

# Chapter 20

## IH HEAVY INDUSTRIAL DISTRICT/ZONE

- 10-20-1: DESCRIPTION AND PURPOSE:**
- 10-20-2: PERMITTED AND NONPERMITTED BUILDINGS AND USES:**
- 10-20-3: SPECIAL HAZARDOUS USES REQUIRING CONDITIONAL USE PERMITS:**
- 10-20-4: BUILDINGS AND USES PERMITTED CONDITIONALLY:**
- 10-20-5: BUILDING HEIGHT REGULATIONS:**
- 10-20-6: PROPERTY AREA, WIDTH AND YARD REQUIREMENTS:**
- 10-20-7: MAXIMUM ALLOWABLE PROPERTY COVERAGE:**
- 10-20-8: OTHER REQUIRED CONDITIONS:**
- 10-20-9: SIGNS:**
- 10-20-10: PARKING:**
- 10-20-11: PERFORMANCE STANDARDS:**

### **10-20-1: DESCRIPTION AND PURPOSE:**

The IH heavy industrial district is intended to create, preserve and enhance areas containing manufacturing or related establishments which are potentially incompatible with most other establishments, and is typically appropriate to areas which are most distant from residential areas and which have extensive rail or shipping facilities. (Ord. 2140)

### **10-20-2: PERMITTED AND NONPERMITTED BUILDINGS AND USES:**

Permitted and nonpermitted buildings and uses in the IH district shall be as set forth in section 10-3-2, "Schedule Of District/Zone Land Use Controls", of this title, subject to the general provisions and exceptions set forth in this and other chapters of this title.

If, however, any permitted building or use would be hazardous, obnoxious, offensive or unsightly by reason of emission of odor, sound, vibration, radioactivity, electrical interference, glare, liquid or solid wastes, smoke or other air pollutants, the building or use shall be treated as a conditional use, subject to the issuance of a conditional use permit in accordance with the procedures set forth in chapter 25 of this title.

Bars, taverns, and cocktail lounges are not and shall not be allowed within the IH zone in or on any property having frontage on or within three hundred feet (300') of Garrity Boulevard. Existing bars, taverns, cocktail lounges fronting that boulevard are considered legally nonconforming in accordance with the provisions of chapter 3 of this title but may not be expanded as also stated in that chapter. (Ord. 3444, 5-2-2005)

### **10-20-3: SPECIAL HAZARDOUS USES REQUIRING CONDITIONAL USE PERMITS:**

Due to the potential hazard, the manufacturing, processing and/or aboveground storage of the following items, as defined by the fire prevention code of the city, are exceptions to the preceding section and shall first require a conditional use permit issued in accordance with the procedures of chapter 25 of this title:

Two thousand (2,000) or more water gallons of flammable liquids, class 1 and class 11;

Fifty (50) gallons or more of unstable liquids;

Fifty (50) pounds or more of fireworks;

Fifty (50) pounds or more of blasting agents;

Fifty (50) pounds or more of explosives;

Magazines, class 11, class 1 magazines are not permitted;

Five hundred (500) pounds or more or two hundred (200) gallons or more of hazardous chemicals, including corrosive liquids, flammable solids, high toxic materials, oxidizing materials, poisonous gases and any amount of radioactive materials;

Unstable (reactive) chemicals, including organic peroxides and nitromethane;

Fifty (50) pounds or more of ammonium nitrate;

Two thousand (2,000) or more water gallons of liquefied petroleum gases. (Ord. 2140)

#### **10-20-4: BUILDINGS AND USES PERMITTED CONDITIONALLY:**

The planning and zoning commission may grant a conditional use permit for any of the conditional uses listed for the IH district as set forth in section 10-3-2, "Schedule of District/Zone Land Use Controls", of this title, in accordance with the procedures set forth in chapter 25 of this title. (Ord. 2140; amd. Ord. 2909)

#### **10-20-5: BUILDING HEIGHT REGULATIONS:**

None specified. (Ord. 2140)

#### **10-20-6: PROPERTY AREA, WIDTH AND YARD REQUIREMENTS:**

The following minimum requirements shall be observed:

- A. Property Area: No minimum is/shall be required.
- B. Property Width: No minimum is/shall be required.
- C. Front Yard Setback(s): Minimum required setback shall be ten feet (10'); when building height exceeds thirty-five feet (35'), plus one additional foot of setback shall be required per each one foot (1') of building height above thirty-five feet (35').
- D. Interior Yards: Properties within the IH district are not/shall not be required to provide interior yard setbacks if said lots or development sites abut property lines of commercially or industrially zoned property. When side or rear property lines of property zoned IH abut property residentially zoned, interior yards (setbacks) not less than thirty feet (30') wide/deep shall be required opposite the abutting residential district.

- E. Access: All lots/parcels developed/"built out", or proposed to be developed/"built out" with structures thereon shall have, or be demonstrated to have, legal access to a public street, before the city may issue or approve construction of any structures on that lot/parcel (as iterated in the definition of "property" in section 10-1-2, "Definitions" and subsection 10-1-7B1 of this title). Lots/parcels developed in this zone do not have to have direct lot/parcel frontage on a public street however, only legal access to the same. (Ord. 3805, 7-21-2008)

### **10-20-7: MAXIMUM ALLOWABLE PROPERTY COVERAGE:**

None specified. (Ord. 2140; amd. Ord. 2978)

### **10-20-8: OTHER REQUIRED CONDITIONS:**

- A. Landscaping Established: All landscaping shall be established in accordance with the requirements of chapters 22 and 33 of this title, additionally:
1. Landscaping Adjacent to Residential Districts: All sites having a common boundary line with a residentially classified property shall have planted and maintained a view obscuring coniferous greenbelt of shrubs, trees and native vegetation not less than six feet (6') in height nor less than ten feet (10') in width, for screening purposes and controlling access.
- B. Setback From Residential Districts: In any IH district directly across a street or thoroughfare from a residential district or agricultural district designated for future residential use in the comprehensive plan, the parking and loading facilities shall be distant at least twenty feet (20') from the street, and the buildings and structures at least fifty feet (50') from the street; provided, this requirement shall not apply when the street or thoroughfare is provided on one or both sides with a service road developed in accordance with the provisions of chapter 27 of this title. (Ord. 2140; amd. Ord. 2978)
- C. Exterior Storage: Exterior storage of raw or primary materials, waste products and construction materials shall be prohibited in that area of the property between the front of the principal building(s) and the public street on which the principal building(s) fronts. Any such exterior storage elsewhere on the property shall be screened by fencing or landscaping in such a manner that it is not visible from any public street. (Ord. 3960, 4-4-2011)

### **10-20-9: SIGNS:**

All uses shall conform to the sign provisions of chapter 23 of this title. (Ord. 2140)

### **10-20-10: PARKING:**

All uses shall conform to the general provisions and exceptions concerning off street parking and loading area standards of number, area, surface, screening and maintenance, as required by chapter 22 of this title. All uses shall also conform to the parking lot landscaping provisions of chapter 33 of this title. (Ord. 2140; amd. Ord. 29190)

## **10-20-11: PERFORMANCE STANDARDS:**

All uses shall conform to the general provisions concerning performance standards as required by chapter 1 of this title. (Ord. 2140)