

CHAPTER 1157
Industrial District Regulations

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1157.01 PURPOSE.

The Industrial Districts include the Multi-Use (M-U) District, the Light Industrial (I-1) District and the Heavy Industrial (I-2) District. The regulations set forth in this Chapter 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 establish performance standards, parking specifications and yard regulations to ensure that industrial development is compatible with adjacent uses.
- (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 beyond the district boundaries and by separating and insulating residential districts from the most intense industrial activities.
- (d) To carry out the following specific purposes:
 - (1) To provide M-U Multi-Use Districts in appropriate and convenient locations for general commercial establishments, wholesale and distribution establishments, and limited types of assembly and production establishments that do not cause conditions that would be objectionable to neighboring properties. All activities are to be conducted within enclosed buildings, except for limited uses including automobile sales, farm implement sales and outdoor storage as a conditional use.
 - (2) To provide I-1 Light Industrial Districts which accommodate wholesale, warehouse, assembly, processing and other limited industrial uses, including storage and related activities, conducted entirely within enclosed buildings, that operate with a minimum of noise, glare, odor, dust, vibration, air and water pollution, fire and safety hazard or any potentially nuisance characteristic. The I-1 District is designed to encourage the development of industrial parks by including reduced standards for lots that are part of an industrial park development and which have access onto a new internal street.
 - (3) To provide I-2 Heavy Industrial Districts for certain intensive industrial establishments that utilize products, materials and/or processes which may involve dust, smoke, fumes, glare, odors or other objectionable characteristics, but the impacts of which are

reduced through the use of greater setback requirements so that such uses do not jeopardize the health, safety and general welfare of the surrounding neighborhoods. Uses in the I-2 Districts typically generate outdoor activities and outdoor storage in association with permitted principal uses.

1157.02 USE REGULATIONS.

- (a) Uses Permitted by Right. A use listed in Schedule 1157.03 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) Conditional Uses. A use listed in Schedule 1157.03 shall be permitted as a conditional use in a district when denoted by the letter "C", provided the Planning Commission first makes the determination that the requirements of Chapter 1161 have been met according to the procedures set forth in Chapter 1185.
- (c) Accessory Uses. A use listed in Schedule 1157.03 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) Use Not Listed in Schedule. Although a use may be indicated as a permitted principal, conditional or accessory use in a particular 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 Code applicable to the specific use and parcel in question. Any use not specifically listed as either a permitted principal or conditional use shall be a prohibited use in these zoning districts and shall only be permitted upon amendment of this Code and/or the Zoning Map as provided in Chapter 1121, or upon a finding by the Planning Commission that a use is substantially similar as provided in Chapter 1185.

1157.03 SCHEDULE OF PERMITTED USES.

	M-U Multi-Use	I-1 Light Industrial	I-2 Heavy Industrial
(a) Residential			
(1) Single-family and two-family dwellings	P		

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	M-U Multi-Use	I-1 Light Industrial	I-2 Heavy Industrial
(b) Offices			
(1) Administrative, business and/or professional office	P	P	P
(2) Automated teller machine, freestanding	C		
(3) Bank or other financial institution	P		
(4) Hospital	C		
(5) Research and testing laboratory	P	P	P
(6) Urgent care, medical clinic	P		
(c) Retail, Personal Services, Recreation			
(1) Retail business in enclosed building	P		
(2) Personal services in enclosed building	P		
(3) Restaurant or other type of eating and/or drinking establishment in enclosed building	P		
(4) Animal hospital	P		
(5) Commercial recreation, indoor	P		
(6) Commercial recreation, outdoor	C		
(7) Dance floor/entertainment in association with a permitted use	C		
(8) Drive thru facility in association with a permitted use	P		
(9) Funeral home	P		
(10) Hotel or motel	P		
(11) Movie theater, indoor	P		
P = Principal use permitted by right. C = Conditional use. Blank Cell = Use not permitted in district.			
(12) Outdoor dining	C		
(13) Sexually oriented business in compliance with Section 1175.05			P
(d) Trade Business Services, Equipment Sales and Supplies			
(1) Auto sales and rental	C		
(2) Cleaning or laundry plant	P	P	P
(3) Commercial business or trade school	P	P	

	M-U Multi-Use	I-1 Light Industrial	I-2 Heavy Industrial
(4) Business services, including equipment repair and supply	P	P	P
(5) Gasoline station	P		
(6) Mobile home and/or manufactured home sales	C		P
(7) Printing shop and/or publishing establishment	P	P	P
(8) Sales, service, repair and/or storage of farm implement, construction equipment, recreation vehicles, or other large equipment	C		P
(9) Vehicle repair garage	C		P
(10) Wholesale business	P	P	P
(e) Storage and Distribution			
(1) Bulk fuel storage			C
(2) Construction trade contractor's facility	C		P
(3) Junkyard			C
(4) Mini/ self storage			C
(5) Outdoor operations including outdoor storage and supply yard	C		P
(6) Overnight storage of fleet vehicles used in operation of principal use	C	C	P
(7) Warehouse, distribution facility	P	P	P
(f) Automotive/ Transportation			
(1) Airport			C
P = Principal use permitted by right. C = Conditional use. Blank Cell = Use not permitted in district.			
(2) Public transportation terminal	C		P
(3) Public parking lot	P		
(4) Truck and railroad terminal			P
(g) Manufacturing, Processing and Assembly			
(1) Carpentry, cabinet, machine shop	P	P	P
(2) Concrete mixing			C
(3) Fabrication and assembly operation	P	P	P
(4) Food and drink preparation, processing, production and storage	P	P	P

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	M-U Multi-Use	I-1 Light Industrial	I-2 Heavy Industrial
(5) Grain elevator			P
(6) Heavy manufacturing use that meets the definition and complies with the performance standards			P
(7) Light manufacturing use that meets the definition and complies with the performance standards	P	P	P
(8) Manufacturing and processing of explosive materials			C
(9) Manufacturing using raw materials			C
(10) Mineral excavation, quarry operations			C
(11) Slaughterhouse			C
(h) Community Facilities / Other			
(1) Assembly hall, membership club	P		
(2) Church or other place of worship	P	P	P
(3) Day care, adult and/or child	P		
(4) Library or museum	P		
(5) School facility, public or private	P		
(6) Public safety facility	P	P	P
(7) Public service/maintenance facility	C		P
P = Principal use permitted by right. C = Conditional use. Blank Cell = Use not permitted in district.			
(8) Public utility structure	P	P	P
(9) Wireless telecommunication facility	See Chapter 1169		
(i) Accessory			
(1) Outdoor display	A		
(2) Off-street parking and loading facilities	A	A	A
(3) Signs	A	A	A
(4) Accessory medical clinics, lunchrooms, cafeterias, and recreational facilities in association with a permitted use	A	A	A
P = Principal use permitted by right. C = Conditional use. Blank Cell = Use not permitted in district.			

1157.04 LOT REQUIREMENTS.

All lots created in Industrial Districts shall comply with the minimum requirements set forth in Schedule 1157.04.

(a) Schedule 1157.04 Minimum Lot Requirements.

	M-U Multi-Use	I-1 Light Industrial	I-2 Heavy Industrial
(1) Minimum lot area	30,000 sq ft	2 acres ^(a)	2 acres
(2) Minimum lot width	100 feet	200 feet ^(b)	200 feet
(3) Minimum lot frontage	100 feet	200 feet ^(b)	200 feet
<p><u>Notes to Schedule 1157.04:</u></p> <p>(a) Except that for lots fronting on an internal street in an industrial park the minimum lot area shall be one acre.</p> <p>(b) Except that for lots fronting on an internal street in an industrial park the minimum lot width and lot frontage shall be 150 feet.</p>			

(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 1157.03 for the district in which the lot is located even when the lot does not comply with the minimum requirements set forth in Schedule 1157.04, provided the use can be conducted in compliance with all other requirements set forth in this Planning and Zoning Code.

1157.05 YARD REQUIREMENTS.

Every permitted use of land and structures shall be located on a lot in a manner that maintains the minimum front, side and rear yards set forth in this section for the district in which the lot is located, measured from the appropriate lot line. Each yard shall remain unobstructed by structures except as otherwise specifically permitted in this Code.

(a) Front Yard. Each lot shall maintain the minimum front yard setback measured from the street right-of-way. Corner lots shall comply with the front yard setback for each lot line adjacent to a street right-of-way.

(b) Schedule 1157.05 Minimum Yard Requirements.

	M-U	I-1	I-2

	Multi-Use	Light Industrial	Heavy Industrial
(a) Front Yard	10 feet ^(a)	70 feet	50 feet
(b) Side or rear yard adjacent to a nonresidential district	5 feet	25 feet	10 feet
(c) Side or rear yard adjacent to a residential district	20 feet	70 feet	100 feet
<u>Notes to Schedule 1157.05:</u>			
^(a) Except that for lots abutting a state route the minimum front yard shall be 25 feet.			

1157.06 HEIGHT REGULATIONS.

Buildings and structures shall comply with the following height regulations based on the district in which the lot is located.

- (a) In the M-U Multi-Use and I-1 Light Industrial Districts buildings and structures shall not exceed a height of 35 feet.
- (b) In the I-2 Heavy Industrial District, buildings and structures shall not exceed a height of 80 feet.
- (c) Notwithstanding the above regulations, accessory buildings or structures that do not exceed 200 square feet in gross floor area shall not exceed a height of 18 feet.
- (d) Height exceptions are set forth in Section 1175.03 for appurtenant structures.

1157.07 OFF-STREET PARKING AND LOADING REGULATIONS.

Off-street parking and loading areas shall conform to the regulations of Chapter 1165 and to the parking requirements specified in Schedule 1157.07 below.

- (a) Schedule 1155.07 Minimum Parking Setbacks. Off-street parking areas shall be located in compliance with the minimum setbacks, measured from the street right-of-way or property line, as specified below unless otherwise noted.

	M-U Multi-Use	I-1 Light Industrial	I-2 Heavy Industrial
(1) Setback from Public Right-of-Way			
A. When opposite or adjacent to a nonresidential district	20 feet	20 feet	20 feet

B. When opposite or adjacent to a residential district	20 feet	70 feet	50 feet
(2) Setback from side and rear lot lines			
A. Adjacent to a non-residential district	5 feet	10 feet	10 feet
B. Adjacent to a residential district	30 feet	30 feet	30 feet

- (b) Off-street parking spaces shall be provided in compliance with Chapter 1165.
- (c) Off-street parking spaces shall be located not more than 700 feet from the principal use.
- (d) In the M-U And I-1 Districts, loading and service areas shall be located in the rear or side yard, shall comply with the parking setbacks set forth in Schedule 1157.07.
- (e) The area within the parking setback shall be landscaped and screened in accordance with Chapter 1167.

1157.08 OUTDOOR ACTIVITIES.

Outdoor activities when permitted by right according to Schedule 1157.03 shall be permitted only when associated with the principal use provided such outdoor activity complies with the following:

- (a) Regulation Of Type Of Storage:
 - (1) No storage of radioactive, toxic or otherwise hazardous materials shall be permitted.
 - (2) The bulk storage of sand, gravel, salt and other similar materials shall be permitted only when such material is effectively prevented from spreading,
- (b) Location:
 - (1) Areas devoted to outdoor operations and outdoor storage of goods, materials or products shall be located in a side or rear yard only and shall be located a minimum of 20 feet from any side or rear lot line that abuts a lot in a nonresidential district and 150 feet from any side or rear lot line that abuts a lot in a residential district.
 - (2) The outdoor storage of fleet vehicles associated with the operation of the principal use shall be located in a side or rear yard in compliance with the parking setbacks set forth in Schedule 1157.07 for the district in which the lot is located.

- (3) All outdoor activity areas shall be depicted on a development plan and shall not occupy or interfere with traffic circulation, required parking areas or pedestrian access.
- (4) All materials shall be stored in such a manner as to be accessible to fire fighting equipment at all times.
- (c) Signs. No signs shall be permitted in conjunction with outdoor activity areas except those otherwise in compliance with the sign regulations in Chapter 1163.
- (d) Surfacing: Areas devoted to outdoor storage shall be paved with asphalt or concrete and be maintained free of dust.
- (e) Screening. All outdoor activity areas shall be enclosed with a wall or fence, including gates according to the screening requirements set forth in Section 1167.07.

1157.09 ACCESSORY USE REGULATIONS.

Accessory uses permitted in any Industrial District shall conform to the regulations of this Section.

- (a) Accessory Buildings. Accessory buildings that have a gross floor area of 200 square feet or less shall be located in a side or rear yard and shall comply with the parking setbacks set forth in Schedule 1157.07. All other buildings shall be considered principal buildings and shall conform to all lot and yard regulations and development plan review and approval requirements of the zoning district in which the parcel or lot is located.
- (b) Outdoor Display: Outdoor display, when permitted as an accessory use according to Schedule 1157.03 shall comply with the following:
 - (1) Outdoor display of retail items, when permitted, shall be considered an accessory use and shall not exceed an area equal to 25% of the ground floor area of the principal building.
 - (2) Outdoor display areas shall comply with the yard regulations set forth in Section 1157.05 and be contiguous to the principal building; however, such areas shall be spaced a sufficient distance from the building, as dictated by the City Fire Chief, to satisfy all fire safety requirements.
 - (3) Outdoor display areas shall be depicted on the development plan and shall not occupy or interfere with traffic circulation, required parking areas, sidewalks or pedestrian access.
- (c) Fences and Walls. Fences and walls may be erected in any Industrial District in compliance with the requirements set forth in Chapter 1167.
- (d) Waste Receptacles. Solid waste, including empty packing crates and other excess materials, shall be disposed of, stored in buildings, or completely enclosed in containers or dumpsters, and shall not be permitted to accumulate on the lot. Containers and dumpsters shall be located in a side or rear yard on a paved surface in compliance with the minimum parking setbacks established in Schedule 1157.07 and the screening requirements set forth in Section 1167.07.
- (e) Signs. Signs shall conform to the regulations specified in Chapter 1163.

1157.10 PERFORMANCE STANDARDS.

All uses in Industrial Districts shall comply with the following performance standards.

- (a) Compliance with State and Federal Regulations. All uses shall comply with all applicable state and federal Environmental Protection Agency,

- OSHA and all other state and federal regulations that pertain to the operation of industrial uses.
- (b) Storage Handling. All storage areas shall comply with the regulations set forth in Bulletin No. 30-L of the National Fire Protective Association and other fire protective codes of the City of Bryan. All parts shall be accessible to firefighting equipment.
 - (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 of Bryan.
 - (d) Fire Hazards. Any processing that involves explosive materials shall be permitted only in the I-2 District and only as a conditional use. Such use shall only be permitted when in compliance the regulations set forth in Chapter 1161, which shall be in addition to the requirements set forth below. All activities that involve the use of flammable or explosive material shall comply with the following:
 - (1) 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.
 - (2) Such activities shall only be permitted in structures having incombustible exterior walls.
 - (3) 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 Building Inspector a certificate of compliance from the State Fire Marshal or the City Fire Chief.
 - (4) 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.

- (2) Such disturbances shall be confined to the use and lot from which they originate and shall not occur across any lot line.
- (3) 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. All uses shall comply with the following noise standards.

- (1) Measurement.
 - A. A sound-level meter shall be used to measure sound pressure level.
 - B. Noise levels shall be measured at the lot line for all lots in M-U and I-1 Districts and at the nearest I-2 District boundary line for all lots in the I-2 District.
- (2) No use shall emit noise which exceeds the decibel limits set forth below:

<u>Octave Band Frequency</u> <u>(cycles per second)</u>	<i>Decibels</i>
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

(g) Air Pollution.

- (1) The emission of smoke, soot, fly ash, fumes and dust shall be controlled by precipitation devices, height of stack, rate of emission or other manner so that the quantity deposited at any Residential or Commercial District shall not be detrimental to or endanger the public safety, comfort, welfare or adversely affect property values.
- (2) Dust and other types of air pollution borne by the wind from sources such as parking areas, storage areas or yards shall be kept to a minimum by appropriate landscaping, paving, oiling and other acceptable treatment.

(h) Odorous Matter.

- (1) The emission of odorous matter in such quantities as to produce a public nuisance or hazard outside the building is prohibited in a M-U or I-1 District.
 - (2) The emission of odorous matter in such quantities as to produce a public nuisance or hazard shall not be detectable beyond the lot line in an I-2 District.
- (i) Vibration.
- (1) In the M-U and I-1 Districts, vibrations that are perceptible without the aid of instruments shall not be permitted beyond the lot occupied by the use generating such vibration.
 - (2) In the I-2 District, all activities shall be set back from and controlled in such a manner as to prevent transmission of vibrations that are perceptible without the aid of instruments beyond the district boundary.
- (j) Noxious, toxic or corrosive fumes. Noxious, toxic or corrosive fumes or gasses shall not be emitted which shall be injurious to the property, vegetation or health of people residing or doing business in any adjacent Residential or Commercial District.
- (k) Heat and Glare.
- (1) In an M-U or I-1 District, 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.
 - (2) In an I-2 District, no use shall generate heat or glare which is perceptible without the aid of instruments at any point beyond the district boundary.
- (l) Erosion. No erosion, by either wind or water, which will carry objectionable substances onto neighboring properties shall be permitted
- (m) Water Pollution. Pollution of water is subject to the requirements and regulations established by the Ohio Water Commission and the Ohio Environmental Protection Agency.
- (n) Enforcement. Where determinations can be made by the Zoning Administrator or other authorized City employee, using equipment normally available or obtainable without extraordinary expense, such determinations or evaluation shall be made whenever possible before a notice of violation is issued. Where technical complexity or extraordinary personnel or equipment is required to make the determination, the Planning Commission may, in the case of the offenses under this Section, require the owner to either obtain and pay for an independent survey or

share in the cost of an independent survey from a professional engineer experienced in the particular specialty.

1157.11 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 1167.

1157.12 DEVELOPMENT PLAN REVIEW.

All uses in Industrial Districts shall be permitted only after development plans have been reviewed and approved by the Planning Commission according to the procedures set forth in Chapter 1183.