

CHAPTER 1278 **Industrial District Regulations**

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1278.01 PURPOSE.

Industrial Districts (M-1 and M-2) and their regulations are established in order to achieve, among others, the following purposes:

(a) To provide convenient and sufficient zoning districts for industrial activities and for the production, distribution, and exchange of goods and services in order to serve and promote the economic development of the community.

(b) To provide areas for industrial and wholesale activities which desire both convenience of location and a reasonable amount of usable space sufficient to meet the needs of parking, loading and unloading, landscaping, etc.

(c) To protect residential neighborhoods adjacent to industrial uses by restricting the types of uses, particularly at the common boundaries, which would create congestion, noise or other objectionable influences, and by preventing the encroachment of incompatible land uses, such as residences and heavy industry.

(d) To provide rational clustering of industrial and wholesale uses which are of a non- nuisance type located near the freeway system, uses which generate relatively large volumes of traffic, so as to be accessible to the labor force and consumers and to lessen truck traffic and congestion in business and residential areas.

(e) To carry out the following specific purposes:

(1) To provide General Industrial Districts (M-1) for establishments that utilize processes in which dust, smoke, fumes, glare, odors or other objectionable influences can be controlled, and which may generate outdoor activities and outdoor storage in association with a principal use.

(2) To provide Light Industrial Development Districts (M-2) which accommodate those industrial uses, storage and related activities conducted entirely within an enclosed building and with a minimum of noise, glare, odor, dust, vibration, air and water pollution, fire and safety hazard or any potentially harmful or nuisance characteristic. An M-2 District is designed to accommodate wholesale, warehouse and industrial activities, the operational and physical characteristics of which do not detrimentally affect a surrounding zoning district.

(Ord. 58-01. Passed 5-29-01.)

1278.02 USE REGULATIONS.

(a) Uses Permitted by Right. A use listed in Schedule [1278.03](#) shall be permitted by right as a principal use in a district when denoted by the letter "P," provided that all requirements of other city ordinances and this Planning and Zoning Code have been met.

(b) Special Uses. A use listed in Schedule [1278.03](#) shall be permitted as a special use in a district when denoted by the letter "SU," provided the Planning Commission first makes the determination that the requirements of [Chapter 1280](#) have been met according to the procedures set forth in [Chapter 1230](#).

(c) Accessory Uses. A use listed in Schedule [1278.03](#) shall be permitted as an accessory use in a district when denoted by the letter "A". Such use shall be permitted as a subordinate building or use when it is clearly incidental to and located on the same lot as the principal building or use. Accessory uses are further regulated in subsequent sections of this Planning and Zoning Code.

(d) Compliance With Development Standards and Other Applicable Regulations. Although a use may be indicated as a permitted principal, special or accessory use in a particular industrial district, it shall not be approved on a parcel unless it can be located thereon in full compliance with all of the standards and other regulations of this Planning and Zoning Code applicable to the specific use and parcel in question.

(e) Uses Not Listed in Schedule. Any use not specifically listed as either a permitted principal or special use shall be a prohibited use in these zoning districts and shall only be permitted upon amendment of this Planning and Zoning Code and/or the Zoning Map as provided in [Chapter 1236](#), or upon a finding by the Planning Commission that a use is substantially similar to a principally permitted or special use in the district according to the procedures set forth in Section [1230.11](#).

(f) Prohibited Uses. Notwithstanding the above, the following uses are specifically prohibited from locating in any M-1 or M-2 District.

(1) Automobile salvage and wrecking;

(2) Junk, scrap paper and rag storage, dumps, landfills, incinerators, recycling centers, bailing or composting facilities;

- (3) Asphalt or cement processing/manufacturing;
- (4) Stockyards and slaughterhouses.

(Ord. 58-01. Passed 5-29-01; Ord. 111-04. Passed 7-12-04; Ord. 38-17. Passed 6-12-17.)

1278.03 SCHEDULE OF PERMITTED USES.

<u>M-1</u> General Industrial	<u>M-2</u> Light Industrial		
<u>(a) Offices</u>			
(1) Professional and administrative offices		P	P
(2) Research and testing laboratories		P	P
(3) Training schools and conference centers		P	P
<u>(b) Storage and Distribution</u>			
(1) An aboveground storage container of flammable/ combustible liquids, LPG (liquified petroleum gas), CNG (compressed natural gas) or hazardous materials not exceeding 1,500 gallons*		P	P
(2) An aboveground storage container of flammable/combustible liquids, LPG (liquified petroleum gas), CNG (compressed natural gas) or hazardous materials exceeding 1,500 gallons*		SU	SU
(3) Mini/self storage facility		SU	
(4) Storage and distribution		P	P
(5) Truck/transit transfer terminals		SU	
(6) Warehouses		P	P
(7) Wholesale businesses		P	P
<u>(c) Outdoor activities in association with a principal use</u>			
(1) General storage of goods, materials and supplies		P	
(2) Overnight storage of fleet vehicles used in the operation of the principal use		A	A
<u>(d) Manufacturing, Production and Processing</u>			
(1) Assembly plants		P	P
(2) Machine shops		P	P
(3) Manufacture of products from raw materials		SU	
(4) Metal and non-metal production facilities utilizing products from previously and elsewhere prepared materials		P	P

(5) Printing, publishing, and allied industries	P	P
(e) <u>Farms</u>	P	P
(f) <u>Other</u>		
(1) Public safety facilities	P	P
(2) Public service/maintenance facilities	P	
(3) Public utility substation	P	P
(4) Sexually oriented businesses	P	P
(5) Rifle ranges, skeet shooting ranges and pistol ranges	SU	SU
(6) Commercial recreation, indoor and outdoor	SU	SU
(7) Animal boarding	P	
(g) <u>Accessory Uses</u>		
(1) Employee lunchrooms	A	A
(2) Fences	A	A
(3) Maintenance, waste disposal and storage facilities	A	A
(4) Off-street parking and loading	A	A
(5) Recreational facilities used by tenants, employees and clients	A	A
(6) Signs	A	A
P = Principal Use Permitted by Right SU = Special Use A = Accessory Use Blank Cell = Use Not Permitted * = Must comply with ACO Section 1610.17. Refer to Ohio Fire Code for definitions.		

(Ord. 58-01. Passed 5-29-01; Ord. 111-04. Passed 7-12-04; Ord. 169-08. Passed 1-12-09; Ord. 33-12. Passed 7-9-12; Ord. 11-13. Passed 2-25-13; Ord. 38-17. Passed 6-12-17.)

1278.04 LOT REQUIREMENTS.

Lots created in an Industrial District shall comply with the requirements set forth in Schedule [1278.04\(a\)](#).

(a) [Schedule 1278.04\(a\)](#): Lot Requirements.

Schedule 1278.04(a)

<i>LOT REQUIREMENTS</i>		
	<u>M-1</u>	<u>M-2</u>

	<u>General Industrial</u>	<u>Light Industrial</u>
(1) Minimum lot size	1 acre	1½ acres
(2) Minimum lot width (at the building line) ^(a)	150 feet	150 feet
(3) Minimum landscaped open space	20% of lot area	30% of lot area
Notes to Schedule 1278.04 (a)		
(a) Minimum lot frontage is equal to the minimum lot width.		

(b) **Lots of Record.** A lot of record existing on the effective date of this Planning and Zoning Code may be occupied by a use listed as a permitted principal use in Schedule [1278.03](#) for the district in which the lot is located even when the lot does not comply with the minimum requirements set forth in Schedule [1278.04](#)(a), provided the use can be conducted in compliance with all other requirements set forth in this Planning and Zoning Code.

(Ord. 58-01. Passed 5-29-01.)

1278.05 BUILDING SETBACK, SPACING AND HEIGHT REQUIREMENTS.

Every building shall be located on a lot in compliance with the building setback, spacing and height requirements set forth in Schedule [1278.05](#).

Schedule 1278.05

□

<u>BUILDING SETBACK, SPACING AND HEIGHT REQUIREMENTS</u>		
	<u>M-1 General Industrial</u>	<u>M-2 Light Industrial</u>
(a) Minimum building setback from street right-of-way	60 feet ^(a)	75 feet
(b) Minimum building setback from side or rear lot line ^(b)		
(1) Adjacent to nonresidential district	10 feet	25 feet
(2) Adjacent to residential district	100 feet	75 feet
(c) Minimum separation between buildings on the same lot	30 feet	30 feet
(d) Maximum building height	60 feet	35 feet
Notes to Schedule 1278.05 :		
(a) Where a lot fronts on a collector or arterial street as defined in Chapter 1246 , the setback shall not be less than 100 feet from the road centerline for collector streets, and not less than 110 feet from the road centerline for arterial streets.		

(b) No yard shall be required for the portion of a lot that abuts a railroad right-of-way.

(Ord. 58-01. Passed 5-29-01; Ord. 70-02. Passed 5-13-02.)

1278.06 OFF-STREET PARKING AND LOADING REGULATIONS.

Off-street parking areas shall comply with the regulations set forth in [Chapter 1292](#) and with the minimum setbacks, measured from the street right-of-way or property line, as specified in Schedule [1278.06\(a\)](#), unless otherwise noted.

(a) Schedule [1278.06\(a\)](#) Parking Setback Requirements.

Schedule 1278.06(a)

<u>PARKING SETBACK REQUIREMENTS</u>		
	<u>M-1 General Industrial</u>	<u>M-2 Light Industrial</u>
(1) Minimum setback from street right-of-way	35 feet	50 feet
(2) Minimum setback from side or rear lot line		
A. Adjacent to a nonresidential district	10 feet	10 feet
B. Adjacent to a residential district	30 feet	20 feet

(b) The area within the parking setback shall be landscaped in compliance with [Chapter 1294](#).

(c) Loading and service areas shall be located in the rear or side yard, shall comply with parking setbacks requirements set forth in Schedule [1278.06\(a\)](#) and be screened in accordance with the provisions set forth in [Chapter 1294](#).

(Ord. 58-01. Passed 5-29-01.)

1278.07 OUTDOOR STORAGE.

All outdoor operations of a permitted use shall be conducted in compliance with the following:

(a) Outdoor Storage of Goods, Materials, or Products. General outdoor storage of goods, materials, or products associated with the principal use shall be permitted in the M-1 District only, provided such complies with the following:

(1) Areas devoted to such general outdoor storage shall be located in the side or rear yard and shall comply with all building setbacks set forth in Schedule [1278.05](#) for the district in which the lot is located.

(2) No storage of radioactive, toxic or otherwise hazardous materials shall be permitted.

(3) The bulk storage of sand, gravel, salt and other similar materials is permitted, provided that such material is effectively prevented from spreading.

(4) The area devoted to the outdoor storage of goods, materials and products shall not exceed 50% of the ground floor area of the principal building.

(b) Outdoor Storage of Fleet Vehicles. The outdoor storage of fleet vehicles shall only be permitted when the fleet vehicles are associated with the operation of the principal use. The outdoor storage of fleet vehicles shall be located in a side or rear yard, and shall comply with the building setbacks set forth in Schedule [1278.05](#) for the district in which the lot is located.

(c) Signs. No signs shall be permitted in conjunction with outdoor storage areas except those otherwise in compliance with the sign regulations in [Chapter 1290](#).

(d) Screening. All outdoor storage of materials, goods, equipment and overnight storage of vehicles shall be screened according to the following:

(1) Outdoor storage areas shall be enclosed with a solid wall or fence, including solid gates. The wall or fence shall have a height tall enough to conceal all operations and materials therein from the view of any observer standing at the grade level at an abutting residential district line or a public street. However, in no case shall the height of the fence or wall be less than six feet.

(2) All outdoor storage areas shall be effectively screened from all adjacent residential districts, public parking areas and public streets according to the screening requirements set forth in [Chapter 1294](#). The Planning Commission may increase the minimum height of required screening when it is determined that additional height is needed to effectively conceal all materials from view of any observer standing at grade level of an abutting residential district line or public street.

(e) Development plan; accessibility. All areas devoted to outdoor storage shall be indicated on the development plan. All materials shall be stored in such a manner as to be accessible to fire fighting equipment at all times.

(Ord. 58-01. Passed 5-29-01.)

1278.08 ACCESSORY USE REGULATIONS.

All accessory buildings and structures shall comply with the development standards established for principal buildings and uses in Section [1278.05](#) except:

(a) Fences. All fences shall comply with the standards set forth in Section [1294.08](#).

(b) Signs. Signs shall comply with the regulations set forth in [Chapter 1290](#).

(Ord. 58-01. Passed 5-29-01.)

1278.09 PERFORMANCE STANDARDS.

No land or building in an M-1 or M-2 Industrial District shall be used or occupied in any manner so as to create dangerous, injurious, noxious or otherwise objectionable elements or conditions. All uses in an M-1 or M-2 District shall comply with the following performance standards:

(a) Storage Handling. Storage handling and use of flammable liquids shall comply with regulations as set forth in Bulletin No. 30-L of the National Fire Protective Association. Storage of other materials in yards or structures shall comply with other fire protective codes of the municipality and all parts shall be accessible to fire fighting equipment.

(b) Solid Waste. Solid waste, including empty packing crates and other excess materials, shall not be allowed to accumulate on a lot and shall either be disposed of, stored in buildings, or completely enclosed in containers. Such building, container or dumpster shall be:

(1) Located in a side or rear yard and shall comply with the minimum parking setbacks established in Schedule [1278.06\(a\)](#).

(2) Screened from view with materials compatible with the main building finishes. Screening materials shall extend at least two feet above the storage container.

(c) Liquid Waste. Liquid wastes shall be disposed of in appropriate containers and removed from the site on a regular basis. Liquid waste or sewerage shall not be discharged into a reservoir, stream or other open body of water or into a storm or sanitary sewer until treated so that the insoluble substances, such as oils grease, acids, alkalines and other chemicals in the waste do not exceed the amount allowed by other codes of the City.

(d) Fire Hazards. Any activity involving the use of flammable or explosive material shall be protected by adequate fire-fighting and fire-suppression equipment, and by such safety devices as are normally used in the handling of any such material.

(1) Flammable or explosive materials shall only be permitted in structures having incombustible exterior walls.

(2) The applicable provisions of the Ohio Revised Code shall be complied with, and no explosives shall be stored, used or manufactured without first submitting to the Zoning Enforcement Officer a certificate of compliance from the State Fire Marshal or the City Fire Chief.

(3) No gasoline or other inflammable or explosive material shall be stored unless the location, plans and construction of the storage facility conform to the laws and regulations of the State and have the approval of the State Fire Marshal.

(e) Radioactive or Electrical Disturbances.

(1) No activity shall emit dangerous radioactivity at any point or electrical discharges affecting the operation, at any point, of any equipment other than that of the creator of such disturbances. Such disturbances shall be confined to the use and lot from which they originate and shall not occur across any lot line.

(2) The handling of radioactive materials, the discharge of such materials into the air and water and the disposal of radioactive wastes shall be in conformity with the applicable regulations of the Nuclear Regulatory Commission and the Ohio Environmental Protection Agency.

(f) Noise.

(1) No use shall emit noise which, when measured at the nearest residential district boundary, exceeds the average noise volume generated by vehicular traffic on the nearest residential street, except during construction operations.

(2) The sound pressure level resulting from any use or activity which abuts any other zoning district shall not exceed the maximum permitted level at the Industrial District zoning boundary for the designated octave band, as provided in Schedule [1278.09\(f\)](#).

Schedule 1278.09(f)

<u>Octave Band Frequency (cycles per second)</u>	<u>Decibels</u>
0 to 74	76
75 to 149	71
150 to 299	63
300 to 599	59
600 to 1199	50
1200 to 2399	45
2400 to 4799	38
4800 and over	36

(3) In addition, no use shall emit intermittent or shrill noises that are perceptible at the nearest residential district. Air raid sirens and related apparatus used solely for public purposes are exempt from this requirement.

(g) Vibration. Vibrations that are perceptible without the aid of instruments shall not be permitted beyond the lot occupied by the use generating such vibration. On or beyond the boundary of any lot, the ground-transmitted steady-state or impact vibration caused by any use or activity (except those not directly under the control of the property user) shall not exceed the limits set forth in Schedule [1278.09\(g\)](#) below:

Schedule 1278.09(g)

<u>Frequency (cycles per second)</u>	<u>Adjacent to a Nonresidential District</u>	<u>Adjacent to a Residential District</u>
0 to 9	.0020	.0004
10 to 19	.0010	.0002
20 to 29	.0006	.0001

30 to 39	.0004	.0001
40 to 49	.0003	.0001
50 and over	.0002	.0001

(h) Smoke. Smoke shall be controlled as much as economically possible as determined by the Ohio Environmental Protection Agency. In an M-2 District, the emission of 22 smoke units per stack in any one hour is prohibited. However, once during any three-hour period, each stack may be permitted up to 40 additional smoke units, not to exceed Ringelmann No. 2, for soot blowing and fire cleaning. Only during fire cleaning periods, however, shall smoke of a density of Ringelmann No. 3 be permitted, and then for not more than four minutes per period. The rate of emission of particulate matter from all sources within the boundaries of any lot shall not exceed the rate established in Schedule [1278.09\(h\)](#).

Schedule 1278.09(h)

<u>Permitted Rate of Particulate Matter Emission</u> (pounds per hour, per acre)	
<u>Height of Emission</u> (feet)	<u>Pounds</u>
0 to 49	3.0
50 to 99	3.0
100 to 149	3.5
150 to 199	3.8
200 to 299	4.2
300 to 399	5.0
400 and over	7.0

(i) Odors. No use shall emit malodorous gas or matter that is discernible on any adjoining lot or property.

(1) An odor emitted not more than 15 minutes in any one day shall not be deemed to be continuous, frequent or repetitive within the meaning of this Planning and Zoning Code. The existence of an odor shall be presumed when analysis done by a competent technician demonstrates that a discernible odor is being emitted.

(2) Any process which may involve the creation or emission of any odor shall be provided with a primary and secondary safeguard system so that control will be maintained if the primary safeguard system fails.

(3) The rules and regulations of the Ohio Environmental Protection Agency shall be complied with.

(j) Noxious, toxic or corrosive fumes. Noxious, toxic or corrosive fumes or gases shall not be emitted which shall be injurious to the property, vegetation or health of the people residing in any adjacent Residential District.

(k) Air Pollution. No use shall emit fly ash, dust, vapors or other substances that are harmful to health, animals, vegetation or other property or which can cause excessive soiling as per the Ohio Environmental Protection Agency.

(l) Heat and Glare. No use shall generate heat or glare which is perceptible without the aid of instruments at any point beyond the lot occupied by the use.

(m) Lighting. All lighting shall be so arranged as to direct light away from adjacent parcels and streets and shall not be of excessive brightness or cause a glare hazardous to motorists or reasonably objectionable to adjacent property owners.

(1) No direct or reflected glare is permitted which is visible from any property or from any public street, road or highway.

(2) All parking areas and walkways shall be illuminated to a minimum of one foot-candle.

(3) No freestanding light post shall exceed a height of 30 feet.

(n) Erosion. No erosion, by either wind or water, is permitted which will carry objectionable substances onto neighboring properties.

(o) Water Pollution. Pollution of water is subject to the requirements and regulations established by the Ohio Water Commission and the Ohio Environmental Protection Agency.

(Ord. 58-01. Passed 5-29-01; Ord. 39-17. Passed 6-12-17.)

1278.10 LANDSCAPING AND SCREENING REQUIREMENTS.

Visual screening and landscape buffers shall be provided for all lots in Industrial Districts in accordance with the provisions set forth in [Chapter 1294](#).

(Ord. 58-01. Passed 5-29-01.)

1278.11 DEVELOPMENT PLAN REVIEW.

All uses in an Industrial District shall be permitted only after development plans have been reviewed and approved by the Planning Commission according to the procedures set forth in [Chapter 1228](#) and the applicant has notified the Planning Commission of any hazardous materials he/she plans to store on the site.

(Ord. 58-01. Passed 5-29-01.)

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