

## CHAPTER 7

### INDUSTRIAL DISTRICTS

#### ARTICLE B. I-2 HEAVY INDUSTRIAL DISTRICT

##### SECTION:

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10-7B-1: INTENT: The I-2 Heavy Industrial district is established to protect public health, safety, comfort, convenience and the general welfare and to protect the economic base of the City as well as the value of real estate, by regulating industrial development in appropriate locations. This district is suitable for areas guided to industrial development in the Comprehensive Plan. These general objectives include, among others, the following specific objectives:

- A. To protect previously established residential and commercial areas by regulating those nearby industrial activities which may create offensive noise, vibration, smoke, dust odors, heat, glare, fire hazards, and other objectionable influences to those areas which are appropriate therefor.
- B. To establish proper standards of performance which will restrict undesirable or temporary industrial activities, while at the same time encouraging and permitting industrial activities which are able to comply with the standards established herein without adversely affecting the health, happiness, safety, convenience and welfare of the people living and working in nearby areas.
- C. To promote the most desirable use of land in accordance with a well-considered plan of land use for all of the City, to conserve the use of property, to promote stability of industrial activities and related development, to protect the character and established development in each area of the community, and to enhance and stabilize the value of land and to protect the tax base of the City of Sartell.

10-7B-2: PERMITTED USES: As represented in Table Four: Commercial/Industrial Use Matrix, only the following uses are permitted in I-2 Heavy Industrial Districts:

- A. Any use permitted in the I-1 Light Industrial District, except: agricultural/farm equipment sale; building materials yards; call centers; and, heating, ventilation and air conditioning service.
- B. Acetylene gas manufacture and electrical power plants.
- C. Adult use establishments with a minimum separation of three hundred fifty (350) lineal feet from any other adult use establishment and one thousand three hundred twenty (1,320) lineal feet from any hotel, motel, nursing care home, housing for the elderly, day care facility, church, school and/or any residentially zoned property. Also subject to Chapter 1, Section 10-1-2 (B), Purpose and intent of Adult Use Zoning Regulations of this Ordinance and Chapter 2, Definitions, that apply to adult use establishments.
- D. Alcohol manufacture.

- E. Boiler works.
- F. Brick, tile, terra cotta, masonry manufacture.
- G. Cement products manufacture and production of ready mix concrete.
- H. Food processing, smoking, curing, canning.
- I. Freight/transportation/trucking terminal/classification yards.
- J. Iron or steel foundry or fabrication plant for heavy casting subject to hours and noise ordinance requirements. The fabrication includes the cutting, bending and assembling of raw materials into a value added process that involves the construction of machines and structures. A scrap yard, metal recycling center (buys and sells scrap metal) or refineries are not considered fabrication plants and therefore are not permitted.
- K. Pulp or paper manufacturing facility which may be subject to state and federal permitting processes and permitting.
- L. Railroad repair shops.
- M. Railroad Rights Of Way: All in-use railroad rights shall be considered as Heavy Industrial District.

10-7B-3:           CONDITIONAL USES: As represented in Table Four: Commercial/Industrial Use Matrix, the following uses require a conditional use permit as provided in Chapter 14 of this Title:

- A. Any conditional use of the I-1 District, except pulp/paper manufacturing which is a permitted use in the I-2 District.
- B. "Industrial storage" and "disposal facility" as herein defined provided that the same shall be developed, constructed, operated and maintained in accordance with the MPCA permit, applicable county licensing requirements or any other subsequent state or county directives or regulations have the force of law.
- C. Wholesale greenhouses.

10-7B-3.5       INTERIM USES: The following uses require an interim use permit as provided in Chapter 14 of this Title:

- A. The decommissioning which is defined as the significant removal of machinery from service within a site, or the demolition of existing buildings, pavement, structures or facilities, along with site remediation for the purposes of leaving a property barren for an unspecified amount of time. The decommissioning and/or demolition shall be subject to 10-7B-6. A site plan shall be submitted and is subject to Chapter 9 of this Title.

10-7B-4:           PERMITTED ACCESSORY USES: As represented in Table Four: Commercial/Industrial Use Matrix, the following are permitted accessory uses within the I-2 District.

- A. Off-street parking and off-street loading.
- B. Signs.

- C. Temporary buildings for construction purposes for a period not to exceed construction or nine months, whichever is less.
- D. Any combination of the following provided all accessory uses combined do not exceed 35% of the aggregate square footage of the structure: offices, residential structures and related residential uses necessary for security and safety reasons in relation to the principal use; and, restaurant, café and the like but not drive in/through type.
- E. Any combination of the following provided all accessory uses combined do not exceed 20% of the aggregate square footage of the structure: commercial activities directly relating to a product produced on site and/or commercial activities relating to production systems, structural maintenance programs or the construction industry; and, wholesale showrooms

10-7B-5: LOT, YARD, AREA AND HEIGHT REQUIREMENTS: as presented in Table Three: commercial/industrial lot requirements.

- A. Lot Area: Minimum lot size: 5 acres. Minimum lot width: 200 feet.
- B. Front Yard Setback:
  - 1. The front yard setback in any industrial district shall be forty feet (40'). On corner lots, the setback shall be forty feet (40'). Where an industrial district is separated from a residential use by a street, the setback from the street in the industrial district shall not be less than one hundred feet (100').
  - 2. The front yard bordering upon a street shall be landscaped and shall not be used for the parking of employees.
  - 3. Structures adjacent to Trunk or County State Aid Highways shall be set back an additional ½ foot for each one foot of building height over fifteen feet.
- C. Side Yard Setback:
  - 1. The side yard setback in any industrial district shall be not less than fifteen feet (15').
  - 2. The industrial district side yard adjacent to a residential use boundary line shall provide for a landscaped strip sixty feet (60') in width along such boundary line. A portion of this landscaped strip shall be planted to provide a screen. The governing body may require additional side yard width in these cases. When such additional width is required, such additional width shall not exceed one hundred feet (100') and parking in this area is not permitted.
  - 3. The side yard bordering upon a street shall be landscaped and shall not be used for parking of employees.
  - 4. Structures adjacent to Trunk or County State Aid Highways shall be set back an additional ½ foot for each one foot of building height over fifteen feet.
- D. Rear Yard Setback: The rear yard setback in all industrial districts shall be a minimum of thirty (30) feet which may be used for parking. If the rear of an industrial district abuts on or is across from an alley from a residential use, the rear yard setback shall be a minimum of one hundred (100) feet.

- E. Height: No building constructed adjacent to residential use shall be more than fifty five (55) feet. Each required setback shall be increased by one foot for every one foot of height exceeding 35 feet. This increased setback can be combined with requirements pertaining to increased setbacks from certain roadways.
- F. Maximum impervious surface coverage of all buildings, parking areas, sidewalks and other covered surfaces: seventy-five (75) percent. Properties developed prior to the effective date of this ordinance are exempt from this standard.
- G. Buffer Requirements: Where a business development and/or parking lot exceeding two (2) spaces abuts upon any residential use or is separated from such residential use by an alley or street, there shall be a protective strip of not less than 25' in width established as a buffer zone. Landscaped buffer must contain a fence or evergreen hedge as described in 10-9-2.
- H. Exterior Material Requirements:
  - 1. Any approved commercial materials in B-1, B-2 and B-3 Districts.
  - 2. Standard smooth-faced concrete masonry units.
  - 3. Unfinished pan formed precast or cast in place concrete panels.
  - 5. Other materials as approved by the City Council.
- I. Framing Types. Concrete block or masonry framing systems are preferred. Tilt-up, post frame wood and/or steel framing are allowed as long as any structure has a contiguous masonry frost-free foundation.
- J. Roof Materials. Commercial grade asphalt shingles, wood shingles, standing seam pre-finished architectural metal, slate, tile or copper. Flat roofs are exempt from this requirement.
- K. Building Design Requirements. Accessory structures must be similar to principal structure in material, quality and appearance. Accessory structures can't exceed height of principal structure. Screening walls and/or exposed areas of retaining walls must be constructed of permanent material and finish and in a color compatible with the principal structure. City encourages buildings be placed close to street with parking behind or beside the building. Pole Building Construction is prohibited for commercial construction.

10-7B-6: PERFORMANCE STANDARDS: Applicants for a permit to develop any heavy industrial property (I-2) in the Municipality shall be required to submit a complete and accurate statement concerning the specific nature of the use to which the property is to be put. This statement shall include detailed information relative to the control of smoke, odors, noise, vibrations or other effects, which may be considered by the governing body or the Planning Commission as detrimental to health, safety or general welfare. The City Council may require any additional information, corrections or control deemed necessary for the protection of the public.

In order to assure compliance with the performance standards set forth above and below, the City Council may require the owner or operator of any permitted use to have made such investigations and tests as may be required to show compliance with these performance standards. Such investigation and tests as are required to be made may be carried out by an independent testing organization as may be agreed upon by all parties concerned, or if there is failure to agree, by such independent testing organization as may be selected by the City Council after thirty (30) day notice. The costs incurred in having such investigations or tests conducted shall be the responsibility of the owner or operator. The procedure stated above does not preclude the City from making any tests and investigations it finds appropriate to determine compliance with these performance standards.

- A. Landscaping (for permitted, accessory, CUP and IUP uses): All open areas of any zoning lot must be graded to provide proper drainage and, except for areas used for parking, drives or storage, landscaped with trees, shrubs or planted groundcover in accord with the zoning code (Landscaping, Buffering and Screening). It is the owner's responsibility to see that this landscaping is maintained in an attractive and well-kept condition. All vacant lots must be properly maintained including but not limited to weed growth and pavement management.
- B. Noise (for permitted, accessory, CUP and IUP uses): Noise will be measured on any property line of the zoning lot on which the operation is located. Noise must be muffled so as not to become objectionable due to intermittence, beat frequency, shrillness or intensity. The sound pressure level of noise in an octave band frequency radiated continuously from a facility shall not exceed the noise area classification (NAC) established by the MPCA and as amended, exempted or granted a variance from those standards as directed and approved by the MPCA. This requirement does not apply to snow removal activities, noise as a result of safety equipment or the noise created from truck and waste traffic entering or exiting the site.
- C. Vibration (for permitted, accessory, CUP and IUP uses): Vibration must not be discernible at any adjoining property line to the human sense of feeling for three (3) minutes or more in duration in any one (1) hour.
- D. Wastes (for permitted, accessory, CUP and IUP uses): All solid waste material, debris, refuse or garbage must be kept within an enclosed building or properly contained in closed or screened containers, or stored in racks designed for such purpose. The containers or buildings used for waste materials may be open on the top. If materials need to be temporary (less than 72 hours) stored outside of a contained building or structure, it must be completely screened from all public roadways and public waterways to the greatest extent possible. All liquid wastes containing any organic or toxic matter must be discharged in the manner prescribed by the Health Department, must meet all city, state and federal storm water and erosion control requirements and permits. Any deviations of this provision may be addressed with appropriate mitigative impacts as part of the IUP.
- E. Air Pollution (for permitted, accessory, CUP and IUP uses): Any activity or operation must conform with the MPCA regulations relating to ambient air quality standards and air pollution control regulations. All crushing of concrete or other demolition activities which create dust shall be continually watered to ensure that dust does not impact neighboring properties.
- F. Performance Bond. (for IUP uses): A security agreement in the form of a performance Bond may be required, as directed the City and shall be 110% of the cost associated with all work included in all phases, or in the amount as determined by the City, before any permits, including a IUP for the work included in all phases of the decommission, site remediation or demolition activities, including, but not limited to the removal of buildings structures, slabs foundations and paved parking areas on the site. Once site restoration, grading and seeding of areas disturbed are completed, the inspected and approved by the City, the amount of the Bond may be reduced.
- G. Environmental Investigations and Cleanup, (for permitted, accessory, CUP and IUP uses)\_The property may be subject to regulatory oversight by the Minnesota Pollution Control Agency's Voluntary Investigation and Cleanup and Brownfields Program.
- H. Historical Buildings. (for IUP uses) A historic assessment of the property and buildings may be conducted prior to the issuance of any permit or the commencement of any demolition, site remediation, decommissioning or the dismantling of interior facilities, or the like.
- I. Transportation (CUP and IUP uses) A traffic impact study may need to be submitted which will determine the utilization (wear) and circulation features of the site and cumulative effects of beyond the subject property. The property will be responsible for excessive use and destruction of the public roadways and; utilities adjacent to the site which includes but is not limited to streets,

sidewalks, curbs and driveways caused by trucks or equipment from the demolition and restoration activities. The impact study need shall be determined by the City Engineer and the study must be approved by the City Engineer and/or County Engineer. Onsite weighing equipment may be required.

- J. Hours of Operation (CUP and IUP uses) All events related to the demolition, redevelopment site remediation are limited to the hours of 7 am to 8 pm. Truck traffic entering or exiting the site must be limited to 8 am to 8 pm Monday through Friday. Modifications to the hours of operations are subject to the traffic impact study. Hours of operation must be posted on the site and at all entrances and exits.
- K. Fire and Building Safety. (for permitted, accessory, CUP and IUP uses) All site plans and actions are subject to compliance with all applicable code requirements for fire safety and safeguards during demolition and construction with the current Minnesota Building and Fire Codes as adopted by the City.
- L. Utility Protection. (for IUP uses). The site must be appropriately disconnect any private utility connections to the public system. This includes, but is not limited too; stormwater connections, sewer lines and water lines.
- M. All information and evidence submitted in applications which are to indicate conformity to performance standards shall constitute certification and agreement on the part of the applicant that the proposed use can and will conform to all federal, state or City laws, ordinances and standards at all times.