

Sec. 98-1371. - Permitted uses.

(a) In the M-1 Industrial district, the permitted uses for land, buildings and other improvements are subject to the general conditions requiring that all storage of materials and products and all operations of work of every character are carried on entirely within the enclosing walls and under the roof of a building and/or enclosed by a masonry wall with a minimum height of eight feet when the work is of a nature to be performed outside of a building. General conditions of the M-1 industrial district also require that where there is storage of materials or products outside the building and where the property abuts or is adjacent to property zoned commercial or industrial, the materials or products may be enclosed by a wall, fencing or other suitable material which effectively obscures the public view from the outside, reduces noise and conforms to the aesthetics of the surrounding area. The permitted uses of the M-1 industrial district are the following:

- (1) Any uses permitted in a C-2 liberal retail commercial district, except that restaurants shall not sell, offer for sale, deliver, serve or permit to be consumed on the premises any alcoholic beverages, wine and/or beer, except if developed as a mixed-use property in accordance to NBD regulations provided for in division 33, NBD neighborhood business district, chapter 98, article V of the Code of Ordinances. Outdoor dining for limited service restaurants first allowed in B-1 districts having a minimum floor area under roof of 850 square feet and full-service restaurants having a minimum floor area under roof of 850 square feet may be allowed based on submission of a site plan approved by the city. Sufficient and adequate parking, traffic flow and circulation patterns shall be given great weight in the determination of whether or not a site plan is approved. Hours of operation for outdoor dining shall not be later than 10:00 p.m. nightly.
- (2) Any uses permitted in a C-3 extended liberal commercial district, except bars and drinking places, as defined in this Code. Nightclubs, banquet halls, lounges, cabarets, discotheques and other similar establishments, as defined in this Code, shall be permitted with a minimum distance separation of 500 feet from residential zoning districts or residential uses and distance separations provided by state law. The permitted use shall be based on submission of an approved site plan. Sufficient and adequate parking, traffic flow and circulation patterns shall be given great weight in the determination of whether or not a site plan is approved. Nightclubs, lounges, cabarets, discotheques, and other similar establishments shall not sell, offer for sale, deliver, serve or permit to be consumed on the premises alcoholic beverages, wine and/or beer. No variances shall be granted from the requirements of this subsection.
- (3) Light manufacturing that does not produce offensive odors, fumes, gases, dust, smoke, vibration or noise.
- (4)

Caterers. Establishments engaged in providing event-based food services and generally have equipment and vehicles to transport meals and snacks to events and/or prepare food at an off-premises site.

- (5) Commercial bakeries.
- (6) Food preparation and processing.
- (7) *Printing shops.* Establishments engaged in printing on apparel and textile products, paper, metal, glass, plastics and other materials, except fabric. Printing processes include, but are not limited to, digital, flexographic, gravure, letterpress, lithographic and screen. These establishments may also provide postprinting services such as bending, cutting, laminating and mailing.
- (8) Radio and television towers and transmitters, if approved by the Federal Communications Commission.
- (9) Railroad and passenger stations.
- (10) *Refrigerated warehousing and storage.* Establishments engaged in operating refrigerated warehousing and storage facilities and include blast freezing, tempering and modified atmosphere storage services.
- (11) Self-storage facilities.
- (12) Transfer companies.
- (13) Automotive body and top work and painting (paint and body shops).
- (14) Automotive upholstery and installation of seat covers.
- (15) Automotive mechanical work generally performed in a repair shop, including rebuilding automotive components which require disassembly, assembly or replacement of automotive parts, such as the power train (transmission) systems, cooling systems and engines.
- (16) Facilities for construction, maintenance, service, repair, supply or storage of vessels, including shops for marine woodworking and fiberglass, electrical communication and instrument installation and repair, welding, sailmaking, engine and motor repair and maintenance and refurbishing interiors.
- (17) The city may use the North American Industry Classification System (NAICS) as a primary reference for interpreting the nature of the foregoing uses or similar permitted uses.
- (18) Automobile, motorcycle and truck storage. If the storage facility or location is outside the geographic limits of the ASD automotive sales district, the property owner, business owner or operator cannot avoid the prohibition against conducting automobile, motorcycle and truck sales and/or rentals by selling or leasing the stored inventory of automobiles, motorcycles or trucks via the internet, telephone, mail or other means of communication whether it occurs on the premises or from a different location.
- (19)

All automotive uses on property zoned industrial shall be equal to or exceed 3,000 square feet of floor area.

(b) No residential uses except quarters for security personnel approved by the city.

(Ord. No. 2001-84, § 5, 10-23-2001; Ord. No. 2008-39, § 1, 5-13-2008; Ord. No. 2008-85, § 1, 10-14-2008; Ord. No. 2022-063, § 1, 8-9-2022)