

1003.153 "M-2" Industrial District Regulations.

1. Scope of Provisions.

This section contains the district regulations of the "M-2" Industrial District. These regulations are supplemented and qualified by additional general regulations appearing elsewhere in this Chapter which are incorporated as part of this section by reference. The "M-2" Industrial District encompasses industrial areas wherein may be achieved a satisfactory correlation of transportation facilities, accessibility to dwelling areas, efficient land assembly, topographic conditions, and provision of public utility facilities required by industry. Such areas may contain certain mineral and natural resources. These areas may be situated and operated so that the extraction, processing, or both, of basic raw materials may be conducted in a manner that will not create conflict or hazard in the general community and that will protect and preserve the public health, safety, and general welfare.

2. Permitted Land Uses and Developments.

The following land uses and developments are permitted in this District:

- (1) Business, professional, and technical training schools.
- (2) Incinerators.
- (3) Manufacturing, fabrication, assembly, processing, or packaging of any commodity except:
 - (a) facilities producing or processing explosives or flammable gases or liquids;
 - (b) facilities for animal slaughtering, meat packing, or rendering;
 - (c) sulphur plants, rubber reclamation plants, or cement plants, and
 - (d) steel mills, foundries, or smelters.
- (4) Parking areas, including garages.
- (5) Police, fire, and postal stations.
- (6) Public utility facilities.
- (7) Radio, television, and communication studios, transmitting or relay towers, antennae, and other such facilities no greater in height than 200 feet above the average ground elevation at the perimeter of such structure.
- (8) Railroad switching yards.
- (9) Research laboratories and facilities.
- (10) Sales and renting of equipment and vehicles used by business, industry, and agriculture, excluding retail automobile sales.
- (11) Signs (advertising).
- (12) Telecommunication towers up to two hundred (200) feet in height. (O. No. 18420 - Adopted 3/20/97).
- (13) Terminals for trucks, buses, rail, and watercraft.
- (14) Towed vehicle storage yards, wherein no individual vehicle may be stored for a period exceeding ninety (90) days, and involving no auto repair and no salvage or sale of automobile parts. A ten (10) foot high sight-proof fence shall be provided along all limits of the property.
- (15) Welding shops.
- (16) Wholesaling or warehousing of manufactured commodities except explosives or flammable gases or liquids.
- (17) Yards for storage of contractors' equipment, materials, and supplies, excluding junk yards and salvage yards.

3. Conditional Land Use and Development Permits issued by the Commission.

The following land uses and developments may be permitted under conditions and requirements specified in Section 1003.181 Conditional Use Permits:

- (1) Airports, landing strips, and heliports.
- (2) Animal slaughtering, meat packing or rendering facilities.
- (3) Facilities for the composting of yard wastes. (O.No. 15753 - Adopted 12/5/91).
- (4) Filling stations, including emergency towing and repair services.
- (5) Extraction of raw materials from the earth and processing thereof.
- (6) Gymnasiums, indoor swimming pools, indoor handball and racquetball courts (public or private), and indoor and unlighted outdoor tennis courts (public or private).
- (7) Manufacturing, fabrication and processing of flammable gases, liquids, and explosives.
- (8) Nightclub. (O.No. 18064 - Adopted 6/13/96.)
- (9) Offices, providing that they constitute fifty (50) percent or more of the gross floor space of the building or fifty (50) percent or more of the gross enclosed cubic area of the building, whichever is greater.
- 10) Restaurants, including banquet facilities. (O.No. 19718 - Adopted 11/10/99)
- (11) Sanitary landfills.
- (12) Sewage treatment facilities.
- (13) Steel mills, foundries, and smelters.
- (14) Sulphur, cement, or rubber reclamation plants.
- (15) Telecommunication towers over two hundred (200) feet in height. (O. No. 18420 - Adopted 3/20/97).
- (16) Transfer station. (O.No.21696 – Adopted 1/6/04).
- (17) Vehicle repair facilities.
- (18) Vehicle service centers.
- (19) Warehousing, storage, or wholesaling of live animals, explosives, or flammable gases and liquids.
- (20) Waste processing facility. (O.No.21696 – Adopted 1/6/04).

4. Accessory Land Uses and Developments.

Subject to compliance with the procedures of this section, accessory buildings, structures, and uses are permitted in conjunction with a permitted land use or development or (unless restricted by applicable condition) a conditional land use or development when such accessory building, structure or use is customarily found in conjunction with the primary use, is a reasonably necessary incident to the primary use, is clearly subordinate to the primary use, and serves only to further the successful utilization of the primary use. Accessory uses include the following:

- (1) Devices for the generation of energy, such as solar panels, wind-driven generators, and similar devices.
- (2) Dwelling or lodging units, only for watchmen, caretakers, or other personnel whose residence is essential to the operation of a permitted or conditional use or uses.
- (3) Office area of a building which constitutes less than fifty (50) percent of the gross floor space of the building or less than fifty (50) percent of the gross enclosed cubic area of the building, whichever is greater.
- (4) Individual sewage treatment facilities serving an individual building or use, as approved by the appropriate regulatory agency. The sewage treatment facility shall not exceed 5,000 gallons per day flow.
- (5) Signs (business, directional, and information).

5. Performance Standards.

All uses in the "M-2" Industrial District shall operate in conformity with the appropriate performance standards contained in Section 1003.163 Zoning Performance Standard Regulations.

6. Height Limitations for Structures.

Telecommunication and public utility towers authorized by a Conditional Use Permit may be erected to any height not in conflict with the application of the limits in Section 1003.161 Air Navigation Space Regulations. Unless otherwise restricted by application of regulations in Section 1003.161 Air Navigation Space Regulations of this Chapter, the total height of any other structure, not including rooftop mechanical equipment attached to such structures, shall not exceed 200 feet above the average finished ground elevation at the perimeter of such structure. (O. No. 18420 - Adopted 3/20/97).

7. Lot Area and Yard Requirements.

The lot area and yard requirements in the "M-2" Industrial District shall be as follows:

(1) Minimum Lot Area Requirements.

- (a) Towed vehicle storage yards shall be situated on tracts of land at least one (1) acre in area.
- (b) Transfer Stations and Waste Processing Facilities shall be situated on tracts of land at least five (5) acres in area. (O.No. 21696 – Adopted 1/6/04).
- (c) No minimum lot area is established for other uses in this District, but lot dimensions shall be sufficient to meet other requirements set forth in this section.

(2) Front Yard: General.

No structure is allowed within thirty (30) feet of any roadway right-of-way line.

(3) Front Yard: Specific Regulations and Exceptions.

- (a) Notwithstanding any other provision of this Chapter, on corner lots, no structure or plant material exceeding three (3) feet in height above the elevation of the street pavement is allowed within the sight distance triangle.
- (b) Boundary walls or fences, six (6) feet in height or less, are allowed within the minimum front yard setback.
- (c) Permitted information signs, six (6) feet in height or less, are allowed within the minimum front yard setback.
- (d) Permitted directional signs, three (3) feet in height or less, are allowed within the minimum front yard setback.
- (e) Light standards for parking lot lighting and free standing business signs are allowed no closer than twenty-five (25) feet from any roadway right-of-way line.
- (f) Light standards for street lighting or at points of ingress and egress are allowed within the minimum front yard setback when approved by the Department of Planning.
- (g) Required fencing for towed vehicle storage yards is allowed no closer than twenty-five (25) feet from any roadway right-of-way line. The setback shall be adequately landscaped as approved on a plan by the Department of Planning.
- (h) Any area used for the outdoor storage or display of merchandise, equipment, or vehicles which is located opposite and visible from property in the "NU" Non-Urban, "PS" Park and Scenic, or any "R" Residence District shall be effectively screened by a five (5) foot high sight-proof fence if determined necessary and required by the Department of Planning on review of a site plan for such use. The Department of Planning may approve the use of topographic features, landscaping, or walls in lieu of fencing where such alternates are determined to be appropriate.

(4) Side Yards and Rear Yards: General.

No structure or any storage or display of materials, equipment, or vehicles is allowed within ten (10) feet of any side or rear property line.

(5) Side Yards and Rear Yards: Specific Regulations and Exceptions.

- (a) No structure, or any storage or display of merchandise, equipment, or vehicles is allowed within twenty-five (25) feet of a property line adjoining property in the "NU" Non-Urban, "PS" Park and Scenic, or any "R" Residence District.
- (b) Any structure exceeding thirty (30) feet in height which adjoins property in the "NU" Non-Urban, "PS" Park and Scenic, or any "R" Residence District must be set back from such property line an additional one (1) foot for every two (2) feet in height above thirty (30) feet.
- (c) Any area used for the outdoor storage or display of merchandise, equipment, or vehicles which adjoins property in the "NU" Non-Urban, "PS" Park and Scenic, or any "R" Residence District shall be effectively screened by a five (5) foot high sight-proof fence located no closer than ten (10) feet from said adjoining property line. The setback shall be adequately landscaped as approved on a plan by the Department of Planning. When requested by the property owner, the Department of Planning may approve the use of topographic features, landscaping, or walls in lieu of fencing where such alternates will achieve comparable effect.
- (d) Required fencing for towed vehicle storage yards shall be located no closer than twenty-five (25) feet from any adjoining property line. This setback shall be adequately landscaped as approved on a plan by the Department of Planning.
- (e) All other boundary walls or fences six (6) feet in height or less, are permitted within the minimum side and rear yard setbacks required from property in the "NU" Non-Urban, "PS" Park and Scenic, or any "R" Residence District.
- (f) Light standards for parking lot lighting are allowed no closer than ten (10) feet of any side or rear yard line which adjoins property in the "NU" Non-Urban, "PS" Park and Scenic, or any "R" Residence District.
- (g) Notwithstanding any other provisions of this Chapter, telecommunication towers shall not be closer to a "PS" Park and Scenic District, "NU" Non-Urban District or "R" Residence District property than a distance equivalent to the height of the proposed telecommunication tower. A greater setback may be required by the conditions of a Conditional Use Permit. (O. No. 18420 - Adopted 3/20/97).

8. Off-Street Parking and Loading Requirements.

Off-street parking and loading requirements and setbacks for parking areas, loading spaces, and internal drives are set forth in Section 1003.165 Off-Street Parking and Loading Requirements.

9. Sign Regulations.

Sign regulations are set forth in Section 1003.168 Sign Regulations.