



Legislation Details (With Text)

File #: Ord 13-22 **Version:** 5

Type: Ordinance **Status:** Passed

In control: City Council

Final action: 8/21/2013

Title: Amending Legislative Code Chapters 60, 62, 63, 64, 65, and 66 pertaining to industrial zoning districts and regulation of industrial uses.

Sponsors: Kathy Lantry

Indexes:

Code sections:

Attachments: 1. Ord 13-22, 2. Use Table 66521 8-14-13 amendment, 3. Use Table 66521, 4. Dimensional Standards Table 66531, 5. Park Setbacks Table, 6. Full Ordinance for I Zoning text amendments draft 3-26-2013, 7. Exec Summary - Testimony & PC Recommendation 1-25-13, 8. Planning Commission Resolution and Recommendation 1-25-13, 9. Public Hearing Comments Review CPC memo to PC 1-8-13, 10. PC Public Hearing Minutes 6-1-12, 11. PC Public Hearing Written Testimony 6-1-12, 12. Ordinance for I Zoning Text Amendments Version 4 draft 8-7-2013

Date	Ver.	Action By	Action	Result
8/27/2013	5	Mayor's Office	Signed	
8/21/2013	5	City Council	Adopted	Pass
8/14/2013	4	City Council	Amended and Laid Over for Final Adoption	Pass
8/7/2013	3	City Council	Amended and Laid Over for Final Adoption	Pass
7/17/2013	3	City Council	Continue Public Hearing	Pass
5/15/2013	3	City Council	Continue Public Hearing	Pass
5/8/2013	3	City Council	Laid Over to Third Reading/Public Hearing	
5/1/2013	3	City Council	Laid Over to Second Reading	

Amending Legislative Code Chapters 60, 62, 63, 64, 65, and 66 pertaining to industrial zoning districts and regulation of industrial uses.

STATEMENT OF FINDINGS BY THE COUNCIL

WHEREAS, Policies 2.21, 2.22, and 2.23 of the Land Use chapter of the *Saint Paul Comprehensive Plan* call for study of zoning code amendments pertaining to industrial districts and regulation of industrial uses; and

WHEREAS, § 61.801 of the zoning code calls for periodic review of the zoning code to reflect current city policies, to address current technology and market conditions, and to bring the zoning code up-to-date; and

WHEREAS, the Planning Commission, in Resolution 11-78 on September 16, 2011, initiated a study of zoning code amendments pertaining to industrial districts and regulation of industrial uses; and

WHEREAS, the Planning Commission conducted a public hearing on a draft of the industrial zoning study text amendments on June 1, 2012, revised the draft amendments based on the oral and written testimony received

at the public hearing and the recommendations of its Comprehensive Planning Committee; and

WHEREAS, the Planning Commission, on January 25, 2013, forwarded its recommendation for amendments to the zoning code pertaining to industrial zoning districts and regulation of industrial uses, along with a January 8, 2013, memorandum from its Comprehensive Planning Committee containing their recommendations and rationale for the proposed text amendments, to the City Council for review and adoption; and

WHEREAS, a public hearing before the City Council having been conducted at which all interested parties were given an opportunity to be heard, the Council having considered all the facts and recommendations concerning the proposed zoning amendments, pursuant the authority granted by and in accordance with the procedures set forth in Minnesota Statutes Sec. 462.357;

THE COUNCIL OF THE CITY OF SAINT PAUL DOES ORDAIN:

SECTION 1

Legislative Code Chapter 60, Article III, 60.300, Zoning Districts and Maps Generally, is hereby amended as follows:

Sec. 60.301. Zoning Districts established.

- (d) Industrial districts.
 - ~~ITR transitional river corridor~~ industrial district
 - I1 light industrial district
 - I2 general industrial district
 - I3 ~~heavy restricted~~ industrial district

Sec. 60.307. More restrictive or less restrictive districts.

When the code refers to more restrictive districts or less restrictive districts, the districts in order from more to less restrictive are: CV, CO, RL, R1, R2, R3, R4, RT1, RT2, RM1, RM2, RM3, T1, OS, B1, BC, T2, B2, T3, B3, T4, B4, B5, ~~IT IR~~, I1, I2, I3. The VP district shall be as restrictive as the district for which the VP district provides accessory parking.

SECTION 2

Legislative Code Chapter 62, Section 62.106, is hereby amended as follows:

Sec. 62.106. Nonconforming uses of structures, or structures and land in combination.

- (q) Existing municipal yard waste sites that are legally nonconforming in the ~~ITR transitional light industrial restricted~~ districts may expand as a conditional use under the provision of sections 61.501-61.504 and section 65.331 even though new municipal yard waste sites are not permitted in the ~~ITR transitional light industrial restricted~~ districts.

SECTION 3

Legislative Code Chapter 63, Section 63.113, is hereby amended as follows:

Sec. 63.113. ~~Reserved Outdoor storage near residential districts and uses.~~

~~In reviewing the site plan for outdoor storage in industrial districts, the zoning administrator may permit outdoor storage to be within three hundred (300) feet of a residential district or of a park parkway, or major thoroughfare, provided that:~~

- ~~(a) A visual screen, a minimum of six (6) feet in height, is placed between the outdoor storage and such residential district or use;~~

- (b) ~~The zoning administrator has considered the location and design of the outdoor storage area and visual screen in relation to any plans or guidelines approved by the city council and in relation to the design character and building materials of adjacent areas; and~~
- (c) ~~The zoning administrator has notified by mail the property owners within three hundred fifty (350) feet of the outdoor storage area at least ten (10) days before the administrator is to approve the site plan and has considered the property owners' comments.~~

SECTION 4

Legislative Code Chapter 64, Section 64.504, is hereby amended as follows:

Sec. 64.504. B2-B3 and ITR industrial districts.

SECTION 5

Legislative Code Chapter 65, Land Use Definitions and Development Standards, is hereby amended as follows:

Sec. 65.143. Mixed residential and commercial use.

Standards and conditions in B1-B3 business and IR-I2 industrial districts:

- (a) In B1-B3 business and IT industrial districts, dwelling units shall be limited to not more than fifty (50) percent of the basement and first floor and fifty (50) percent of a basement. The entire upper floors may be used for residential use. At least fifty (50) percent of the basement and first floor shall be devoted to a principal uses permitted in this the district, other than residential uses.
- (b) In I1-I2 industrial districts, dwelling units shall not be located in the basement or first floor and at least eighty (80) percent of the first floor shall be devoted to principal uses permitted in the district, other than residential uses. In the I2 district, a conditional use permit is required for a mixed residential and commercial use with more than six (6) dwelling units.

Sec. 65.645. Reserved Outdoor (drive-in) theater.

Standards and conditions:

- (a) ~~The proposed internal design shall receive approval from the city engineer as to the adequacy of drainage, lighting and other technical aspects.~~
- (b) ~~Outdoor theaters shall abut directly upon a major thoroughfare, with ingress and egress available only from said major thoroughfare.~~
- (c) ~~There shall be off-street stacking space for no less than fifty (50) automobiles waiting to enter the facility.~~
- (d) ~~The area shall be laid out so as to prevent the movie screen from being viewed from residential areas or adjacent thoroughfares.~~

Sec. 65.701. Auto body shop.

Standards and conditions:

In the ITR transitional light industrial restricted district this use shall be limited to . . .

Sec. 65.703. Auto service station.

Additional standards and conditions in traditional neighborhood and ITR industrial districts:

- (h) In the T2 traditional neighborhood and ITR transitional light industrial restricted districts this use shall be limited to parcels within one-quarter (1/4) mile of University Avenue.

Sec. 65.705. Auto repair station.

- (e) In the ITR transitional light industrial restricted district this use shall be limited to . . .

Sec. 65.706. Auto sales and rental, outdoor.

- (d) Except in the ITR transitional light industrial restricted district, the . . .
- (e) In the ITR transitional light industrial restricted district this use shall be limited to parcels within one-quarter (1/4) mile of University Avenue, limited to . . .

Sec. 65.731. Parking facility, commercial.

Standards and conditions in traditional neighborhood and ITR industrial districts:

Sec. 65.753. Helistop.

- (a) In business districts and the ITR transitional river corridor industrial district . . .

Sec. 65.811. General industrial.

- (a) Production, processing, . . . except those uses specifically first allowed as permitted uses in the I3 heavy restricted industrial district;

Sec. 65.812. General outdoor processing.

Standards and conditions:

- (a) Outdoor servicing, processing, manufacturing or the storage of materials used in these operations shall be no closer than at least three hundred (300) feet from a residential or traditional neighborhood district boundary to a property occupied with a one-, two-, or multiple-family dwelling.

Sec. 65.822. Cement, asphalt cement, and asphalt manufacturing.

Standards and conditions:

- (a) All cement (including Portland cement), asphalt cement and asphalt processing and storage shall be located at least three hundred (300) feet from a residentially or traditional neighborhood district boundary zoned property or property occupied by a residential use.

Sec. 65.823. Concrete, asphalt and rock crushing facility, outdoor.

Standards and conditions:

- (a) All concrete, asphalt and rock processing and storage shall be located at least three hundred (300) feet from a residential or traditional neighborhood district boundary residentially-zoned property or property occupied by a residential use.
- (b) The use All outdoor servicing, processing shall be conducted, operated and maintained in accordance with any necessary permits of MPCA, the county and the city permits, copies of which shall be provided to and maintained on file by the zoning administrator.
- (c) The applicant shall provide a site plan showing the location of buildings; areas of outdoor storage, servicing, processing or manufacturing; and fences and walls. A narrative shall accompany the plan stating the measures the applicant will take to contain on the property any dust, odor, noise or other potentially adverse effects.
- (c) The following shall be provided with an application for a conditional use permit:
 - (1) A site plan drawn to scale showing the location of buildings; areas of outdoor processing and storage; fences, walls, landscaping and screening vegetation; and the location of any stream, river (including the ordinary high water level), lake, wetland and major topographical feature within three hundred (300) feet of the site.
 - (2) A description of sources of sound, including hours of operation and measures to conform to noise regulations laid out in Sec. 293 of the Legislative Code.
 - (3) A dust management plan describing dust emission sources, their quantity and composition, and indicating conformance with all applicable air quality regulations.
 - (4) A drainage plan for stormwater management and runoff indicating conformance with all applicable stormwater regulations.
 - (5) A traffic plan describing the number of truck/vehicle trips the proposal will generate and the principal access routes to the facility including a description of the facility's traffic impact on the surrounding area.

(C.F. No. 09-341, § 4, 4-22-09)

Sec. 65.831. Hazardous waste recycling transfer facility.

A facility that collects recyclable hazardous and industrial non-hazardous wastes from very small quantity generators (VSQG), as defined in Minnesota Rules 7045.0320, and consolidates these wastes into larger containers that meet minimum shipment requirements (generally 55 gallon drums), and transfers them to an appropriate processing facility within ten (10) days of receipt.

Standards and conditions:

- (a) The facility shall be at least three hundred (300) feet from a residential or traditional neighborhood district boundary.
- (b) The facility shall meet all state requirements of a VSQG collection site, including a license issued by the Saint Paul-Ramsey County Department of Public Health.
- (c) The facility shall document the safety of any outdoor storage of collected materials.
- (d) The facility shall collect the waste or shall ensure that customers are trained to safely transport the material to the facility.
- (e) The facility shall not accept or collect household hazardous waste or explosive, radioactive, infectious, or putrescible materials.
- (f) The facility shall be kept free of litter and any other undesirable materials and cleaned of loose debris on a daily basis.

Sec. 65.8324. Infectious waste incinerator.

Standards and conditions:

See section 65.8332, infectious waste processing facility, standards and conditions (a)-(c).

Sec. 65.8332. Infectious waste processing facility.

Standards and conditions:

- (a) The treatment of waste shall be conducted within completely enclosed buildings.
- (b) The storage of the waste shall be within completely enclosed buildings . . .
- (c) All structures containing the waste operations shall be at least ~~three hundred (300) one thousand (1,000)~~ feet from a residential or traditional neighborhood district boundary ~~the closest property line of a one, two, or multiple family dwelling.~~
- (d) The incineration of infectious waste shall be prohibited.
(C.F. No. 07-149, § 38, 3-28-07)

Secs. 65.8343 - 65.8389. Reserved.

Sec. 65.839. Metal shredder, intermediate.

~~A facility that accepts, stores and shreds intermediately sized metal products, including crushed and logged motor vehicles cut into smaller sections. The facility shall be incapable of handling whole crushed motor vehicles, closed containers and heavy dense scrap with a thickness of more than ¼ inch.~~

Standards and conditions:

- ~~(a) Facilities for motor vehicle recycling shall be located on the site of an existing legal motor vehicle salvage operation.~~
- ~~(b) The size of the shredder intake shall be sixty (60) inches by sixty (60) inches or less and the power generated by the shredder shall be 1500 horsepower or less.~~
- ~~(c) All processing activities and material storage shall be contained within enclosed buildings that meet all requirements of the State Building Code.~~
- ~~(d) The facility shall meet noise standards as set forth in MPCA (Minnesota Pollution Control Agency) Noise Pollution Control Rules and local ordinances. The applicant shall perform a noise analysis to determine whether the facility will conform to the standards and propose any mitigation measures necessary to meet the rules and regulations. Buildings shall be insulated as required by the State Building Code and sound proofed as required by the noise analysis.~~
- ~~(e) The shredder shall be equipped with a closed loop dust collection system or similar system to ensure safe indoor and outdoor air quality. The applicant shall prepare an air quality analysis showing how air~~

- quality will be in compliance with state, federal, and local rules and regulations.
- (f) ~~The applicant shall provide a traffic analysis identifying automobile and truck trips, peak hour trips, and potential impacts on existing transportation systems. Intermediate shredders shall not be permitted in any instance where negative impacts on the existing transportation system cannot be mitigated by the applicant.~~
 - (g) ~~Vehicular access to the facility shall not include local or collector streets that also provide vehicular access to residential uses, schools, churches or hospitals.~~
 - (h) ~~The applicant shall prepare an evaluation of surrounding subsurface soils, utilities, and surrounding buildings to determine the likelihood of adverse vibration issues, and shall design a foundation and footing system to address any issues that are discovered.~~
 - (i) ~~The applicant shall prepare a surface and ground water quality analysis that complies with state, local, and federal regulations regarding stormwater pollution prevention and groundwater quality.~~
 - (j) ~~Intermediate shredders shall be at least three hundred (300) feet from a residential or traditional neighborhood district boundary.~~
 - (k) ~~A site plan and supporting documentation showing how the proposed facility complies with all standards and conditions shall be submitted with the application for a conditional use permit.~~

Sec. 65.845. Recycling processing center, indoor.

Standards and conditions:

- (a) All processing activities shall be conducted within a wholly enclosed building.
- (b) Outdoor storage of materials shall be within covered containers or behind an opaque visual screen meeting the requirements of section ~~63.xxx~~ 63.114, visual screens, on three (3) sides. Such outdoor storage shall be located at least three hundred (300) feet from any residential district.

...

Sec. 65.846. Recycling processing center, outdoor.

Standards and conditions:

- (a) ~~Outdoor processing, salvaging and storage of the materials and motor vehicles shall be no closer than at least three hundred (300) feet from a residential or traditional neighborhood district boundary to a property occupied with a one-, two- or multiple-family dwelling. The area used for the outdoor processing, salvaging and storage shall be behind an eight-foot-high obscuring wall, fence, structure, or landscaped buffer at least eight (8) feet high providing for reasonable operation of the business. The planning commission may modify this requirement where a wall, fence or buffer may interfere with the operation of the business.~~
- (c) There shall be no stacking of material above the height of the obscuring structure, wall or fence, except that material set back three hundred (300) feet from the nearest residential zoning district property line may be stacked one (1) foot higher than the obscuring structure, wall or fence, up to a maximum of sixty (60) feet, for every additional five (5) feet the material is set back from the nearest residential property line zoning district, up to a maximum of sixty (60) feet.

Sec. 65.847. Solid waste compost facility.

- (e) The facility shall be located ~~no closer than~~ at least three hundred (300) feet from any residentially or traditional neighborhood district boundary, used or zoned property as measured from the edge of the nearest compost pile to the nearest residentially or traditional neighborhood district boundary ~~used or zoned property~~.

...

SECTION 6

Legislative Code Chapter 66, Article V, 66.500, Industrial Districts, is hereby amended as follows:

ARTICLE V. 66.500. INDUSTRIAL DISTRICTS

Division 1. 66.510. Intent.

Sec. 66.511. Intent, IT transitional ~~IR light industrial restricted~~ district.

The IT transitional ~~IR light industrial restricted~~ district is intended to provide sites for commercial, office and light industrial uses that are compatible with any nearby residential and traditional neighborhood districts, parks, and parkways, ~~or residential uses.~~

(Ord. No. 17511, § 3, 11-12-87; C.F. No. 06-112, § 1, 2-22-06)

Sec. 66.512. Intent, I1 light industrial district.

The I1 light industrial district is intended to accommodate wholesale, warehouse, and industrial operations whose external physical effects are restricted to the area of the district and in no manner affect surrounding districts in a detrimental way. The I1 district is intended to permit, along with other specified uses, the manufacturing, compounding, processing, packaging, assembly, or treatment of finished or semifinished products from previously prepared material.

(Code 1956, § 60.531)

Sec. 66.513. Intent, I2 general industrial district.

The I2 general industrial district is intended primarily for manufacturing, assembling and fabrication activities, including large scale or specialized industrial operations whose external effects will be felt in surrounding districts. The I2 district is intended to permit the manufacturing, processing and compounding of semifinished products from raw material and prepared material. The processing of raw material in bulk form to be used in an industrial operation is a permitted use in the I2 district.

(Code 1956, § 60.541)

Sec. 66.514. Intent, I3 heavy restricted industrial district.

The I3 heavy restricted industrial district is intended to provide sites for uses which are or can be objectionable or hazardous unless surrounded by other types of industrial districts.

(Code 1956, § 60.551)

Division 2. 66.520. Principal Uses in Industrial Districts

Sec. 66.521. Principal uses.

Table 66.521, principal uses in industrial districts, lists all permitted and conditional uses in the ~~IR~~IT-I3 industrial districts, and notes applicable development standards and conditions.

Table 66.521. Principal Uses in Industrial Districts

Use	IR <u>IT</u>	I1	I2	I3	Definition (d) Development Standards (s)
Residential Uses					
Mixed Commercial-Residential Uses					
Home occupation	P	P	P		(d), (s) ✓
Mixed residential and commercial use	P	P	P/C		(s) ✓
Congregate Living					
Foster home, freestanding foster care home	P	P	P		✓
Community residential facility, licensed human service	P	P	P		(d), (s) ✓

Community residential facility, licensed correctional		C	C		(d), (s) ✓
Community residential facility, health department licensed		C	C		(d), (s) ✓
Correctional facility		C	P	C	
Emergency housing facility		C	C		(d), (s) ✓
Overnight shelter		C	C		(d), (s) ✓
Shelter for battered persons	P	P	P		(d), (s) ✓
Transitional housing facility	P	P	P		(d), (s) ✓
Sober house	P/C	P/C	P/C		(d), (s) ✓
Roominghouse, boardinghouse			C		(d), (s) ✓
Hospice	P	P	P		(d), (s) ✓
Civic and Institutional Uses					
Educational Facilities					
Group day care	P	P	P C		(d), (s) ✓
School, grades K-12	P	P	P C		(s)
College, university, seminary, etc.	P	P	P C		(d), (s) ✓
Trade school, arts school, dance school, etc.	P	P	P C		
Social, Cultural, and Recreational Facilities					
Club, fraternal organization, lodge hall	P	P	P C		(d)
<u>Museum</u>	P	P	C		
Public Library	P	P	P C		
Public and private park, playground	P	P	P		
Recreation, noncommercial	P	P	P		(d)
Religious Institutions					
Church, chapel, synagogue, place of worship	P	P	P C		
Rectory, parsonage	P	P	P		
Convent, monastery, religious retreat	P	P	P		
Public Services and Utilities					
Antenna, cellular telephone	P/C	P/C	P	P	(d), (s) ✓
Antenna, public utility microwave	C	C	P	P	(d), (s) ✓
Antenna, radio and television transmitting	C	C	P	P	(d), (s) ✓
Antenna, satellite dish	C	C	P	P	(d), (s) ✓
Electric transformer or gas regulator substation	P	P	P	P	
Municipal building or use	P	P	P		

Municipal incinerator			P	P	
Power plant			P	P	
Public utility heating or cooling plant		P	P	P	
Public works yard or maintenance facility		P	P	P	
Sewage treatment plant			P	P	
Utility or public service building or yard	P	P	P	P	(d)
Water supply plant	P	P	P	P	
Yard waste site, commercial and municipal		C	C	P	(d), (s) ✓
Commercial Uses					
Offices					
Administrative office	P	P	P		
Artist, photographer studio, etc.	P	P	P		(d)
Insurance office, real estate office, sales office	P	P	P		
Professional office	P	P	P		(d)
Medical Facilities					
Clinic, medical or dental	P	P	P		(d)
Hospital	P	P	P		(d)
Medical laboratory	P	P	P		
Veterinary clinic	P	P	P		(d), (s) ✓
Retail Sales and Services					
General retail	P	P	P		(d)
Alternative financial establishment		C	P		(d), (s) ✓
Bank, credit union	P	P	P		
Business sales and services	P	P	P		(d)
Drive-through sales and services, primary and accessory	P	P	P		(s) ✓
Dry cleaning, commercial laundry	P	P	P		
Food and related goods sales	P	P	P		(d)
Food shelf	P	P	P		(d)
Garden center, outdoor	P	P	P		(d), (s) ✓
Greenhouse	P	P	P		(d), (s) ✓
Gun shop, shooting gallery		C	P	P	(d), (s) ✓
Laundromat, self-service	P	P	P		
Liquor store	P	P	P		
Massage center	P	P	P		(d)
Mortuary, funeral home		P	P	C	

Outdoor uses, commercial		C	P		(s) ✓
Outdoor uses, commercial sales of consumer fireworks		C	C		(d), (s) ✓
Package delivery service	P	P	P		(d)
Pawn shop		C	P		(d), (s) ✓
Photocopying	P	P	P		
Post office	P	P	P		
Service business	P	P	P		(d)
Service business with showroom or workshop	P	P	P		(d)
Small appliance repair	P	P	P		
Small engine repair, automotive bench work	P	P	P		
Tattoo shop	P	P	P		
Tobacco products shop	P	P	P		(d), (s) ✓
Food and Beverages					
Bar	P	P	P		(d)
Brew on premises store	P	P	P		(d), (s)
Catering	P	P	P		
Coffee kiosk	P	P	P		(d), (s)
Coffee shop, tea house	P	P	P		(d)
Restaurant	P	P	P		(d)
Restaurant, carry-out-deli	P	P	P		(d)
Restaurant, fast food	P/C	P	P		(d), (s) ✓
Restaurant, outdoor	P	P	P		(s) ✓
Commercial Recreation, Entertainment and Lodging					
Bed and breakfast residence	P	P	P		
Bingo hall, auction hall	P	P	P C		
Health/sports club	P	P	P		(d)
Hotel, inn, motel	P	P	P		
Indoor recreation	P	P	P		(d), (s) ✓
Outdoor (drive-in) theater sports/entertainment		C	P	P	✓
Race track		C	P	P	
Reception hall	P	P	P C		
Steam room/bathhouse facility	P	P	P		(d)
Theater, assembly hall, concert hall	P	P	P C		
Adult Entertainment					
Adult use		C	C		(d), (s) ✓
Automobile Services					

AUTOMOBILE SERVICES					
Auto body shop	C	P	P	P	(d), (s) ✓
Auto convenience market	C	P	P		(d), (s) ✓
Auto service station	C	P	P		(d), (s) ✓
Auto specialty store	C	P	P		(d), (s) ✓
Auto repair station	C	P	P		(d), (s) ✓
Auto sales, indoor	P	P	P		
Auto sales and rental, outdoor	C	P	P		(d), (s) ✓
Car wash		P	P		(s) ✓
Parking facilities					
Parking facility, commercial	C	P	P	C	(d), (s) ✓
Transportation					
Airport		C	C	C	(d)
Bus garage, station, lot, or turnaround		P	P	C	
Heliport		C	C	C	(d), (s) ✓
Helistop	C	C	C	C	(d), (s) ✓
Intermodal freight yard			C	C	(d), (s) ✓
Motor freight terminal			C	C	(d), (s) ✓
Railroad right-of-way, transfer and storage tracks	P	P	P	P	
Railroad station or terminal freight facility	P	P	P	C	
Railroad yard or shop	C	C	P	P	
Taxi dispatching, maintenance and storage		P	P	P	
Limited Production, Processing and Storage					
Finishing shop	P	P	P		(d), (s) ✓
Limited production and processing	P	P	P		(d), (s) ✓
Mail order house	P	P	P		
Malt liquor production	P	P	P		
Plastic products	P	P	P		(d)
Printing and publishing	P	P	P		
Recycling collection center		P	P		(d), (s) ✓
Recycling drop-off station	P	P	P		(d), (s) ✓
Storage facility, rental	P	P	P	P	
Toiletries and cosmetic manufacturing	P	P	P		
Warehousing and storage	P	P	P		
Wholesale establishment	P	P	P		(d)

Industrial Uses					
Light manufacturing	P	P	P	PG	(d)
General industrial			P	P	(d)
General outdoor processing			C	C	(d), (s) ✓
Brewery, micro and regional	P	P	P		(d)
Brewery, national			P		(d)
Cement, asphalt cement, and asphalt manufacturing			C	C	(s) ✓
Concrete, asphalt and rock crushing facility, <u>outdoor</u>				C	(d), (s) ✓
<u>Crematorium</u>		P	P	P	
Greenhouse, industrial	P	P	P		(d)
Hazardous waste processing facility			C	C	(d), (s) ✓
Hazardous waste recycling transfer facility			C	C	(d), (s)
Infectious waste incinerator				C	(s) ✓
Infectious waste processing facility			C	C	(d), (s) ✓
Lumber yard	P	P	P		
<u>Metal shredder, intermediate</u>			C	C	(d), (s)
Mining			C	C	(d)
Motor vehicle salvage operation			C	C	(d), (s) ✓
Petroleum and gasoline tank farms				P	
Recycling processing center, indoor		P	P	P	(d), (s) ✓
Recycling processing center, outdoor			C	C	(d), (s) ✓
Rendering plants and tanning				P	
Research, development and testing laboratory	P	P	P		
Solid waste compost facility			C	C	(d), (s) ✓
Solid waste transfer station			P	PG	(d)
Tire retreading		P	P	P	
Accessory Uses					
Accessory use	P	P	P	P	(d), (s)

Notes to table 66.521, principal uses in industrial districts:

(d) Definition for the use in Chapter 65, Land Use Definitions and Development Standards.

(s) Standards and conditions for the use in Chapter 65, Land Use Definitions and Development Standards. (C.F. No. 05-441, § 2, 8-24-05; Ord. No. 06-112, § 2, 2-22-06; C.F. No. 07-633, § 3, 8-15-07; C.F. No. 08-640, § 6, 7-9-08; C.F. No. 09-341, § 6, 4-22-09; Ord. No. 10-33, 10-27-10; Ord. No. 11-26, § 2, 3-23-11; Ord. No. 11-27, § 1, 4-20-11; Ord. No. 12-26, § 1, 5-23-12)

Division 3. 66.530. Industrial District Density and Dimensional Standards

Sec. 66. 531. Density and dimensional standards table.

Table 66.531, industrial district dimensional standards, sets forth density and dimensional standards that are specific to industrial districts. These standards are in addition to the provisions of chapter 63, regulations of

general applicability.

Table 66.531. Industrial District Dimensional Standards

Zoning District	Floor Area Ratio (FAR)	Height		Yard Setbacks Minimum (feet)		
		Maximum	Maximum	Front	Side	Rear
	Maximum	Stories	Feet	Front	Side	Rear
ITR Transitional Industrial	2.0	3 (a),(b)	50 (a), (b)	0(c),(d),(e)	0-(e)(e),(f)	0-(e)(e),(f)
I1 Light Industrial	2.0	(b)	50 (b)	0(c),(d),(e)	0-(e)(e),(f)	0-(e)(e),(f)
I2 General Industrial	3.0	(b)	75 (b)	0(c),(d),(e)	0-(e)(e),(f)	0-(e)(e),(f)
I3 Heavy Industrial	1.0	(b)	75 (b)	0(c),(d),(e)	0-(e)(e),(f)	0-(e)(e),(f)

Notes to table 66.531, industrial district dimensional standards:

- (a) Buildings exceeding this height limit, to a maximum height of seventy-five (75) feet, may be permitted with a conditional use permit.
- (b) The height of the structure may exceed the maximum building height allowed in the district provided the structure is set back from all exterior property lines of the parcel a distance equal to the height which said structure exceeds the maximum building height allowed in the district.
- (c) On those lots or parcels, or portions of lots or parcels, ~~which where the frontage adjoins or is are located directly across a street or abut a side or rear from a required front yard lot-line~~ in any use district other than an industrial I1, I2, I3, or VPV vehicular parking district, the required front setbacks requirements of from said abutting districts shall ~~apply~~ be equal to a minimum of one and one-half (1½) times the height of the buildings, ~~except as noted in section 63.102.~~
- (d) On those lots or parcels, or portions of lots or parcels, which adjoin a right-of-way line of a parkway, the required setbacks from the parkway right-of-way line shall be equal to that required for residential uses in effect along the parkway right-of-way or twenty-five (25) feet, whichever is greater. The following parkways and portions of parkways are excluded from this setback requirement: Ford Parkway (from Kenneth Street to Finn Street and north side between Finn Street and Mississippi River Boulevard), Gannon Road, and Lexington Parkway (from Pierce Butler Route to the nearest Burlington Northern Railroad tracks).
- (e) ~~Where the frontage of any block is divided into two (2) or more zoning districts, the front yard requirements of the district with the largest front yard depth shall be applied to the entire block frontage. No side or rear yards are required except as specified in the building code, and except that side and rear yard setbacks of at least six (6) feet shall be required where an industrial district adjoins a side yard in an adjacent residential district.~~
- (f) ~~Nonrequired front yards and all required and nonrequired side and rear yards shall be permitted to be used for off-street parking. Loading and unloading shall not be permitted in any required front, side or rear yards.~~

(Code 1956, § 61.104; Ord. No. 17204, 1-15-85; Ord. No. 17778, § 2, 10-11-90; C.F. No. 92-1479, § 19, 12-15-92; C.F. No. 93-1718, § 64, 12-14-93; C.F. No. 96-462, § 7, 6-5-96; C.F. No. 06-112, §§ 3, 4, 2-22-06)

Division 4. 66.540. Required Conditions

Sec. 66.541. Required conditions in the ITR -I3 industrial districts.

- (a) **Outdoor storage.** Outdoor storage is permitted subject to the following conditions:
 - (1) ~~Except as provided in section 63.113, Outdoor storage shall be no closer than at least three hundred (300) feet to from a residential or traditional neighborhood district boundary or to a property occupied with a one-, two-, three-, four-, townhouse or multiple-family dwelling, and in the ITR IT transitional light industrial restricted district shall also be no closer than at least three hundred (300) feet to from a park, parkway, or major thoroughfare-, except that in reviewing a site plan for outdoor storage in industrial districts, the zoning administrator may permit outdoor storage to be~~

within three hundred (300) feet of a residential or traditional neighborhood district, or of a park, parkway, or major thoroughfare, provided that: a) a visual screen, a minimum of six (6) feet in height, is placed between the outdoor storage and such district, park, parkway or major thoroughfare; b) the zoning administrator has considered the location and design of the outdoor storage area and visual screen in relation to any plans or guidelines approved by the city council and in relation to the design character and building materials of adjacent areas; and c) the zoning administrator has notified by mail the property owners within three hundred fifty (350) feet of the outdoor storage area at least ten (10) days before the administrator is to approve the site plan and has considered the property owners' comments.

- (2) Outdoor storage shall be fenced or walled. Outdoor storage which abuts a thoroughfare, a business district or a PD district shall be behind a six-foot-high obscuring fence. However, an obscuring fence shall not be required if the outdoor storage is screened by a building or topography. On sites where the topography renders an obscuring fence ineffectual as a screen, landscape screening shall be required.
- (b) *Outdoor uses.* In the ITR, I1, and I3 industrial districts, all business, servicing, processing or manufacturing shall be conducted within completely enclosed buildings, except for off-street parking, off-street loading, and outdoor uses specifically allowed as permitted or conditional uses.
- (c) Activities involving storage, utilization or manufacture of materials or products which contain their own oxidizing agent and which decompose by detonation are not permitted in the ITR-I1 industrial districts; provided that storage of small arms ammunition for retail sale shall be permitted; and further provided that research, medical and hospital laboratories, when operating under the direct supervision of scientifically trained personnel, may use the above material for research, medical and development purposes. Such activities are allowed in the I2 general industrial district when specifically authorized under the codes and ordinances of the city.
- (d) Meat packing plants, large metal shredders, the refining of petroleum or gasoline, and stock yards are prohibited.

(Code 1956, §§ 60.533, 60.543; Ord. No. 16913, 4-27-82; Ord. No. 17039, 7-7-83; C.F. No. 92-1479, §§ 11, 12, 12-15-92; C.F. No. 93-906, § 3, 11-4-93; C.F. No. 93-1718, §§ 54, 55, 12-14-93; C.F. No. 97-1406, § 3, 12-10-97; C.F. No. 06-112, § 5, 2-22-06)

Sec. 66.542. Required conditions in the IT transitional IR light industrial restricted district.

- (a) *Design standards.* Development shall be consistent with the following design standards unless the applicant can demonstrate that there are circumstances unique to the property that make compliance impractical or unreasonable:
- (1) *Buildings anchor the corner.* At intersections in pedestrian-oriented areas characterized by such things as buildings located up to the public sidewalk, pedestrian-scale street lighting, a mix of uses, and availability of transit service, buildings shall "hold the corner," that is, have street facades within fifteen (15) feet of the lot line along both streets, or the site plan shall include pedestrian-oriented elements such as substantial landscaping, public art, monument signage, and vertical structural elements that "hold the corner."
- (2) *Building facade articulation.* Building facades facing a public street shall include modulation and articulation, proportionate to the height and length of the façade, and human-scale elements, such as but not limited to doors and windows, awnings and canopies, vertical or horizontal variations in color, texture, and material, and/or ornamentation, offset or recessed structural bays, projecting elements such as colonnades or bay windows, or other roof or wall features. Building designs should seek opportunities to express the nature of the industrial activity within, in keeping with the other requirements of this section and respecting the necessary business functionality.
- (3) *Materials and detailing.* Buildings shall be constructed of high-quality materials, including, but not limited to, brick, stone, textured cast stone, tinted masonry units, concrete, glass and architectural metal. The following materials are generally not acceptable:
- Unadorned plain or painted concrete block or panels;
 - Corrugated metal;
 - Reflective glass; and
 - Vinyl, fiberglass, asphalt or fiberboard siding.
- Building designs should seek opportunities to express the nature of the industrial activity within, in

keeping with the other requirements of this section and respecting the necessary business functionality.

- (4) Door and window openings. For office portions of principal buildings, above grade window and door openings shall comprise at least fifteen (15) percent of the total area of exterior walls facing a public street. Such windows shall be clear or translucent to improve visibility, add visual interest, and provide daylighting of interior spaces.
- (5) Parking location and design. Surface parking shall be located to the side or to the rear of principal buildings to the greatest extent possible, or on a separate lot in compliance with section 63.304. In reviewing a site plan, the zoning administrator may permit up to two (2) rows of parking spaces between the principal building and a street.
- (6) Landscaping and street trees. Landscaping shall be provided along the public streets and sidewalks to define the street edge, buffer pedestrians from vehicles, and provide shade. Any fence along a public street and sidewalk shall be decorative. Street trees in the street right-of-way, as prescribed by the city forester and section 69.600 of the subdivision regulations, shall be provided along all streets. Street trees shall be located in a planting strip at least five (5) feet wide between the curb and sidewalk, or in structural soil or its equivalent.
- (7) Sidewalks. When redevelopment occurs, public streets shall be designed with a public sidewalk along the frontage of the property being developed.
- (a) Placement of parking. Surface parking may be located to the rear of the principal building, within the rear yard area of the parcel, in an interior side yard if rear parking is impractical or insufficient, or on a separate lot in compliance with section 63.304. In reviewing a site plan the zoning administrator may permit up to twenty five (25) percent of required parking spaces between the principal building and a street, not to exceed two (2) rows of parking spaces, and the planning commission may permit more, if necessary because of special needs, site conditions, or site constraints, provided that owners of property within three hundred fifty (350) feet of the parking spaces are notified by mail at least ten (10) days before approval of the site plan, their comments are considered, there is good pedestrian connection between the sidewalk and building entrance, and the area is well landscaped.
- (b) Park setbacks. In any yard which adjoins a publicly owned park, buildings may be constructed at the lot line subject to setbacks being provided in accordance with the table below:

Park Setbacks

Building Height (stories)	Setback from Lot Line
1, 2, and 3 Up to 35 feet	0
4 35 - 50 feet	15 feet
5 More than 50 feet	30 feet
6 and over	45 feet

(Ord. No. 17511, §1, 11-12-87)

- (c) Design standards. Development shall be consistent with the design standards in section 66.343(b)(6), (7), (9), (10), (12), (13), (14), (15), (18), (20), (21), (22), and (23), unless the applicant can demonstrate that there are circumstances unique to the property that make compliance impractical or unreasonable. (C.F. No. 06-112, § 6, 2-22-06; Ord. No. 11-27, § 1, 4-20-11)

Sec. 66.543. I1 light industrial district design standards.

In the I1 light industrial district, development is subject to design standards (4), (6), and (7) in section 66.542 (a), and portions of buildings on land within one hundred fifty (150) feet of a parcel of land in a residential or traditional neighborhood district shall be subject to design standards (2) and (3).

SECTION 7

This ordinance shall become effective thirty (30) days after its passage, approval and publication.

