

**DIVISION 1. - GENERALLY** 

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**Sec. 66-41. - Administrating officer.** 

This article shall be administered and enforced by the planning director who shall be appointed by the city council.

*(Code 1996, § 17.48.010)*

**Sec. 66-42. - Duties of planning director.** 

The planning director shall enforce the provisions of this article and shall perform the following duties:

- (1) Maintain permanent and current records of this article, including but not limited to, all maps, amendments, conditional uses, variances, appeals and applications therefor;
- (2) Receive, file and forward all applications for appeals, variances, conditional uses and other matters to the designated official bodies;
- (3) Institute in the name of the city any appropriate actions or proceedings against a violator as provided by law.

*(Code 1996, § 17.48.020)*

**Sec. 66-43. - Building permits; required.** 

- (a) *Scope.* From and after the effective date of this article, it shall be unlawful to proceed with the construction, structural alteration, or enlargement (including structural changes, furnace, and/or woodburning appliance installation, and plumbing relocation), or removal of any building or structure, or part thereof, without first obtaining a building permit. Fences shall require a locate/site permit.

- (b) *Application.* Request for a building permit shall be filed with the building official on an official application form. Each application for a permit shall be accompanied by a site and floor plans drawn to scale showing the dimensions of the lot to be built upon. The size and location of all principal and

accessory buildings and parking areas, and such additional information deemed necessary for the proper review and enforcement of this chapter and any other applicable building codes. The fee for a building permit shall be based upon a fee schedule approved by the city council.

(c)

*Issuance of permit.* The building official shall issue the building permit only when the plans comply with this chapter and other applicable city ordinances.

(d)

*Lapse of building permit.* Whenever within one year after granting a building permit the work as permitted by the permit shall not have been completed, then such permit shall become null and void unless a petition for extension shall be requested in writing and filed with the building official before the expiration of the original building permit.

(Code 1996, § 17.48.030; Ord. No. 153-10, § 1, 8-9-2010)

## **Sec. 66-44. - Fees.**

(a)

To defray administrative costs of processing of requests for conditional uses, amendments, variances or appeals, the city council shall set a base fee for application.

(b)

In order to defray the additional cost of processing subdivision applications and developments, all applicants shall pay the total cost of consulting time spent exclusively in producing materials for the applicant's request, and all materials for the request.

(1)

Materials shall include, but not be limited to, maps, graphs, charts, drawings, etc., and all printing or reproduction of same.

(2)

Consulting time shall include any time spent in either researching for or actual production of materials, all inspections for development of public utilities including but not limited to sewer, water, streets and storm sewer, and all costs of any kind which require an outlay by the city, for the direct benefit to the developer.

(3)

The costs associated for engineer, attorney, or consultants will be charged on an actual cost basis. The hourly rate for the consulting time shall be established and made available to the applicant by the planning director prior to production of any materials.

(c)

Fees shall be payable at the time applications are filed with the planning director or city administrator and are not refundable unless application is withdrawn prior to public notice. A deposit to cover consulting time, special materials and related direct expenses, will be established and required by the planning director or city administrator at the time the base fee is paid.

(Code 1996, § 17.48.040; Ord. No. 153-10, § 1, 8-9-2010)

## **Secs. 66-45—66-61. - Reserved.**

Sec. 66-62. - Planning commission powers and duties.

Sec. 66-63. - Procedure.

Sec. 66-64. - Findings of fact.

Sec. 66-65. - Conditions for granting variances.

Sec. 66-66. - Conditions on approval.

Sec. 66-67. - Amendments; initiation.

Sec. 66-68. - Lapse of variance, appeal, or conditional use permit.

Sec. 66-69. - Reserved.

Sec. 66-70. - Certified copies, required.

Secs. 66-71—66-98. - Reserved.

### **Sec. 66-62. - Planning commission powers and duties.**

In requests for amendments and conditional use permits, the planning commission shall act in its capacity as the planning commission of the city. In requests for variances and appeals the planning commission shall act as the board of adjustment and appeals. The planning commission acting as itself or as the board of adjustment and appeals shall have the following powers:

- (1)  
To hear the recommended requests for amendments and conditional use permits consistent with the provisions of this division;
- (2)  
To hear and decide appeals where it is alleged that there is an error in any order, requirement, decisions or determination made by an administrative official in the enforcement of this division;
- (3)  
To hear requests for variances from the literal provisions of this chapter in instances where their strict enforcement would cause undue hardship because of circumstances unique to the individual property under consideration.

The planning commission acting as itself or as the board of adjustments and appeals is only advisory, the city council shall either approve or deny all requests.

*(Code 1996, § 17.50.010; Ord. No. 153-10, § 1, 8-9-2010)*

### **Sec. 66-63. - Procedure.**

- (a)  
Request for variances, appeals, amendments or conditional use permits, as provided within this division, shall be filed with the planning director on an official application form. Such application shall be accompanied by a fee as outlined in [section 66-44](#) et seq. This fee shall not be refunded. Such application shall also be accompanied by complimentary copies of detailed written and graphic materials fully explaining the proposed request. The planning director shall refer the application,

along with all related information, to the city planning commission for consideration and a report at least five days before the next regular meeting.

(b)

The planning director, on behalf of the planning commission, shall set a date for a public hearing. Notice of such hearing shall be published in the official newspaper of the municipality at least ten days prior to the date of the hearing. Such notice shall also be mailed not less than ten days prior to all property owners of record according to the county assessment records within 350 feet of the property to which the request related. If the request relates to property located within the SL shoreland management overlay district or FP floodplain management overlay district, the notice shall be mailed to the commissioner of the state department of natural resources or his authorized agent at least ten days prior to such hearings. A copy of the notice and a list of the property owners and addresses to which the notices was sent shall be attested to by the planning director or city administrator and made part of official record. The failure to give mailed notice to individual property owners, or defects in the notice shall not invalidate the proceedings, provided a bona fide attempt to comply with this subdivision has been made.

(c)

The planning commission shall consider the request and hold a public hearing at its next regular meeting unless the filing date falls within 21 days of the meeting, in which case the request would be placed on the agenda and considered at the regular meeting following the next regular meeting. The planning director shall refer the application, along with all related information, to the city planning commission for consideration. The applicant or a representative thereof shall appear before the planning commission in order to answer questions concerning the proposed request.

(d)

The planning commission and city staff shall have the authority to request additional information from the applicant concerning operational factors or to retain expert testimony with the consent and at the expense of the applicant concerning operational factors, said information to be declared necessary to establish performance conditions in relation to all pertinent sections of this chapter.

(e)

Following the public hearing, the planning commission shall make a finding of fact and recommend such actions or conditions relating to the request to the city council. Such recommendations and findings shall be entered in and made a part of the written record of the commission's meeting.

(f)

Upon receiving the report and recommendation of the planning commission, the city council shall place the report and recommendation on the agenda for the next regular meeting. Such reports and recommendations shall be entered in and made part of the permanent written record of the city council meeting.

(g)

Upon receiving the report and recommendation of the planning commission, the city council shall either:

(1)

Approve or disapprove the request as recommended by the planning commission;

(2)

Approve or disapprove the recommendation of the planning commission with modifications, alterations or differing conditions. Such modifications, alterations or differing conditions shall be in writing and made part of the city council's records; or

(3)

Refer the recommendation back to the planning commission for further consideration. This procedure shall be followed only one time on a singular action.

Approval of the request shall require passage by super majority vote of the full city council for rezoning from residential to commercial or industrial and comprehensive plan amendments. A majority vote of the city council in attendance is required for all other decisions. The planning director or city administrator shall notify the applicant of the city council's action in writing; and if the action relates to land located within the SL shoreland management overlay district or FP floodplain management overlay district to the commissioner of the state department of natural resources or his authorized representative within ten days of the final decision.

(h)

The decisions of the planning commission shall be advisory to the city council. The decisions of the city council shall be final subject to judicial review.

*(Code 1996, § 17.50.020; Ord. No. 153-10, § 1, 8-9-2010)*

## **Sec. 66-64. - Findings of fact.**

In considering all requests for variances, appeals, amendments or conditional use permits, the planning commission acting as itself or acting as the board of adjustment and appeals, and the city council shall make a finding of fact. Its judgment shall be based upon, but not limited to, the following factors:

(1)

Relationship to the city's comprehensive plan;

(2)

The geographical area involved;

(3)

The character of the surrounding area;

(4)

The availability and design capacities of existing or proposed utilities;

(5)

Whether such a request will tend to or actually depreciate the surrounding area;

(6)

Whether the request will place an undue financial burden on the city;

(7)

Whether the request will impair an adequate supply of light and air to adjacent property;

(8)

Whether the request will unreasonably increase the congestion in the public right-of-way;

(9)

Whether the request will increase the danger of fire or endanger the public safety;

(10)

Whether the request is consistent with the spirit and intent of this division.

*(Code 1996, § 17.50.030)*

## Sec. 66-65. - Conditions for granting variances.

(a)

The planning commission and the city council may not permit as a variance any use that is not permitted under this division for property in the zone where the affected person's land is located. A variance may be granted only when there exists a noneconomic hardship in the reasonable use of a specific parcel of property. A noneconomic hardship shall exist when by some reason of:

(1)

Narrowness, shallowness or shape of a specific parcel of property or a lot existing and of record upon the effective date of this division; or

(2)

Exceptional topographic or water conditions of a specific parcel of land or lot;

(3)

The strict application of the provisions of this division would result in exceptional difficulties in developing the property in a legally permissible manner.

(b)

The board of adjustment and appeals, the city council acting as the board of adjustment and appeals, may impose conditions in granting the variance to insure compliance and to protect adjacent properties.

*(Code 1996, § 17.50.040; Ord. No. 153-10, § 1, 8-9-2010)*

## Sec. 66-66. - Conditions on approval.

(a)

In approving requests for variances, appeals, amendments or conditional use permits, the planning commission acting as itself or acting as the board of adjustment and appeals, and the city council may require certain conditions upon approval of the request. Such conditions for approval may include the following, when applicable:

(1)

The land area and setback requirements of the property containing such a use or activity shall be the minimum established for the district;

(2)

When abutting a residential use in a residential district, the property shall be screened and landscaped in compliance with [section 66-970](#) et seq.;

(3)

Where applicable, all city, state and federal laws, regulations and ordinances shall be complied with and all necessary permits secured;

(4)

All signs shall be in compliance with [section 66-821](#) et seq. and shall not adversely impact adjoining or surrounding residential uses;

(5)

Adequate off-street parking and loading shall be provided in accordance with [section 66-848](#) et seq. Such parking and loading shall be screened and landscaped from abutting residential uses in compliance with [section 66-970](#) et seq.;

(6)

The proposed water, sewer and other utilities shall be capable of accommodating the proposed use;

(7)

The street serving the use or activity is of sufficient design to accommodate the proposed use or activity, and such use or activity shall not generate such additional traffic to create a nuisance or hazard to existing traffic or to surrounding land uses;

(8)

All access roads, driveways, parking areas, and outside storage, service, or sales areas shall be surfaced or grassed to control dust and drainage;

(9)

All open and outdoor storage, sales and service areas shall be screened from view from the public streets and from abutting residential uses or districts;

(10)

All lighting shall be designed as to have no direct source of light visible from adjacent residential areas or from the public streets;

(11)

The use or activity shall be properly drained to control surface water runoff;

(12)

The architectural appearance and functional plan of the building and site shall not be so dissimilar to the existing buildings or area as to cause impairment in property values or constitute a blighting influence;

(13)

Where structures combine residential and nonresidential uses, such uses shall be separated and provided with individual outside access, and the uses shall not conflict in any manner.

(b)

All conditions pertaining to a specific request are subject to change when the planning commission or city council, upon investigation, finds that the community safety, health, welfare and public betterment can be served as well or better by modifying the conditions.

*(Code 1996, § 17.50.050)*

### **Sec. 66-67. - Amendments; initiation.**

The city council or planning commission may, upon their own motion, initiate a request to amend the text or the district boundaries of this division. Any person owning real estate within the city may initiate a request to amend the district boundaries and text of this division so as to affect the said real estate. All amendment requests must first be reviewed by the planning commission.

*(Code 1996, § 17.50.060)*

### **Sec. 66-68. - Lapse of variance, appeal, or conditional use permit.**

Whenever, within one year after granting a variance, appeal or conditional use permit, the work as permitted by the variance, appeal or conditional use permit shall not have been completed, then such variance, appeal or conditional use permit shall become null and void unless a petition for extension of time in which to complete the work has been granted by the city council. Such extension shall be requested in writing and filed with the planning director at least 30 days before the expiration of the original variance, appeal or conditional use permit. There shall be no charge for the filing of such petition. The request for

extension shall state facts showing a good faith attempt to complete the work permitted in the variance, appeal or conditional use permit. Such petition shall be presented to the planning commission for a recommendation to and a decision by the city council. Such extension shall be allowed only once on a singular action.

*(Code 1996, § 17.50.070)*

## **Sec. 66-69. - Reserved.**

*Editor's note—*

Ord. No. 153-10, § 1, adopted August 9, 2010, repealed [§ 66-69](#), which pertained to performance bond and derived from Code 1996, § 17.50.080.

## **Sec. 66-70. - Certified copies, required.**

A certified copy of every ordinance, resolution, map, regulation or amendment of this division shall be filed with the recorder's office of the county. Ordinances, resolutions, maps, regulations or amendments so filed pursuant to this section do not constitute encumbrances on real property.

*(Code 1996, § 17.50.090)*

## **Secs. 66-71—66-98. - Reserved.**

### **DIVISION 14. - I-1 LIGHT INDUSTRIAL/OFFICE DISTRICT**

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[Sec. 66-595. - Purpose.](#)

[Sec. 66-596. - Permitted uses.](#)

[Sec. 66-597. - Accessory uses.](#)

[Sec. 66-598. - Conditional uses.](#)

[Sec. 66-599. - Area and bulk regulations.](#)

[Sec. 66-600. - Fencing, screening, and landscaping requirements.](#)

[Sec. 66-601. - Required parking.](#)

[Sec. 66-602. - Performance standards.](#)

[Sec. 66-603. - Design standards.](#)

[Secs. 66-604—66-624. - Reserved.](#)

## **Sec. 66-595. - Purpose.**

The purpose of the I-1 light industrial/office district is to establish and preserve areas for light industrial and office use that blend in with the surroundings, minimizes impact to surrounding land uses, and provide an employment center for the city.

*(Code 1996, § 17.27.010)*



**Sec. 66-596. - Permitted uses.** 

The following are permitted uses within the I-1 light industrial/office district:

- (1) Art supplies manufacturing.
- (2) Bakery products, wholesale.
- (3) Blank books, looseleaf binders, fabrication and assembly.
- (4) Books and book binding.
- (5) Cabinets and woodworking establishments.
- (6) Clothing manufacturing.
- (7) Camera and photographic manufacturing.
- (8) Dental instruments and supply.
- (9) Frozen food locker.
- (10) Jewelry manufacturing.
- (11) Laboratories.
- (12) Mail order houses.
- (13) Warehousing.
- (14) Medical and surgical instrument manufacturing and supply.
- (15) Printing and publishing establishments.
- (16) Buildings containing offices for professional and other service industries, as well as headquarters for businesses and corporations.
- (17) Upholstering shops.
- (18) Carpet cleaning.

*(Code 1996, § 17.27.020)*

**Sec. 66-597. - Accessory uses.** 

The following are permitted accessory uses in the I-1 light industrial/office district:

- (1)  
Commercial or business buildings and structures for a use accessory to the principal use but shall not exceed 30 percent of the gross floor area of the principle use.
- (2)  
Off-street parking as regulated by [section 66-848](#) et seq.
- (3)  
Off-street loading as regulated by [section 66-848](#) et seq.
- (4)  
Fencing, screening and landscaping as permitted and regulated by [section 66-970](#) et seq.
- (5)  
Signs as regulated by [section 66-821](#) et seq.
- (6)  
Essential services.
- (7)  
Essential service buildings of 1,000 square feet or less.

*(Code 1996, § 17.27.030)*

#### **Sec. 66-598. - Conditional uses.**

The following are conditional uses in the I-1 industrial district that require a conditional use permit based upon procedures set forth in and regulated by [section 66-62](#) et seq.:

- (1)  
Multiple principal buildings on a lot of record.
- (2)  
Industrial research laboratories.
- (3)  
Laboratories, instrument testing and medical.
- (4)  
Mini-storage units.
- (5)  
Outdoor storage shall be a conditional use permit. Paving and screening of this storage area shall be addressed as part of the conditional use permit. Expansion of existing outdoor storage areas shall require a conditional use permit.
- (6)  
Limited recreational facilities on the perimeter of the park.
- (7)  
Industrial planned unit developments regulated by [section 66-788](#) et seq.

*(Code 1996, § 17.27.040; Ord. No. 102, § 1(17.27.045), 10-24-2005; Ord. No. 153-10, § 1, 8-9-2010)*

#### **Sec. 66-599. - Area and bulk regulations.**

Area and bulk regulations in the I-1 light industrial/office district are as follows:

(1)

Lot area:

a.

Minimum of 10,000 square feet for lots with municipal utilities.

b.

Minimum of ten acres for lots without municipal utilities.

(2)

Lot width at front yard setback line:

a.

Minimum of 100 feet for lots with municipal utilities.

b.

Minimum of 300 feet for lots without municipal utilities.

(3)

Minimum lot depth:

a.

One hundred feet for lots with municipal utilities.

b.

Three hundred feet for lots without municipal utilities.

(4)

Yard dimensions:

a.

Front yard setback:

1.

Twenty feet from the lot line or road right-of-way if applicable for lots with municipal utilities.

2.

Fifty feet for lots without municipal utilities.

b.

Side yard (each side):

1.

Minimum 20 feet from the lot line for lots with municipal utilities.

2.

Fifty feet for lots without municipal utilities.

c.

Rear yard:

1.

Minimum of 20 feet from the lot line for lots with municipal utilities.

2.

Fifty feet for lots without municipal utilities.

(5)

Maximum building height: 45 feet

(6)

Maximum impervious area: 75 percent.

(7)

Wetland setback:

a.

A 20-foot natural buffer shall be maintained adjacent to all wetlands on lots created after the adoption of this chapter.

b.

A minimum 40-foot setback is required for all structures adjacent to all wetlands on lots created after the adoption of this chapter.

(8)

Floor elevation:

a.

The lowest floor elevation for new or redevelopment will be three feet above the highest known groundwater level.

b.

The lowest floor elevation for new or redevelopment will be two feet above the 100-year flood elevation.

*(Code 1996, § 17.27.050; Ord. No. 153-10, § 1, 8-9-2010)*

### **Sec. 66-600. - Fencing, screening, and landscaping requirements.**

The fencing, screening and landscaping requirements in [section 66-970](#) et seq. shall apply to all developments in the I-1 light industrial/office district.

*(Code 1996, § 17.27.060)*

### **Sec. 66-601. - Required parking.**

For permitted uses, four parking spaces per 1,000 square feet of gross floor area shall be provided and maintained unless otherwise regulated in [section 66-848](#) et seq.

*(Code 1996, § 17.27.070)*

### **Sec. 66-602. - Performance standards.**

All uses allowed in the I-1 light industrial/office district shall comply with all applicable federal, state and local nuisance and pollution laws, ordinances and regulations.

*(Code 1996, § 17.27.080)*

### **Sec. 66-603. - Design standards.**

All structures in this zoning district must meet the city design guidelines and be approved by the city design committee.

*(Code 1996, § 17.27.090; Ord. No. 153-10, § 1, 8-9-2010)*

### **Secs. 66-604—66-624. - Reserved.**

Sec. 66-625. - Purpose.

Sec. 66-626. - Permitted uses.

Sec. 66-627. - Accessory uses.

Sec. 66-628. - Conditional uses.

Sec. 66-629. - Area and bulk regulations.

Sec. 66-630. - Fencing, screening, and landscaping requirements.

Sec. 66-631. - Required parking.

Sec. 66-632. - Performance standards.

Sec. 66-633. - Design standards.

Secs. 66-634—66-654. - Reserved.

**Sec. 66-625. - Purpose.** 

The purpose of the I-2 general industrial district is to establish and preserve areas for industrial and related uses of such a nature that they do not create serious problems of compatibility with other kinds of land uses.

*(Code 1996, § 17.28.010)*

**Sec. 66-626. - Permitted uses.** 

The following are permitted uses within the I-2 general industrial district:

- (1) Assembly and fabrication from component parts or materials already processed or manufactured into their usable forms.
- (2) Art supplies and manufacturing.
- (3) Auto body shops and towing facilities, any outside storage to be screened as defined in section 66-970 et seq.
- (4) Bakery products, wholesale.
- (5) Blank books, looseleaf binders, fabrication and assembly.
- (6) Books and book binding.
- (7) Bus terminals and maintenance garages and shops.
- (8) Cabinets and woodworking establishments.

- (9) Carpenter, cabinet and plumbing shop.
- (10) Clothing manufacturing.
- (11) Camera and photographic manufacturing.
- (12) Confectionery and related products, manufacturing and packaging.
- (13) Dental instruments and supply.
- (14) Dry cleaning establishments and laundries.
- (15) Frozen food locker.
- (16) Jewelry manufacturing.
- (17) Laboratories.
- (18) Machine and metal shops.
- (19) Mail order houses.
- (20) Manufacturing, wholesaling, warehousing, bulk storage plants and establishments.
- (21) Medical and surgical instrument manufacturing and supply.
- (22) Mini storage.
- (23) Optical manufacturing and assembly.
- (24) Printing and publishing establishments.
- (25) Radio, television, and computer assembly and parts fabrication.
- (26) Telephone and telegraph manufacturing and assembly.
- (27) Temperature control manufacturing and assembly.

*(Code 1996, § 17.28.020)*

**Sec. 66-627. - Accessory uses.** 

The following are permitted accessory uses in the I-2 general industrial district:

- (1) Commercial or business buildings and structures for a use accessory to the principal use but shall not exceed 30 percent of the gross floor area of the principle use.
- (2) Off-street parking as regulated by [section 66-848](#) et seq.
- (3) Off-street loading as regulated by [section 66-848](#) et seq.
- (4) Fencing, screening and landscaping as permitted and regulated by [section 66-970](#) et seq.
- (5) Signs as regulated by [section 66-821](#) et seq.
- (6) Essential services.
- (7) Essential service buildings of 1,000 square feet or less.

*(Code 1996, § 17.28.030)*

### **Sec. 66-628. - Conditional uses.**

The following are conditional uses in the I-2 general industrial district that require a conditional use permit based upon procedures set forth in and regulated by [section 66-62](#) et seq.:

- (1) Multiple principal buildings on a lot of record.
- (2) Adult use establishments.
- (3) Antenna for radio or television broadcasting.
- (4) Dry cleaning facilities.
- (5) Greenhouse and plant husbandry.
- (6) Industrial research laboratories.
- (7) Laboratories, instrument testing and medical.
- (8) Precision instrument manufacturing.
- (9) Plastic manufacturing/molding.
- (10) Plumbing fixture and equipment wholesale.
- (11) Printing plants and publishing establishments.

- (12) Radio and television, transmitting station.
- (13) Cellular and digital telephone towers.
- (14) Outdoor storage shall be a conditional use permit. Paving and screening of this storage area shall be addressed as part of the conditional use permit. Expansion of existing outdoor storage areas shall require a conditional use permit.
- (15) Limited recreational facilities on the perimeter of the park.
- (16) Industrial planned unit developments as regulated in [section 66-788](#) et seq.
- (17) Auction houses.

*(Code 1996, § 17.28.040; Ord. No. 102, § 1 (17.28.045), 10-24-2005; Ord. No. 114, § 1, 3-12-2007; Ord. No. 153-10, § 1, 8-9-2010)*

### **Sec. 66-629. - Area and bulk regulations.**

Area and bulk regulations in the I-2 general industrial district are as follows:

- (1) Lot area:
  - a. Minimum of 10,000 square feet for lots with municipal utilities.
  - b. Minimum of ten acres for lots without municipal utilities.
- (2) Lot width at front yard setback line:
  - a. Minimum of 100 feet for lots with municipal utilities.
  - b. Minimum of 300 feet for lots without municipal utilities.
- (3) Minimum lot depth:
  - a. One hundred feet for lots with municipal utilities.
  - b. Three hundred feet for lots without municipal utilities.
- (4) Yard dimensions:
  - a. Front Yard Setback:
    - 1.



Twenty feet from the lot line or road right-of-way if applicable for lots with municipal utilities.

2.

Fifty feet for lots without municipal utilities.

b.

Side Yard Setback (each side):

1.

Minimum 20 feet from the lot line for lots with municipal utilities.

2.

Fifty feet for lots without municipal utilities.

c.

Rear Yard Setback:

1.

Minimum of 20 feet from the lot line for lots with municipal utilities.

2.

Fifty feet for lots without municipal utilities.

(5)

Maximum building height: 45 feet.

(6)

Maximum impervious area: 90 percent.

(7)

Wetland setback:

a.

A 20-foot natural buffer shall be maintained adjacent to all wetlands on lots created after the adoption of this chapter.

b.

A minimum 40-foot setback is required for all structures adjacent to all wetlands on lots created after the adoption of this chapter.

(8)

Floor elevation:

a.

The lowest floor elevation for new or redevelopment will be three feet above the highest known groundwater level.

b.

The lowest floor elevation for new or redevelopment will be two feet above the 100-year flood elevation.

*(Code 1996, § 17.28.050; Ord. No. 153-10, § 1, 8-9-2010)*

## **Sec. 66-630. - Fencing, screening, and landscaping requirements.**

The fencing, screening and landscaping requirements in [section 66-970](#) et seq. shall apply to all developments in the I-2 general industrial district.

*(Code 1996, § 17.28.060)*

## **Sec. 66-631. - Required parking.**

For permitted uses, four parking spaces per 1,000 square feet of gross floor area shall be provided and maintained unless otherwise regulated in section 66-848 et seq.

*(Code 1996, § 17.28.070)*

## **Sec. 66-632. - Performance standards.**

All uses allowed in the I-2 general industrial district shall comply with all applicable federal, state and local nuisance and pollution laws, ordinances and regulations.

*(Code 1996, § 17.28.080)*

## **Sec. 66-633. - Design standards.**

All structures in this zoning district must meet the city design guidelines and be approved by the city design committee.

*(Code 1996, § 17.28.090; Ord. No. 153-10, § 1, 8-9-2010)*

## **Secs. 66-634—66-654. - Reserved.**

## **DIVISION 16. - I-3 PLANNED INDUSTRIAL DISTRICT**

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Sec. 66-655. - Purpose.

Sec. 66-656. - Permitted uses.

Sec. 66-657. - Accessory uses.

Sec. 66-658. - Conditional uses.

Sec. 66-659. - Area and bulk regulations.

Sec. 66-660. - Fencing, screening, and landscaping requirements.

Sec. 66-661. - Required parking.

Sec. 66-662. - Performance standards.

Sec. 66-663. - Design standards.

Sec. 66-664. - Screening.

Sec. 66-665. - Paved surface.

Sec. 66-666. - Waste.

Sec. 66-667. - Nonpermitted buildings and temporary buildings.

Sec. 66-668. - Maintenance of vacant lots or tracts.

Sec. 66-669. - Minimum development value.

Sec. 66-670. - Reserved.

## **Sec. 66-655. - Purpose.**

The purpose of the I-3 planned industrial district is to establish and provide areas for quality industrial and related uses of such a nature that they do not create serious problems of compatibility with other nonindustrial types of land uses.

*(Code 1996, § 17.29.010)*

**Sec. 66-656. - Permitted uses.** 

The following are permitted uses within the I-3 planned industrial district:

- (1) Assembly and fabrication from component parts or materials already processed or manufactured into their usable forms.
- (2) Art supplies and manufacturing.
- (3) Bakery products, wholesale.
- (4) Blank books, looseleaf binders, fabrication and assembly.
- (5) Books and book binding.
- (6) Cabinets and woodworking establishments.
- (7) Carpentry, cabinet and plumbing shop.
- (8) Clothing manufacturing.
- (9) Camera and photographic manufacturing.
- (10) Confectionery and related products, manufacturing and packaging.
- (11) Dental instruments and supply.
- (12) Business-to-business dry cleaning establishments and laundries.
- (13) Frozen food locker.
- (14) Jewelry manufacturing.
- (15) Laboratories.
- (16) Machine and metal shops.
- (17) Mail order houses.

- (18) Manufacturing, wholesaling, warehousing, and related establishments.
- (19) Medical and surgical instrument manufacturing and supply.
- (20) Optical manufacturing and assembly.
- (21) Printing and publishing establishments.
- (22) Radio, television, and computer assembly and parts fabrication.
- (23) Telephone and telegraph manufacturing and assembly.
- (24) Temperature control manufacturing and assembly.
- (25) Construction-related business.
- (26) Uses similar to the above uses.

*(Code 1996, § 17.29.020)*

#### **Sec. 66-657. - Accessory uses.**

The following are permitted accessory uses in the I-3 planned industrial district:

- (1) Commercial or business buildings and structures for a use accessory to the principal use, but shall not exceed 30 percent of the gross floor area of the principal use and shall be located on the same parcel as the principal use.
- (2) Off-street parking as regulated by [section 66-848](#) et seq.
- (3) Off-street loading as regulated by [section 66-848](#) et seq.
- (4) Fencing, screening and landscaping as permitted and regulated by [section 66-970](#) et seq.
- (5) Signs as regulated by [section 66-821](#) et seq.
- (6) Essential services.
- (7) Essential service buildings of 1,000 square feet or less.

*(Code 1996, § 17.29.030)*

#### **Sec. 66-658. - Conditional uses.**

The following are conditional uses in the I-3 planned industrial district that require a conditional use permit based upon procedures set forth in and regulated by [section 66-62](#) et seq.:

- (1) Multiple principal buildings on a lot of record.
- (2) Greenhouse and plant husbandry.
- (3) Industrial research laboratories.
- (4) Laboratories, instrument testing and medical.
- (5) Precision instrument manufacturing.
- (6) Plastic manufacturing/molding.
- (7) Plumbing fixture and equipment wholesale.
- (8) Printing plants.
- (9) Outdoor storage. Expansion of outdoor storage shall require a conditional use permit unless the proposed expansion was specifically identified in the original conditional use permit application regarding location, size, use, screening, paving and storage types.
- (10) Uses similar to the above described conditional uses.
- (11) Limited recreational facilities on the perimeter of the park.
- (12) Industrial planned unit developments as regulated by [section 66-788](#) et seq.

*(Code 1996, § 17.29.040; Ord. No. 102, § 1 (17.29.045), 10-24-2005; Ord. No. 153-10, § 1, 8-9-2010)*

### **Sec. 66-659. - Area and bulk regulations.**

Area and bulk regulations in the I-3 planned industrial district shall be as follows:

- (1) Lot area:
  - a. Minimum of 10,000 square feet for lots with municipal utilities.
  - b. Minimum of ten acres for lots without municipal utilities.
- (2) Lot width at front yard setback line:
  - a.

Minimum of 100 feet for lots with municipal utilities.

b.

Minimum of 300 feet for lots without municipal utilities.

(3)

Minimum lot depth:

a.

100 feet for lots with municipal utilities.

b.

300 feet for lots without municipal utilities.

(4)

Yard dimensions:

a.

Front yard setback:

1.

20 feet from the lot line or road right-of-way if applicable for lots with municipal utilities.

2.

50 feet for lots without municipal utilities.

b.

Side yard setback (each side):

1.

Minimum of 20 feet from the lot line for lots with municipal utilities.

2.

Minimum of 50 feet from the lot line for lots without municipal utilities.

c.

Rear yard setback:

1.

Minimum of 20 feet from the lot line for lots with municipal utilities.

2.

Minimum of 50 feet from the lot line for lots without municipal utilities.

(5)

Maximum building height: 45 feet.

(6)

Maximum impervious area: 75 percent.

(7)

Wetland setback:

a.

A 20-foot natural buffer shall be maintained adjacent to all wetlands on lots created after the adoption of this chapter.

b.

A minimum 40-foot setback is required for all structures adjacent to all wetlands on lots created after the adoption of this chapter.

(8)

Floor elevation:

a.

The lowest floor elevation for new or redevelopment will be three feet above the highest known groundwater level.

b.

The lowest floor elevation for new or redevelopment will be two feet above the 100-year flood elevation.

*(Code 1996, § 17.29.050; Ord. No. 153-10, § 1, 8-9-2010)*

### **Sec. 66-660. - Fencing, screening, and landscaping requirements.**

The fencing, screening and landscaping requirements in [section 66-970](#) et seq. shall apply to all developments in the I-3 planned industrial district.

*(Code 1996, § 17.29.060)*

### **Sec. 66-661. - Required parking.**

For permitted uses, four parking spaces per 1,000 square feet of gross floor area of all principal and accessory structures shall be provided and maintained unless otherwise regulated in [section 66-848](#) et seq.

*(Code 1996, § 17.29.070)*

### **Sec. 66-662. - Performance standards.**

All uses allowed in the I-3 planned industrial district shall comply with all applicable federal, state and local nuisance and pollution laws, ordinances and regulations.

*(Code 1996, § 17.29.080)*

### **Sec. 66-663. - Design standards.**

All structures in this zoning district must meet the city design guidelines and be approved by the city design committee.

*(Code 1996, § 17.29.090; Ord. No. 153-10, § 1, 8-9-2010)*

### **Sec. 66-664. - Screening.**

(a)

All outside storage requires a conditional use permit and, in addition to any other conditions imposed by the governing authority, must be screened.

(b)

All screening shall have gates or other means of blocking vision through access points. Gates shall match screening and be properly maintained.

(c)

All vehicles in excess of three-quarter ton capacity or equipment, shall be screened with an eight foot high fence of 90 percent opacity. Storage shall not be allowed in trucks, trailers, or similar containers.

*(Code 1996, § 17.29.100)*

### **Sec. 66-665. - Paved surface.**

All vehicular driving and parking areas shall be paved and be surrounded with poured-in-place concrete curb and gutter, except in special circumstances such as off-road heavy equipment storage areas or contractor (nonretail) material storage areas with approval by the planning commission.

*(Code 1996, § 17.29.110)*

**Sec. 66-666. - Waste.**

(a)

All solid waste materials, debris, refuse, or garbage shall be kept within a completely enclosed building or properly contained in closed containers and stored in racks designed for such purposes. All liquid wastes containing any organic or toxic matter shall be discharged in a manner prescribed by the governing authority.

(b)

All waste shall be placed in containers or enclosures in a manner not constituting a nuisance by reason of wind-litter, disorderly appearance, or abnormal fire hazard.

(c)

All waste containers or racking not in an enclosed building shall be completely screened for its full height but not less than eight feet.

(d)

No outside incinerators or trash burners shall be installed, erected or utilized on any lot.

*(Code 1996, § 17.29.120)*

**Sec. 66-667. - Nonpermitted buildings and temporary buildings.**

(a)

No trailer, basement, tent, shack, garage, barn or other out-building shall at any time be used for human habitation, temporarily or permanently; nor shall any structure of temporary character be maintained upon a building site, except as temporarily incidental to building construction.

(b)

Temporary construction trailers used in conjunction with a building project are not considered temporary buildings and therefore are permitted during construction.

(c)

No temporary buildings and structures for any purpose shall be erected on the site without written approval from the city.

(d)

Temporary structures will only be approved for extenuating circumstances. One year after construction begins, all temporary buildings and their supporting systems shall be removed from the site and the original site improvements returned to their original condition.

*(Code 1996, § 17.29.130)*

**Sec. 66-668. - Maintenance of vacant lots or tracts.**

All owners of vacant lots or tracts shall keep them clean, mowed, and maintained in a manner that will not depreciate other property value.

*(Code 1996, § 17.29.140)*

**Sec. 66-669. - Minimum development value.**



Minimum market value of each improved lot of record, including land, shall be \$350,000.00 for lots one acre or larger in size. Minimum market value of each improved lot of record, including land, shall be \$150,000.00 for lots less than one acre in size.

*(Code 1996, § 17.29.150)*

## **Sec. 66-670. - Reserved.**

### **DIVISION 17. - I-4 INDUSTRIAL DISTRICT**

#### Sec. 66-671. - Purpose.

#### Sec. 66-671.5. - Permitted uses.

#### Sec. 66-672. - Accessory uses.

#### Sec. 66-672.5. - Conditional uses.

#### Sec. 66-673. - Area and bulk regulations.

#### Sec. 66-673.5. - Screening and landscaping requirements.

#### Sec. 66-674. - Required parking.

#### Sec. 66-674.5. - Performance standards.

#### Sec. 66-675. - Design standards.

#### Secs. 66-676—66-696. - Reserved.

## **Sec. 66-671. - Purpose.**

The purpose of the I-4 industrial district is to establish and preserve areas for industrial development including manufacturing, fabrication, packaging, assembly, warehouse, and distribution, as well as related uses of such a nature that they do not create serious problems of compatibility with other kinds of land uses.

*(Ord. No. 121-08, § 1, 3-10-2008)*

## **Sec. 66-671.5. - Permitted uses.**

The following are permitted uses within the I-4 industrial district:

- (1) Manufacturing operations.
- (2) Fabrication operations.
- (3) Assembly operations.
- (4) Warehouse operations.
- (5) Distribution operations.

*(Ord. No. 121-08, § 1, 3-10-2008)*

## Sec. 66-672. - Accessory uses.

The following are permitted accessory uses in the I-4 industrial district:

- (1)  
Commercial or business buildings and structures for a use accessory to the principal use but shall not exceed 30 percent of the gross floor area of the principle use.
- (2)  
Off-street parking as regulated by [section 66-848](#) et seq.
- (3)  
Off-street loading as regulated by [section 66-848](#) et seq.
- (4)  
Fencing, screening and landscaping as permitted and regulated by [section 66-970](#) et seq.
- (5)  
Signs as regulated by [section 66-821](#) et seq.
- (6)  
Essential services.
- (7)  
Essential service buildings of 1,000 square feet or less.

*(Ord. No. 121-08, § 1, 3-10-2008; Ord. No. 153-10, § 1, 8-9-2010)*

## Sec. 66-672.5. - Conditional uses.

The following are conditional uses in the I-4 industrial district that require a conditional use permit based upon procedures set forth in and regulated by [section 66-62](#) et seq.:

- (1)  
Multiple principal buildings on a lot of record.
- (2)  
Antenna for radio or television broadcasting.
- (3)  
Radio and television, transmitting station.
- (4)  
Cellular and digital telephone towers.
- (5)  
Outdoor storage shall be a conditional use permit. The screening shall be an opaque wall constructed of the same masonry materials as the building. Materials stored outdoors shall not exceed the height of the wall. An annual renewal of the conditional use permit shall be required to assure compliance.
- (6)  
Industrial planned unit developments as regulated in [section 66-655](#) et seq.
- (7)  
Buildings containing offices for professional and other service industries, as well as headquarters for businesses and corporations.

*(Ord. No. 121-08, § 1, 3-10-2008)*

## Sec. 66-673. - Area and bulk regulations.

Area and bulk regulations in the I-4 industrial district are as follows:

(1)

Lot area:

a.

Minimum of 10,000 square feet for lots with municipal utilities.

b.

Minimum of ten acres for lots without municipal utilities.

(2)

Lot width at front yard setback line:

a.

Minimum of 100 feet for lots with municipal utilities.

b.

Minimum of 300 feet for lots without municipal utilities.

(3)

Lot depth:

a.

Minimum of 100 feet for lots with municipal utilities.

b.

Minimum of 300 feet for lots without municipal utilities.

(4)

Yard dimensions:

a.

Front yard setback:

1.

20 feet from the lot line or road ROW for lots with municipal utilities.

2.

50 feet from the lot line or road ROW for lots without municipal utilities.

b.

Side yard setback (each side):

1.

Minimum of 20 feet from the lot line for lots with municipal utilities.

2.

Minimum of 50 feet from the lot line for lots without municipal utilities.

c.

Rear yard setback:

1.

Minimum of 20 feet from the lot line for lots with municipal utilities.

2.

Minimum of 50 feet from the lot line for lots without municipal utilities.

(5)

Maximum building height: 45 feet

(6)

Maximum impervious area: 90 percent

(7)

Wetland setback:

a.

A 20-foot natural buffer shall be maintained adjacent to all wetlands on lots created after the adoption of this chapter.

b.

A minimum 40-foot setback is required for all structures adjacent to all wetlands on lots created after the adoption of this chapter.

(8)

Floor elevation:

a.

The lowest floor elevation for new or redevelopment will be three feet above the highest known groundwater level.

b.

The lowest floor elevation for new or redevelopment will be two feet above the 100-year flood elevation.

*(Ord. No. 121-08, § 1, 3-10-2008; Ord. No. 153-10, § 1, 8-9-2010)*

#### **Sec. 66-673.5. - Screening and landscaping requirements.**

The screening and landscaping requirements in [section 66-970](#) et seq. shall apply to all developments in the I-4 industrial district.

*(Ord. No. 121-08, § 1, 3-10-2008)*

#### **Sec. 66-674. - Required parking.**

For development including manufacturing, fabrication, packaging, and assembly uses, one parking space per 300 square feet of gross floor area or 1.25 spaces for each employee per shift shall be provided and maintained.

For warehouse and distribution uses, one parking space per 2,000 square feet of gross floor area or 1.25 spaces for each employee per shift shall be provided and maintained.

If the applicant chooses the lesser number of parking spaces then a proof of parking plan will need to be submitted and approved to assure the larger standard can be met if additional parking is needed later.

*(Ord. No. 121-08, § 1, 3-10-2008)*

#### **Sec. 66-674.5. - Performance standards.**

All uses allowed in the I-4 industrial district shall comply with all applicable federal, state and local nuisance and pollution laws, ordinances and regulations.

*(Ord. No. 121-08, § 1, 3-10-2008)*

#### **Sec. 66-675. - Design standards.**

All structures must be approved by the city design committee.

The exterior of the building must be masonry construction. Masonry construction is defined as follows: face brick, natural or cut stone, stucco, dri-vit, split-face rock or other types of artificial stone. Under city council approval, an alternative exterior surface may be approved if it meets the following standards:

(1)

The alternative exterior surface is part of a trademarked look or theme.

(2)

The alternative exterior is not being proposed in order to reduce the financial burden of the applicant.

(3)

All outside trash receptacles shall be screened with a masonry exterior to match the building.

Wood pole frame construction is not allowed. Any accessory structure must be constructed of similar materials and appearance.

*(Ord. No. 121-08, § 1, 3-10-2008)*

**Secs. 66-676—66-696. - Reserved.** 