products.
- (20) Coal and coke, storage and sales.
- (21) Concrete products including central mixing and proportioning plants.
- (22) Cooperage works (cooperage stock mill).
- (23) Distilleries (alcoholic), breweries and alcoholic spirits (non-industrial).
- (24) Electric power and steam generating plants.
- (25) Exposition building or center.
- (26) Firearms, fireworks.
- (27) Food processing, including chewing gum; chocolate, cocoa and cocoa products; condensed and evaporated milk, processing and canning; flour, feed, grain, food products including slaughtering of meat or preparation of fish for packing; fruit and vegetable processing including canning, preserving, drying, and freezing; gelatin products; glucose and dextrin; malt products; meat products, packing and processing yeast.
- (28) Foundry products.
- (29) Furniture.

- (30) Glass and glass products, including structural or plate glass or similar products.
- (31) Grain blending, packaging and milling.
- (32) Hardware products or tools, including bolts, brads, cutlery, door knobs, drills, hinges, household items, locks metal casting (non-ferrous), nails, needles and pins, nuts plumbing appliances, rivets, screws, spikes, staples, tools (hand), or similar products.
- (33) Hair, felt, feathers, shoddy, bulk processing, washing, curling, dyeing.
- (34) Heating, ventilating, cooking, and refrigerating supplies and appliances.
- (35) Hosiery.
- (36) Household appliances, electrical and gas, including stoves, refrigerators, washing machines, clothes dryers, and similar products.
- (37) Ice, dry or natural.
- (38) Implements, agricultural.
- (39) Ink.
- (40) Insecticides, fungicides, disinfectants, and related industrial and household chemical compounds.
- (41) Iron or steel (ornamental), miscellaneous fabrication or assembly, including steel cabinets, doors, fencing, metal furniture, or similar products; cleaning, grinding, heat treatment, metal finishing, plating, polishing, rust proofing, sharpening, or similar processes.
- (42) Jute, hemp, sisal or oakum products.
- (43) Lead oxide.
- (44) Linoleum and other hard surfaced floor covering (except wood), oil cloth, oil treated products or artificial leather.
- (45) Livery stable and riding academy.

- (46) Lumber sawmill.
- (47) Machine tools including metal lathes, metal presses, metal-stamping machines, wood-working machines or the like.
- (48) Machinery, heavy including electrical, construction, mining or agricultural.
- (49) Metal and metal ores, reduction, refining, melting alloying, including blast furnaces, cupolas and blooming mills.
- (50) Metal alloys or foil, miscellaneous including solder, pewter, brasses, bronzes or tin, lead, gold foils or similar products.
- (51) Metal casting or foundry products, heavy, including ornamental iron work or similar products.
- (52) Metal or metal products, treatment or processing, including enameling, japanning, lacquering, galvanizing and (hot dip) plating.
- (53) Mill work and planing.
- (54) Molasses.
- (55) Minerals and earths (including sand-lime products), grinding, crushing, processing.
- (56) Monument and architectural stone, monument works.
- (57) Motor testing (internal combustion motors).
- (58) Motion picture equipment, commercial.
- (59) Paint, lacquer, shellac and varnish, including calcimine, casein, colors and pigment, thinners and removers.
- (60) Paper, paper board and pulp.
- (61) Petroleum or petroleum products, refining, including gasoline or other petroleum products.
- (62) Petroleum tank farm, commercial bulk storage of petroleum products.

- (63) Pottery and porcelain products.
- (64) Pencils.
- (65) Perfumes or perfumed soaps, compounding only.
- (66) Plastic products/plastic molding, including tableware, phonograph records, and similar products.
- (67) Plastic extrusion.
- (68) Plating, electrolytic process.
- (69) Plumbing supplies.
- (70) Pulp goods, pressed or molded (including paper products.)
- (71) Railroads, freight terminals, repair shops, yards or appurtenances, or facilities or services used or required in railroad operations.
- (72) Roofing material, building paper and felt.
- (73) Rubber and synthetic-treated fabric products (excluding all rubber or synthetic processing), such as washers, gloves, footwear, bathing caps, atomizers, or similar products.
- (74) Safes and vaults.
- (75) Sheet metal products from metal stamping or extrusion, including containers, costume jewelry, razor blades, bottle caps, buttons, kitchen utensils or similar products.
- (76) Steel works and rolling mills (ferrous) for steel, structural iron and steel fabrication and structural products, including bars cable, girders, rails, wire rope or similar products.
- (77) Slaughtering of animals and poultry.
- (78) Stock yards and feed lots.
- (79) Silverware, plate or sterling.
- (80) Shipping containers (corrugated board, fiber or wirebound).

- (81) Storage yard and contractor's shop.
- (82) Sugar refining.
- (83) Textiles and fibers into fabric goods; spinning, weaving, knitting, manufacturing, dyeing, printing and finishing of goods yarns, knit goods.
- (84) Tire retreading and vulcanizing shop.
- (85) Tobacco (including curing) or tobacco products.
- (86) Training schools (industrial vocational) including internal combustion engine schools.
- (87) Truck or transfer terminal, freight and motor freight stations.
- (88) Vitreous enamel products.
- (89) Waterfront shipping.
- (90) Chemical manufacturing.
- (91) Wholesale markets (goods not contained in totally enclosed building).
- (92) Wood products.
- (93) Accessory uses and structures.
- (94) Other uses not prohibited by law not specifically permitted by this Ordinance and which are found to be similar in character to a USE specifically permitted.
- (95) "Solid Waste" shall not be considered permitted uses as defined under the terms of this Ordinance. See "M-3" Solid Waste Disposal Facility District.

#### 17.2 AREA.

There shall be no required area or width of lot.

17.3 YARDS.

There shall be a minimum of five (5) feet front, side and rear yard required except where the side of a lot in a "M-2" District abuts upon a lot in a "R" (Residential) District, a side yard at least thirty (30) feet in width shall be provided on the side of a lot adjacent to the "R" District.

17.4 HEIGHT.

Forty-five (45) feet within one hundred and fifty (150) feet of an "R" Zone otherwise, no limit.

## CHAPTER 18

### SOLID WASTE DISPOSAL FACILITY & SALVAGE YARDS – “M-3” DISTRICT

#### 18.1 USE REGULATIONS

No building or structure or part thereof shall be erected, altered or used, or land or water used, in whole or in part, for other than one or more of the following specified uses: (Subject to all local, state, and federal regulations and any required permit pertaining to the operation of said facility. Copies of permits must be furnished to the Area Plan Commission office to be filed with the approved development plan prior to start of operation).

- (1) Solid Waste Disposal Facilities.
- (2) Junk, salvage yard, provided the entire operation is enclosed within a solid fence at least eight (8) feet high.
- (3) The following use if approved as a “Conditional Use”:
  - (a) Hazardous Waste Disposal Facilities.
- (4) Accessory uses and structures.
- (5) Other uses not prohibited by law not specifically permitted by this ordinance and which are found to be similar in character to a USE specifically permitted.

#### 18.2 AREA

There shall be no required area or width of lot unless otherwise required through the state and federal permitting procedure.

#### 18.3 YARDS

There shall be no required yard for any structure except where the side of a lot in an “M-3” District abuts upon a lot in an “R” (Residential) District, a side yard at least fifty (50) feet in width shall be provided on the side of the lot adjacent to the “R” District unless otherwise required through the state and federal permitting procedure.

#### 18.4 DEFINITIONS

##### 1. SOLID WASTE DISPOSAL FACILITIES

Any facility or operation involving the handling, storage, and processing of solid waste including the following.

- (a) Sanitary landfills.



(b) Recycling facilities.

(1) Exclusions:

- a. Any transport vehicle or collection bin used for collection by a non-profit organization at any commercially zoned property.
- b. Curb-side collections.
- c. On-call collections.
- d. Any processing and/or marketing of a recyclable material already separated from the general waste stream, provided no permit for the operation is required from the Indiana Department of Environmental Management and written verification is submitted by the land owner to the Area Plan Commission of the same prior to the start of operation. These uses shall be allowed under the County's "M-1" Light Industrial and "M-2" General Industrial zoning districts.

(c) Composting facilities.

(1) Exclusion:

The packaging and marketing of the soil conditioner produced by a composting facility, provided no permit is needed from the Indiana Department of Environmental Management and written verification is submitted by the land owner to the Area Plan Commission of the same prior to the start of operation. These uses shall be allowed under the County's "M-1" Light Industrial and "M-2" General Industrial zoning districts.

- (d) Solid waste transfer station including separation and/or compaction facilities which may include collection facilities.
- (e) Incineration facilities including Resource Recovery and/or Conversion facilities.
- (f) Sludge or by-products generated from the operation of a municipal sewage treatment plant and to be used on, or applied to, agricultural real estate for fertilization purposes.

2. SOLID WASTE

Any of a wide variety of solid materials, as well as some containerized liquids, which are discarded including agricultural, commercial, construction, demolition, hazardous, industrial, municipal, and residential wastes. Classifications of wastes are as follows:

- (a) AGRICULTURAL SOLID WASTES  
Wastes, including manure, plant stalks, hulls, and leaves, produced from farming.
- (b) BULKY WASTES  
Large wastes, such as furniture, appliances, tires, branches, stumps, and trees.
- (c) COMMERCIAL SOLID WASTES  
Wastes that originate in wholesale, retail, or service businesses.
- (d) CONSTRUCTION WASTES  
Wastes produced in building homes, offices, industrial plants, etc. The materials usually include lumber, miscellaneous metal parts, packaging materials, etc.
- (e) DEMOLITION WASTES  
Bulky wastes produced from the destruction of buildings, roads, sidewalks, etc. These wastes usually include large, broken pieces of concrete; miscellaneous construction metals; bricks; and glass.
- (f) FOOD WASTES  
Animal and vegetable wastes resulting from the preparation, cooking and serving of foods; commonly called garbage.
- (g) HAZARDOUS WASTES  
Wastes that are inherently dangerous to handle, treat, and dispose of. These wastes-usually generated by a variety of manufacturing, chemical, or service industries-include radioactive substances, toxic chemicals, biological wastes, flammable wastes, and explosives.
- (h) INDUSTRIAL WASTES  
Wastes discarded from industrial operations or manufacturing processes. Most industrial wastes can be classified as either scrap (those materials which can be recycled at a profit) or solid wastes (those that cannot be reclaimed and recycled).
- (i) MUNICIPAL WASTES  
The combined residential and selected commercial solid wastes generated in a given municipality.
- (j) RESIDENTIAL WASTES  
Wastes generated in homes generally consisting of consumer goods wastes, including newspaper; cardboard; beverage and food cans; plastics; glass; and food, garden, and lawn wastes.

3.     **COLLECTION**  
The process of picking up wastes – at homes, businesses, and other locations – loading them into and enclosed collection vehicle, and hauling for final disposal.
4.     **COMPACTOR**  
Any power-driven equipment designed to reduce the volume of wastes by compressing.
5.     **COMPOST**  
A mixture of organic wastes aerobically decomposed to an intermediate state. Compost can be used as a soil conditioner. This definition includes the recycling of sludge from wastewater treatment plants for use as compost products as soil conditioners.
6.     **CONVERSION**  
The transformation of wastes into other forms, such as steam, gas, or oil. Transformation is usually accomplished by burning or pyrolysis.
7.     **FACILITY**  
Any assemblage of equipment used in the collection, storage, conversion, or disposal of solid waste. Usually refers to a transfer facility, recycling facility, or energy recovery plant.
8.     **INCINERATION**  
The process by which solid, liquid, or gaseous combustible wastes are burned and changed into gaseous by-products and residue (referred to as ash).
9.     **PROCESSING**  
Any means designated to change the physical form or chemical content of solid wastes.
10.    **RECYCLING**  
The separation, processing, and marketing of a waste material (e.g., glass, aluminum) from the waste stream so that it can be reused.
11.    **RESOURCE RECOVERY**  
A concept involving the extraction of economically usable materials or energy from wastes. It may involve recycling or physical/chemical conversion to various end products.
12.    **SANITARY LANDFILL**  
A land area where solid wastes are disposed of under regulatory control.

13. SEPARATION FACILITY

Division of wastes, either manually or mechanically, into groups of similar materials, such as paper, glass, or metal. Also used to describe the further sorting of materials into more specific categories, such as clear glass/dark glass, aluminum, copper, newspaper/cardboard/office paper.

14. TRANSFER STATION

A facility where wastes are removed from small collection vehicles (e.g., compactor trucks) and loaded onto larger transport vehicles (e.g., tractor trailers) for transport to disposal areas. Compaction or separation may occur prior to loading.

18.5 APPLICATION PROCEDURE

In addition to the standard requirements of the prescribed rezoning application adopted by the Plan Commission, the following information must also accompany the application.

When a Solid Waste Disposal Facility is proposed, the rezoning petition must clearly state the type of facility and be accompanied by a detailed development plan which shall be approved by the Plan Commission and Town Council, whichever is applicable, in accordance with the following requirements:

- (1) The development plan shall be prepared by a Licensed Land Surveyor or Licensed Professional Engineer.
- (2) The development plan must show all proposed structures and/or open areas to be used in the operation clearly delineated.
- (3) All ingress and egress to the site must be shown.
- (4) The Commission may require any other pertinent information.

18.6 NON-CHANGING OF USAGE, ABANDONMENT AND EXPIRATION

- (1) The specified type of facility and development plan cannot be changed from one designated approved use to any other listed permitted use under this ordinance.
- (2) The specific use approved must be in operation according to the approved development plan within one (1) year from the zoning change so enacted and development plan approval.

If upon the expiration of one (1) year from the zoning change so enacted and approval of said development plan the Solid Waste Disposal Facility is not in operation, the land involved in said plan shall revert to its former zoning district classification. The Plan Commission, upon application and public notice as required by law, may grant one extension of one (1) year upon an application being filed with said Plan Commission. In the event of reversion to former zoning as provided herein, the land and structures thereon shall be subject to all regulations and limitations of the zoning district then applicable.

- (3) If any Solid Waste Disposal Facility is approved and in operation with the operation ceasing for any reason for a period of more than six (6) consecutive months, the land involved in the zoning change so enacted and development plan approved shall revert to its former zoning district classification. In the event of reversion to former zoning as provided herein, the land and structures thereon shall be subject to all regulations and limitations of the zoning district then applicable.