

36-529 I-1, Light Industrial District

(a) *Uses permitted.* Property and buildings in an I-1, Light Industrial District shall be used only for the following purposes:

(1) Any of the following uses:

- a. Automobile sales and service, but not including automobile or machinery wrecking establishments or junk yards.
- b. Boat sales and service.
- c. Building materials sales yard, including the sale of rock, sand, gravel, and cement and the like as an incidental part of the main business. This shall not be construed as permitting a cement batch plant or transit mix plant.
- d. Contractor's equipment storage yard or yard for rental equipment of a type commonly used by contractors.
- e. Crematorium, subject to all the following conditions and requirements:
 1. Crematoriums shall meet the setback requirements of the underlying zoning district, except that they will be located a minimum of 400 feet from any RE, R-1, R-2, and R-3 zoning districts and 100 feet from all other zoning districts measured from the closest point of the building to the nearest residential district.
 2. Facilities shall meet all applicable State and federal requirements for incineration equipment and shall be licensed at all times.
 3. All storage shall be inside.
 4. Incinerator stacks shall not be located on the front side of the roof of any structure facing the street.
 5. Crematoriums shall have direct vehicle access to an arterial street.
- f. Funeral parlor, mortuary, and crematorium so long as the crematorium is attached to the funeral parlor or mortuary and complies with the following conditions and requirements:
 1. Any building which incorporates a crematorium use shall meet the setback requirements of the underlying zoning district.
 2. Facilities shall meet all applicable State and federal requirements for incineration equipment and shall be licensed at all times.
 3. All storage shall be inside.
 4. Incinerator stacks shall not be located on the front side of the roof of any structure facing the street.
- g. Farm machinery or contractor's machinery storage yard.
- h. Mobile home and camper sales.
- i. Office buildings and offices for such professional services as accountant, architect, attorney, business or management consultant, court reporter, dentist or dental surgeon, engineer, geologist or geophysicist, linguist, landscape architect, optometrist, optician, osteopathic physician, planning consultant, psychologist,

physician or surgeon, or registered nurse; provided, however, that no retail sales nor stock of goods shall be permitted other than the incidental sale of merchandise within the above professional offices or a pharmacy which may be located only in a building providing space for medical offices. Funeral homes and mortuaries shall not be considered professional services permitted in this district.

- j. Public utility service company yard or electric receiving or transforming station.
- k. Truck and farm implement sales and service.
 - l. Truck terminal.
- m. Veterinary hospital.
- n. Warehousing.
- o. Trade schools and schools for vocational training.
- p. Impoundment yard, subject to the following conditions:
 - 1. The operator of the storage facility must obtain both a City license to operate an impoundment yard and a State wrecker license;
 - 2. All areas used for the storage of impounded vehicles shall be completely screened by an eight-foot-tall opaque fence, and maintained in good condition;
 - 3. All public parking areas shall be paved in accordance with City standards. However, areas used for storage of disabled vehicles shall, at a minimum, be surfaced with at least six inches of crushed rock, preferably limestone with appropriate gradations, installed on a sub-base which has been cleared and grubbed, properly graded and compacted, and consists of a suitable soil (one with a low to moderate plasticity index);
 - 4. No disabled automobiles, parts, or salvage material of any kind shall be stored outside or above the fence.

(2) The following uses when conducted within a completely enclosed building:

- a. Manufacture of beer, wine and spirits and associated sales of those products manufactured on-site, subject to the following conditions and requirements and compliant with the State Alcoholic Beverage Laws and Enforcement Commission (ABLE):
 - 1. Compliance with all applicable State ABLE laws regarding manufacturing and packaging of beer, wine and spirits;
 - 2. Compliance with all applicable State ABLE laws regarding on-site serving of alcoholic beverages (beer, wine and spirits) and pre-packaged sales, as well as retailing of associated merchandise;
 - 3. Licensure with the State ABLE and the City.
- b. The manufacture, compounding, processing or treatment of such products as bakery goods, candy, cosmetics, dairy products, drugs, perfumes, pharmaceuticals, toiletries, and food products.
- c. The manufacture, compounding, assembling, or treatment of articles or merchandise from the following previously prepared materials: Bone, cellophane, canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper,

plastics, precious or semi-precious metals or stone, shell, textiles, tobacco, wood, yarn, and paint not employing a boiling process.

- d. The manufacture of pottery and figurines or other similar ceramic products, using only previously pulverized clay, and kilns fired only by electricity or gas.
- e. The manufacture and maintenance of electric and neon signs, commercial advertising structures, light sheet metal products, including heating and ventilating ducts and equipment, cornices, eaves, and the like.
- f. Manufacture of musical instruments, toys, novelties, and rubber and metal stamps.
- g. Machine shop excluding punch presses over 20 tons rated capacity, drop hammers, and automatic screw machines.
- h. Assembly of electrical appliances, electronic instruments and devices, radios and phonographs, including the manufacture of small parts only, such as coils, condensers, transformers, crystal holders and the like.
- i. Laboratories. Experimental, photo or motion picture, film or testing. For the purposes of this section, the term "laboratories" includes medical marijuana testing laboratories, as allowed by State law, that fully comply with this provision.
- j. Poultry or rabbit killing incidental to a retail business on the same premises.
- k. Foundry casting light weight non-ferrous metals.
 - l. Tire retreading and recapping when incidental to a retail tire business.
- m. Pipe storage yard.
- n. Machinery or equipment storage yard.
- o. Medical marijuana commercial grower, as allowed by State law.
- p. Medical marijuana education facility, as allowed by State law.
- q. Medical marijuana processor (any tier, except that Tier I and Tier II will not be allowed to have on-site sales), as allowed by State law.
- r. Medical marijuana storage facility.
- s. Medical marijuana waste facility (incineration and/or composting only), as allowed by State law.

(3) Buildings, structures and uses accessory and customarily incidental to any of the above uses.

(4) Any other light industrial use, building or structure which, in the opinion of the Planning Commission, is of similar character to those enumerated in this section and is not more objectionable due to noise, odor, dust, smoke, vibration, danger to life and property or other similar causes which are injurious to the health or safety of the neighborhood; provided, however, the uses permitted under this section shall be conducted in such a manner that no dust or noxious fumes or odors will be emitted beyond the property line of the lot on which the use is located and no material or equipment shall be kept, stored or displayed outside the confines of an enclosed building or operation conducted unless it is to be screened by ornamental fences, walls, or evergreen planting that it cannot be seen from a public street.

(b) *Special use*. The following uses may be permitted, after review, in accordance with NCC 36-560:

- (1) Pre-packaged food store located within industrial parks, provided that:
 - a. Each industrial park be limited to one such use; and
 - b. Only industrial parks larger than 50 acres in size shall qualify for consideration.
- (2) Schools, public and private.
- (3) Liquified petroleum gas sales and storage when such use is clearly subordinate and accessory to the primary usage of the property.
- (4) Church, temple or other place of worship.
- (5) Municipal use, public buildings and public utility.
- (6) Medical marijuana dispensary, as allowed by State law.
- (7) Medical marijuana research facility, as allowed by State law.
- (8) Tier I medical marijuana processor, as allowed by State law.
- (9) Tier II medical marijuana processor, as allowed by State law.

(c) *Area regulations*.

- (1) *Front yard*. Within all plats filed after November 7, 2005, a 25-foot front building setback line shall be established. Across the entire front of all new lots (and the street side of any corner lot) a minimum ten-foot landscape strip shall be installed, which may not be encroached upon by parking or outdoor storage. One eight-foot-tall shade (canopy) tree per each 20 feet of lot frontage and one three-gallon shrub per five feet of building frontage shall be installed within this landscape strip. Clustering of these required plantings may be allowed, if approved by the City Forester or his designee. Such planting should be covered by the three-year maintenance bond required when new landscaping is installed with the parking lot on the same tract. All species are to be approved by the City Forester. Signs may be installed in any required landscape area.
- (2) *Side yard*.
 - a. For uses other than dwelling, no side yard shall be required except on the side of a lot adjoining a residential zoning district in which case there shall be a side yard of not less than five feet.
 - b. Street side corner setback shall be 15 feet.
- (3) *Rear yard*. Whenever the rear yard adjoins a residential zoning district, the minimum building setback for principal and accessory buildings shall be 30 feet, unless a rear alley is provided.

(d) *Height regulations*. Where a lot adjoins a dwelling district, the building shall not exceed three stories or 45 feet in height, unless it is set back one foot from all yard lines for each foot of additional height above 45 feet.

(Ord. No. O-7172-28, 11-2-1971; Ord. No. O-7879-66, 5-1-1979; Ord. No. O-8384-85; Ord. No. O-8384-95, 2-7-1984; Ord. No. O-8586-12, 10-8-1985; Ord. No. O-8687-53, 9-29-1987; Ord. No. O-8788-36, 4-26-1988; Ord. No. O-9192-17, 11-12-1991; Ord. No. O-9495-5, 8-23-1994; Ord. No. O-9596-19, 12-12-1995; Ord. No. O-0001-2, 8-8-2000; Ord. No. O-0405-60, 9-27-2005; Ord. No. O-1112-33, 5-24-

2012; Ord. No. O-1213-17, 11-27-2012; Ord. No. O-1314-13, 11-22-2013; Ord. No. O-1617-16, 1-10-2017; Ord. No. O-1617-31, 5-23-2017; Ord. No. O-1819-17, 12-11-2018; Ord. No. O-1920-4, 8-29-2019; Ord. No. O-1920-39, 4-23-2020)

HISTORY

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