

## Chapter 18.42

### M-1 RESTRICTED INDUSTRIAL DISTRICT and MP-1 PLANNED RESTRICTED INDUSTRIAL DISTRICT

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#### **18.42.010 Statement of Intent**

The zoning of property as M-1, Restricted Industrial District, is intended to provide for development of light industrial uses in an industrial park setting. This type of industrial development should be of low intensity and high quality, with increased amenities and open space.

The zoning of property as MP-1, Planned Restricted Industrial District, is intended to encourage development of industrial park complexes which would accommodate businesses engaged in light manufacturing and related uses, with limited retail and service uses permitted as well. The zoning of land to the MP-1 district would be most appropriate where the subject property adjoins an area which is sensitive because of land use or environmental factors. (Ord. 02-54 § 2, 2002)

#### **18.42.020 Permitted Uses**

No building, structure, land or premises shall be used, and no building or structure shall hereafter be erected, constructed, reconstructed, moved or altered, except for one (1) or more of the uses set forth herein, or similar uses, in accordance with the Use Matrix in Chapter 18.76, subject to all applicable development and performance standards.

#### A. Uses permitted by right:

1. The following uses shall be permitted in the M-1 district subject to the performance standards in Section 18.42.040:
  - a. Cable and other pay television services.
  - b. Catalog and mail order houses.
  - c. Computer and office equipment manufacturing.
  - d. Computer programming, data processing and other computer-related services (other than sales, leasing or rental activities, or repairs).
  - e. Courier services.
  - f. Drugs, manufacturing.
  - g. Eating places, not including drive-through or drive-in service, or outdoor service area.
  - h. Electronic components and accessories -- manufacturing.
  - i. Engineering, architectural and surveying services.
  - j. Frozen food services, including lockers.
  - k. Gasoline service stations.

- l. General warehousing and storage.
  - m. Health services, offices and clinics.
  - n. Job training and vocational rehabilitation services.
  - o. Mailing, reproduction, commercial art and photography, and stenographic services.
  - p. Measuring, analyzing and controlling instruments; photographic, medical and optical goods; watches and clocks -- manufacturing.
  - q. Medical laboratories.
  - r. Mini-storage warehouses.
  - s. Miscellaneous manufacturing industries.
  - t. Motion picture production and distribution and allied services.
  - u. Office buildings of all types.
  - v. Parks and recreation facilities, public or private (noncommercial).
  - w. Photo finishing laboratories.
  - x. Research, development and testing services.
  - y. Retail nurseries, lawn and garden supply stores with no outdoor storage or display except within a confined area.
  - z. Schools and educational services not elsewhere classified.
  - aa. Stationery and office supplies, retail and wholesale trade.
  - bb. US Post offices.
  - cc. Union halls.
  - dd. Vocational schools.
  - ee. Wholesale trade, not otherwise classified.
2. The following uses shall be permitted in the MP-1 district subject to the performance standards in Section 18.42.060:
- a. All uses permitted by right in District M-1, subject to all applicable development and performance standards.
  - b. Assembly halls, convention centers and conference facilities.
  - c. Automobile parking lots and structures (freestanding).
  - d. Barber and beauty shops.
  - e. Child day-care services.
  - f. Colleges, universities, professional schools and junior colleges (public or private).
  - g. Consulting services, unclassified.
  - h. Depository institutions.
  - i. Drinking places (alcoholic liquor and cereal malt beverages).
  - j. Eating places, including drive-through or drive-in service, and outdoor service area.
  - k. Electric and other electrical equipment and components -- manufacturing.
  - l. Indoor tennis, racquetball, soccer and other athletic facilities.

- m. Newsdealers and newsstands.
  - n. Passenger transportation arrangement (travel agents).
  - o. Personnel supply services.
  - p. Physical fitness facilities.
  - q. Printing, publishing and allied industries.
  - r. Real estate services.
  - s. Satellite dish antenna sales.
- B. Conditionally permitted uses: The following uses shall be permitted subject to compliance with applicable conditions:
- 1. Accessory uses, subject to the provisions of Chapter 18.56, Accessory Uses and Structures.
  - 2. Outdoor play areas for child day-care services, subject to site plan approval by the City Planner.
  - 3. Temporary sales and events subject to the provisions of Section 18.54.040.
- C. Special uses: As specified in the Use Matrix, Chapter 18.76, or Chapter 18.54, Special Uses, may be permitted with a special use permit obtained pursuant to the provisions of Chapter 18.12, Applications and Procedures. (Ord. 02-54 § 2, 2002)

#### **18.42.030 Height and Area Regulations for M-1 Developments**

The maximum height of buildings and structures, the minimum district size, setbacks for buildings and parking/paving, maximum floor area ratio and minimum landscape open space ratio shall be as follows, except as otherwise provided in Chapter 18.58, Height and Area Exceptions:

- A. Minimum district size -- one (1) net acre.
- B. Maximum height:
  - 1. Buildings -- not exceeding fifty-five (55) feet from finished grade.
  - 2. Structures other than buildings and signs -- seventy-five (75) feet from finished grade, provided such structure is set back from all property lines a distance equal to or greater than its height.
- C. Minimum setbacks:
  - 1. Buildings:
    - a. Fifty (50) feet from street right-of-way.
    - b. A minimum of forty (40) to fifty (50) feet from property lines adjoining land zoned AG through TN, inclusive, depending upon existing topography and vegetation, the size of development, building size and land uses. Additional setback may be required in accordance with adopted buffer design guidelines.
    - c. Properties in the "Original Town" adjacent to land zoned AG through TN, inclusive, shall be determined as part of site and development plan review and approval in accordance with the provisions of Chapter 18.12, Applications and Procedures.
    - d. Ten (10) feet from property lines adjoining land zoned C-O through M-3, inclusive.

2. Parking/Paving:
  - a. Thirty (30) feet from street right-of-way.
  - b. A minimum of twenty (20) to thirty (30) feet from property lines adjoining land zoned AG through TN, inclusive, depending upon existing topography and vegetation, the size of development, building size and land uses. Additional setback may be required in accordance with adopted buffer design guidelines.
  - c. Properties in the "Original Town" adjacent to land zoned AG through TN, inclusive shall be determined as part of site and development plan review and approval in accordance with the provisions of Chapter 18.12, Applications and Procedures.
  - d. Ten (10) feet from property lines adjoining land zoned C-O through M-3, inclusive.
3. The Planning Commission may allow a ten (10) foot setback for buildings less than forty (40) feet in height or parking when the proposed development is adjacent to property zoned AG but shown as commercial or industrial on the Future Land Use Plan.
- D. Minimum landscaped open space ratio -- twenty (20) percent of net site area. (Ord. 02-54 § 2, 2002)

#### **18.42.040 Development and Performance Standards for M-1 Developments**

- A. Parking and Loading -- see Chapter 18.60.
- B. Signage -- see Chapter 18.64.
- C. Landscaping and Screening -- see Chapter 18.62. Additional landscaping or other buffering treatments shall be provided in accordance with adopted buffer design guidelines where adjacent to property zoned AG through TN, inclusive.
- D. Storage:
  1. All operations, other than limited storage of motorized machinery and equipment, materials, products or equipment, shall be conducted within a fully enclosed building.
  2. All storage of motorized machinery and equipment, materials, products or equipment shall be within a fully enclosed building or in a storage area or yard. Said storage shall be limited to twenty (20) percent of the ground floor area of the building or tenant space, screened in accordance with the provisions of Chapter 18.62, Landscaping and Screening, and paved or surfaced with an approved seal coat per approval by the City Engineer, provided the use of a storage lot with a gravel surface shall only be permitted if it is approved by the Planning Commission. Storage of any such items for junkyard or salvage yard purposes is not permitted, except in an area zoned MP-3.
- E. Environmental Performance Standards:
  1. No use shall be permitted or operated so that smoke darker than Ringlemann No. 1 is produced from any vent, stack or chimney. However, emission of smoke darker than Ringlemann No. 2 is permissible for a duration of not more than four (4) minutes during any eight (8) hour period if the emission is located no closer than two hundred fifty (250) feet from property zoned AG through R-5, inclusive.
  2. Noise levels in accordance with Chapter 6.18 of the Municipal Code.

3. No use may generate any ground-transmitted vibration in excess of one-tenth (.10) inch per second measured at the property line, or in excess of two-one hundredths (.02) inch per second measured at any residential property line. These values may be multiplied by two (2) for impact vibrations, i.e., discrete vibration pulsations not exceeding one (1) second in duration and having a pause of at least one (1) second between pulses.
  4. Lighting of off-street parking areas, signs or other structures shall be arranged so that light is deflected away from any adjoining property and streets. Direct or sky-reflected glare, from floodlights or from high-temperature processes such as combustion or welding, shall not be directed into any adjoining property. (Also see Chapter 18.04, General Provisions.)
  5. Heat from furnaces, processing equipment, or other devices shall be contained so that the temperature of air or materials is raised no more than five (5) degrees Fahrenheit as measured at all property lines.
  6. The maximum rate of emission of dust and other particulate matter from all sources within the boundaries of any lot or tract shall not exceed one (1) pound per hour per acre of lot area.
  7. Odors or fumes created by industrial processes shall be contained so that no odors may be sensed at the property line which exceed the lowest amount set forth in Table III (Odor Thresholds) of Chapter 5, "Physiological Effects," of the Air Pollution Abatement Manual of the Manufacturing Chemists Association (latest edition). For compounds not described in Table III, odor thresholds may be established by methods indicated in Chapter 5 of the manual.
  8. Activity which creates any off-site electrical disturbance, or contributes to interference with electronic signals (including television and radio broadcasting transmissions) shall be prohibited.
  9. Storage of toxic or flammable liquids such as gasoline, oil or grease, where not stored underground, shall occur in such a manner that a secondary storage system is provided with capacity as specified by the most recent edition of the Uniform Fire Code.
- F. Unless a waiver is approved by the Planning Commission or Governing Body for a solar design or improved site design, buildings should be oriented so that fronts of buildings face the street frontage of the property.
- G. The provisions of Chapter 18.12, Applications and Procedures, relating to site plans are applicable to District M-1.
- H. Sale of merchandise from a vehicle or temporary structure is prohibited, except as provided for by a temporary sales and events permit.
- I. Display:
1. No merchandise or equipment may be displayed outside a building unless located within an outdoor display confinement area not to exceed twenty (20) percent of the ground floor area of the building or tenant space. However, daily sidewalk sales and temporary displays, not to exceed one hundred fifty (150) square feet in area or twenty (20) percent of the ground floor area of the building or tenant space, whichever is less, shall be permitted on sidewalk areas immediately adjacent to the business during business hours. All such merchandise and display shall be temporary in nature and shall be moved inside the business after business hours.

2. Outdoor display of landscape plantings, materials and supplies, and lawn and garden supplies (as accessory sales for businesses with other commercial activities) are subject to the following:
  - a. Seasonal landscape plantings may be displayed outside of an outdoor display confinement area on a seasonal basis upon approval of a temporary sales and events permit. Plantings shall be kept off the public sidewalks and streets, shall not be placed within a required parking/paving setback area, shall not reduce the capacity of a parking lot below that required by Chapter 18.60, Parking and Loading, and shall not hinder the movement of pedestrians on any sidewalk around the building.
  - b. Landscape materials and lawn and garden supplies are required to be located within an outdoor display confinement area. However, such materials and supplies may be displayed outside of an outdoor display confinement area on a seasonal basis upon approval of a temporary sales and events permit. Materials and supplies shall be kept off the public sidewalks and streets, shall not be placed within a required parking/paving setback area, shall not reduce the capacity of a parking lot below that required by Chapter 18.60, Parking and Loading, and shall not hinder the movement of pedestrians on any sidewalk around the building.
3. Outdoor display and storage of landscape plantings, materials and supplies, and lawn and garden supplies associated with retail nurseries and/or lawn and garden supply stores (stand alone developments not associated with other commercial activities) and not located within an outdoor display confinement area may be permitted on a permanent basis with a special use permit obtained pursuant to the provisions of Chapter 18.12, Applications and Procedures. (Ord. 02-54 § 2, 2002)

**18.42.050 Height and Area Regulations for MP-1 Developments**

Unless specifically state, M-1 height and area regulations in Section 18.42.030 shall govern.

- A. Minimum district size -- ten (10) net acres.
- B. Minimum setbacks:
  1. Buildings:
    - a. May be reduced to thirty (30) feet from street right-of-way.
    - b. May be reduced to ten (10) feet from property lines adjoining land zoned C-O through M-3, inclusive.
  2. Parking/Paving:
    - a. May be reduced to twenty (20) feet from street right-of-way.
    - b. May be reduced to seven and one-half (7½) feet from property lines adjoining land zoned C-O through M-3, inclusive.
  3. Minimum setbacks from properties zoned AG through TN, inclusive, may be modified if the applicant demonstrates one (1) or more of the following, and provided that the area proposed for modification is illustrated on the site development plan:
    - a. An alternative higher quality development design with no negative impacts to either the residential or nonresidential properties.

- b. Development restrictions imposed on the property to ensure low impact land uses, low scale buildings, and a site design arrangement in which adjoining residential properties will not be negatively impacted by any such reductions.
  - c. Existing topography, hedgerows, or natural features provide significant screening and an appropriate buffer for adjoining properties.
  - d. Significant buffers are provided on adjoining residential properties and such properties will not be negatively impacted by any such reductions.
  - e. The setback requirements impose an unnecessary hardship upon the property owner arising from conditions unique to the property and alternative site design, building design and building arrangements are not possible. In such instances, findings shall be prepared that the conditions of Section 18.12.350.B have been met.
- C. Minimum landscaped open space ratio -- may be reduced to fifteen (15) percent of net site area upon expressed findings that other amenities or conditions will be gained to the extent that an equal or higher quality development is produced. (Ord. 02-54 § 2, 2002)

**18.42.060 Development and Performance Standards for MP-1 Developments**

- A. Planned district projects shall emphasize orderly development at a quality level exceeding that found in projects developed under conventional zoning in accordance with Chapter 18.14, Zoning Districts. Planned district zoning is reserved for those areas that are sensitive due to natural features, adjoining land uses, or high visibility. Planned districts shall not be used to reduce standards and requirements, but shall be used as a means to improve development quality.
- B. Development plans as specified in Chapter 18.12, Applications and Procedures, are required for developments zoned MP-1.
- C. Parking -- see Chapter 18.60.
- D. Signage -- see Chapter 18.64.
- E. Landscaping and Screening -- see Chapter 18.62. Additional landscaping or other buffering treatments shall be provided in accordance with adopted buffer design guidelines where adjacent to property zoned AG through TN, inclusive.
- F. Storage:
  - 1. All operations, other than limited storage of motorized machinery and equipment, materials, products or equipment, shall be conducted within a fully enclosed building.
  - 2. All storage of motorized machinery and equipment, materials, products or equipment shall be within a fully enclosed building or in a storage area or yard. Said storage shall be limited to twenty (20) percent of the ground floor area of the building or tenant space, screened in accordance with the provisions of Chapter 18.62, Landscaping and Screening, and paved or surfaced with an approved seal coat per approval by the City Engineer, provided the use of a storage lot with a gravel surface shall be approved by the Planning Commission. Storage of any such items for junkyard or salvage yard purposes is not permitted, except in an area zoned MP-3.
- G. Environmental Performance Standards -- see Section 18.42.040.E.

- H. Unless a waiver is approved by the Planning Commission or Governing Body for a solar design or improved site design, buildings should be oriented so that fronts of buildings face the street frontage of the property.
- I. Sale of merchandise from a vehicle or temporary structure is prohibited, except as provided for by a temporary sales and events permit.
- J. Display -- see Section 18.42.040.I. ([Ord. 02-54 § 2, 2002](#))



(Pages 229 and 230 reserved.)