

ARTICLE XIV - INDUSTRIAL I-2 DISTRICT

1400-PURPOSE - The purpose of the Industrial I-2 District is to encourage the development of major manufacturing, processing, warehousing and major research and testing operations. These operations require extensive community facilities and reasonable access to arterial thoroughfares; they may have extensive open storage and service areas and generate heavy traffic.

1401-PERMITTED USES - After obtaining a valid zoning certificate in accordance with the provisions of these regulations, the following uses are permitted:

1. All buildings, structures and uses permitted in an Industrial I-1 District;
2. Buildings, structures and uses in general construction, manufacturing, processing, warehousing and major research and testing operations.

1402-CONDITIONALLY PERMITTED USES - After obtaining a conditional use permit in accordance with the provisions of these regulations, the following uses may be permitted:

1. Community Shopping Center, Plazas or Malls (where the composite building area is larger than 300,000 square feet - the composite building area shall be defined as the lot area developed with business floor space, parking lot area, traffic accesses, retention/detention areas, buffer areas, and loading space/delivery areas);
2. Bar, Tavern, Pub, Brewpub, Cocktail Lounge, Night Club, Micro- Brewery
3. Arcades, Indoor or Outdoor Amusement Centers, Game Rooms, Miniature Golf, Golf Driving Ranges, Bowling Alleys, Batting Cages or Similar Facilities
4. Used Car Lots;
5. Automobile Dealerships; Truck Dealerships, Recreational Vehicle Dealerships; Boat Dealerships, Heavy Equipment Dealerships, Lift Dealerships;
6. Nurseries and garden centers;
7. Crematories;
8. Banquet Facilities and Additions to existing banquet facilities;
9. Outdoor Cinema or Motion Picture Complex;
10. Outdoor Amphitheaters and Performance Stages;
11. Mining and Extraction Uses;
12. Towing and vehicle impoundment yards;
13. In-door shooting ranges.

1403-PROHIBITED USES

Without limiting the foregoing, the following are specifically prohibited:

- a) Any process of assembly, manufacture or treatment which produces an offensive or obnoxious smoke, odor, dust or noise, including but not limited to such things as: the manufacture or refining of asphalt, blast furnaces, the manufacturing or processing of yeast, cork, fertilizer, linoleum or oil cloth and glue or gelatin; the tanning of hides and skins, abattoir and slaughter houses (except for poultry); and the manufacture of paint, oil and varnish;
- b) Any process of assembly, manufacture or treatment constituting a hazardous use, including but not limited to such things as the manufacture or bulk storage of fireworks and explosives; and the manufacture of illuminating and other explosive or poisonous gases, except as may be incidental to a permitted industrial process;
- c) The storage of crude oil or any of its volatile products or other highly inflammable liquids in above-ground tanks, except in accordance with State regulations in respect thereto, and provided further that all above-ground tanks having a capacity of ten thousand gallons or more shall be properly diked with dikes having a capacity equal to one and one half (1-1/2) times the capacity of the tank or tanks surrounded;
- d) Junk yards and automobile graveyards;
- e) The storage of secondhand materials for resale; the storage, bailing or treatment of junk, iron, rags, bottles or scrap paper, except within a building;
- f) Strip mining;

- g) No trailer shall be used for a business, retail or industrial use;
- h) Cyber-café gaming facility;
- i) Rolling Tobacco Private Club;
- j) Any other use not designated as a permitted or conditionally permitted use within the Industrial I-2 District is classified as a prohibited use.

1404-GENERAL REQUIREMENTS -

OFF STREET PARKING - A minimum of two hundred (200) square feet of parking space with adequate access shall be provided for each person to be employed at any one time at such location, together with parking spaces for all vehicular equipment to be used at said location. No parking shall be permitted to extend beyond the property lines onto right-of-way.

HEIGHT - No height restriction.

LOT AREA AND WIDTH - Minimum width of one hundred (100) feet of frontage on a dedicated right-of-way and a minimum lot area of not less than 20,000 square feet. However, this shall not prevent the use of lots platted prior to the enactment of this ordinance, provided all other General Requirements are met.

FRONT YARD - Minimum of fifty (50) feet. In the case of a corner lot, no building shall be placed to within twenty (20) feet of a side street property line.

SIDE YARD - Total side yard of no less than twenty (20) feet and the width of the narrower of the two (2) side yards shall be no less than five (5) feet.

REAR YARD - Minimum of fifteen (15) feet.

1403-SIGNS - All signs shall be as regulated in Article XVIII of this ordinance.

1404-TRASH CONTAINERS - Shall be in accordance with Article XVII, Section 1710 of this ordinance or Section 1408 Buffering for areas adjacent to properties located in Agricultural A-SER Districts, Residential R-1 Districts, Residential R-2 Districts, and Residential R-3 Districts.

1405-SITE DRAINAGE - On-site surface drainage retention/detention areas and calculations must be presented to the Township Zoning Office as part of the site development plan for review by the office of the Mahoning County Engineer. Storm water management requirements must meet the design criteria of the Mahoning County Engineer's Office. If a property is located on a state right-of-way and draining into the state right-of-way ODOT storm water management requirements must also be met. The developer, contractor, and/or property owner must request a final on-site inspection by the zoning inspector of the required and approved storm water management improvements including retention, detention, grading, final elevations, and post-construction best management practices (BMPs). The developer, contractor, and/or property owner may be required at the discretion of the zoning inspector to submit for review by the Mahoning County Engineer a certified as built drawing(s) depicting and/or a construction certification letter assuring storm water management compliance.

Storm water management infrastructure required for site drainage must be maintained to the original approved design criteria. Storm water retention/detention systems must be free of rubbish, garbage, sedimentation build-up, or uncontrolled growth of plant materials/weeds. All structures including, but not limited to, headwalls, inlet-outlet pipes and control structures, orifices, catch basins, paving and curbing shall be in good repair and functioning at an optimal level as stipulated in the approved storm water management drawings. Swale ditch or ditches determined to be part of the storm water detention/retention system must be free of debris, rubbish, obstructions, and excessive plant growth so as to promote positive drainage flow. Underground/vault storm water retention/detention systems must be free of litter or rubbish and shall be in good repair and functioning at an optimal level as stipulated in the approved storm management design drawings. Surface grading must be maintained, to include filling of sinkholes, and any surface undulations that could pose a trip hazard to foot traffic if the affected area is open to public access.

1406-DRIVEWAYS/PARKING LOT AREAS - All access driveways leading from the street right-of-way to an Industrial-1 District structure(s) shall be constructed as hard surface driveways, consisting of either concrete or asphalt. All parking lot area(s) in conjunction with said industrial structure(s) shall be constructed as hard surface areas, consisting of either concrete or asphalt.

1407-PARKING LOT SETBACKS - All traffic pavement shall be set back from the front property line a minimum of twenty (20) feet except for those reasonable portions required for access to and from the street and to adjoining properties. For corner lots traffic pavement shall be set back from the side street property line a minimum of ten (10) feet except for those reasonable portions required for access to and from the street and to adjoining properties. The area created between the property lines and parking lot setback lines shall be landscaped with grass, evergreen ground cover or any other generally acceptable landscaping treatment as approved by the Zoning Inspector. The ratio for required plant material within the front parking lot setback is as follows:

- 1) One (1) deciduous tree measuring two-inch caliper for every twenty (20) feet of frontage on a dedicated improved right-of-way (recommended but not required: Locust tree);
- 2) Five shrubs measuring a minimum of eighteen (18) inches in height for every twenty (20) feet of frontage on a dedicated improved right-of-way.

In no case shall trees and shrubs be placed in such a manner which would present a safety hazard to vehicular or pedestrian traffic. The area within the front parking setback shall not be used for the placement of retention and/or detention ponds.

1408-BUFFERING - All buildings, dumpster enclosures, and pavement shall be set back a minimum of twenty (20) feet from all side and rear properties adjacent to Agricultural A-SER Districts, Residential R-1 Districts, Residential R-2 Districts, and Residential R-3 Districts. The following is required within designated buffer areas:

- 1) Where fences or walls are utilized, they shall be a minimum of six (6) feet in height and constructed of opaque materials; or
- 2) Screen evergreen plantings shall have when planted a minimum height of six (6) feet and should be of such size, species, and spacing as can reasonably be expected to produce a solid six (6) foot screen within three (3) years. The plantings shall be placed so that mature plants can be maintained within the property lines.

The area within a designated buffer setback shall not be used for the placement of retention and/or detention ponds. A required buffer may not be used, disturbed, or altered for any purpose unless otherwise approved by the Zoning Inspector or the Austintown Township Board of Appeals. Buffers required by this section shall be located completely on the lot subject to the buffer requirements. All landscaping materials shall be installed and maintained according to accepted nursery industry practices and procedures. The owner of the property shall be responsible for the continued property maintenance of all landscaping materials, and shall keep them in a proper, neat, and orderly appearance, free from refuse, debris, and weeds at all times. All unhealthy or dead plant material shall be replaced within three (3) months, or by the next planting period, whichever comes first. No plant material required by these regulations shall be removed for any reason unless replaced with like kind and size at the time of removal. No approvals shall be required if replaced with a like kind and size of material. Any changes to an approved landscaping plan shall require approval in the same manner as landscaping plan originally approved.

1409-LIGHTING - Lighting of the business parcel shall not constitute a nuisance nor impair safe movement of traffic on any street or highway. The focus of all lighting shall be downward, directed towards the business parcel. No lighting shall be directed towards the sky. There shall be no running, flashing, or sequential building lights. Exterior lighting shall consist of dark sky compliant light fixtures accompanied with a photometric site plan indicating zero (0) foot candles of light on adjacent properties.