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## Section 5-5. M-1, Light industrial district:

It is the intent of the M-1 zoning district to provide areas for commercial, warehousing, transportation, and certain light manufacturing activities that provide the backbone for economic development and job creation and are appropriate along established transportation corridors with separation and buffering from residential areas.

- (a) *Permitted uses:* The following uses shall be permitted in the M-1 zoning district:
  - 1. Establishments engaged in the construction, repair or demolition of buildings, streets, water and sewer systems, bridges and similar construction; such as building, electrical, heating, air conditioning, heavy construction, paving and earth moving operations.
  - 2. Service-oriented establishments supplying other businesses, industries or individuals, such as laundry and dry cleaning plants, linen supply plants, carpentry shops, bakeries, machine shops, cabinet and metal shops, welding shops, and moving companies.
  - 3. Car wash.
  - 4. Highway oriented uses, including gas stations, auto, truck (Class V and above), and boat repair establishments, tire retreading establishments, paint and body shops, and establishments selling used and new cars, motorcycles, boats, trailers, recreational vehicles, manufactured homes, farm and industrial equipment, and car and truck rentals.
  - 5. Uses permitted in the B-2 zoning district, excluding single-family dwellings, multi-dwellings, townhomes or row houses, manufactured homes and manufactured home parks.
  - 6. Fireworks sales facilities.
  - 7. Crematoria.
  - 8. Parking lots and boat/RVs storage lots.
  - 9. Commercial pet kennels and pet daycare businesses.
  - 10. Solar farms, including accessory structures, operational facilities, and utilities.
  - 11. Wholesale sales of building and construction materials.
- (b) *Conditional uses:* The following uses shall be permitted on a conditional basis in any M-1 zoning district, subject to the stated conditions:
  - 1. Warehouse or other storage facility, provided that there is no open storage of junk or salvage materials nor bulk storage of Class I or Class II combustible liquids as classified by the National Fire Protection Association for wholesale distribution.
  - 2. Any industrial use, plus operations incidental to such use, which involves manufacturing, processing, and/or assembly, provided that any noise, vibration, smoke, gas, fumes, odor, dust, fire hazard, dangerous radiation or other injurious or obnoxious conditions related to the operation are not sufficient to be likely to create a nuisance beyond the premises. Further provided that uses involving the processing of solid bulk materials shall not be allowed in the M-1, light industrial zoning district.
  - 3. Freight terminals and depots, including drop yards, provided that:
    - A. Shipping containers shall not be unmounted ("grounded"); and
    - B. Neither shipping containers nor chassis shall be stacked; and
    - C. The use is located on a parcel of not less than one (1) acre; and

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- D. None of the adjacent parcels are zoned or used for residential development; and
  - E. Truck parking and container storage areas shall be located outside of the required building setbacks; and
  - F. Areas of the parcel on which truck/trailer/chassis/container parking occur shall be screened by an eight (8) foot opaque fence or wall in addition to any other buffering or screening requirements set forth elsewhere in this appendix, provided, however, that the provisions required herein shall be waived along boundaries where the parcel adjoins another parcel with like zoning. Retroactive installation of the screening described herein shall not be required where a parking area has been lawfully established without the need for the buffering/screening described herein and a subsequent change in zoning/use occurs with respect to an adjoining parcel.
  - G. A site plan has been submitted to and approved by the planning and zoning department showing:
    - i. The size of the subject parcel;
    - ii. The area(s) to be used for container storage, including setbacks from property lines; and
    - iii. The specifications for the opaque screening present and/or to be provided.

This sub-section does not authorize the use of shipping containers or trailers as storage units which shall instead be governed by section 4-8(e).

- 4. Yards for the storage of portable temporary storage units, as defined in section 4-20, provided that units may be stacked no more than two (2) high, except within one thousand (1,000) feet of residentially zoned or used properties, where no stacking may occur.
- 5. Tattoo parlors, provided that such uses shall not be established within one thousand (1,000) feet of:
  - a. The property line of a lot devoted to use by a church or other place of worship;
  - b. A boundary line of any residential district or residential use;
  - c. The property line of a public park adjacent to any residential district or any public or private elementary or secondary school;
  - d. The property line of a lot devoted to residential use; or
  - e. The property line of a lot devoted to academic, extracurricular, or recreational use by a public or private elementary or secondary school.

For the purpose of this section, measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or structure used as a part of the premises where a tattoo parlor business is conducted, to the nearest property line of the premises of a church or public or private elementary or secondary school, or to the nearest boundary of an affected public park, residential district, or residential lot.

A tattoo parlor lawfully operating as a conforming use is not rendered a nonconforming use by the location, subsequent to the grant or renewal of the tattoo parlor business permit and/or license, of a church, school, public park, residential district or a residential lot within one thousand (1,000) feet of the tattoo parlor business. This provision applies only to the renewal of a valid business license, and does not apply when an application for a business license is submitted after a business license has expired or has been revoked.

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6. Sexually oriented businesses as per the conditions established in section 4-14.
  7. Tow yards, storage of construction, trash or industrial dumpsters, construction trailers, and/or portable restrooms provided:
    - a. The parcels are not wholly or partially located on a Mixed Use Corridor, as established in the Comprehensive Plan.
    - b. That such uses are enclosed and separated from any adjoining uses or public or private rights-of-way, excluding points of ingress or egress, by a fence or wall at least eight (8) feet in height and screened with vegetative material sufficient to conceal all such uses from public view; and
    - c. The conditions of subsection 9-67(4)(b)(i) of the City Code are met.
  8. Carnivals and circuses, full-service restaurants, dance halls, banquet or rental halls and venues, hookah lounges, taverns, clubs, bars, pubs, brew pubs, music halls and any establishment at which more than fifty (50) per cent of gross revenues are generated from the sale of alcoholic beverages, including micro-breweries and small-scale distilleries, all subject to the conditions established in subsection 5-4(b).

(Ord. No. 1986-30, 7-15-86; Ord. No. 1993-28, 9-9-93; Ord. No. 1995-58, 11-21-95; Ord. No. 2001-011, 4-12-01; Ord. No. 2002-051, 7-25-02; Ord. No. 2003-003, 1-23-03; Ord. No. 2004-61, 10-28-04; Ord. No. 2010-013, 2-25-2010; Ord. No. 2010-044, 7-22-2010; Ord. No. 2016-013, 3-24-2016; Ord. No. 2017-034, 5-25-2017; Ord. No. 2021-009, Exh. A, 2-25-2021; Ord. No. 2021-077, Exh. A, 11-23-2021; Ord. No. 2022-040, Exh. A, 6-23-2022; Ord. No. 2023-040, Exh. A, 7-27-2023)