

## **Chapter 12**

### **"I" PLANNED INDUSTRIAL PARK DISTRICT**

#### **12.01 PURPOSE**

This Chapter amends the existing I-A and I-B Chapters of the Zoning Resolution to combine them into a unified Zoning District.

The purpose of the "I" Planned Industrial Park District is to provide sites for industrial, manufacturing and warehousing uses at appropriate locations in relation to existing and potential developments of surrounding areas, and to arrange the location of buildings, parking areas, access, screening, and lighting to protect values and to harmonize the development with surrounding areas. The provisions in this District are designed to provide for the establishment and generation of low intensity industrial uses in a manner that minimizes conflict between industrial uses and nearby residential areas.

#### **12.02 PRINCIPAL PERMITTED USES**

The permitted uses shall be as approved by the Zoning Commission and specified as the approved site plan. All required conditions and restrictions as regulated in the "I" district shall apply except as approved on the development:

- A. Business or professional offices;
- B. Research and development establishments;
- C. Manufacturing establishments;
- D. Warehouse and wholesale establishments;
- E. Contractor Shops and Storage Yards
- F. Building materials sales and storage yards
- G. Private, non-commercial recreation areas and establishments;
- H. Recycling Centers.
- I. All uses permitted in Chapters 10 and 11 excluding residential uses.

#### **12.03 CONDITIONALLY PERMITTED USES**

The following may be permitted subject to the approval of the Board of Zoning Appeals:

- A. Buildings in excess of forty (40) feet in height if the following conditions are met satisfactorily:
  - 1. For each foot of height increase in excess of forty (40) feet, buildings must be set back at least an additional two (2) feet from the required minimum setback requirements; and
  - 2. The increased building height will not adversely affect the adjacent properties, and
  - 3. The increased building height is compatible with the existing and future development character and pattern; and

4. The site plan shows that proper mitigation measures have been proposed to address conditions 2 and 3 above.
  5. In cases where the property is located adjacent to Federal Highways, the setback requirements of Section 12.03 (A) (1) will not apply.
- B. Training facilities; restaurants; hotel/motel; and retail uses, provided the applicant clearly demonstrates to the Board of Zoning Appeals that:
1. The proposed use is primarily intended for the benefit of the tenants of the Industrial Park and compliments the Planned Industrial Park, and
  2. The use shall not exceed ten (10) percent of total allowable floor area within the Planned Industrial Park: and
  3. The use is compatible with and will not adversely impact surrounding land uses.

#### **12.04 ACCESSORY USE**

- A. Customary accessory buildings and uses, including operations required to maintain or support any use permitted in this zone on the same lot as the permitted use, such as maintenance shops, power plants, and machine shops;
- B. Signs, as regulated by Chapter 24 of this Zoning resolution; and
- C. Uses, as listed below, including within and entered from within any use permitted in this zone as a convenience to the occupants thereof, and their customers providing such accessory uses shall not exceed ten (10) percent of the gross floor area of the permitted uses in the building and no exterior advertising displays shall be visible from outside the building:
1. Cafeterias,
  2. Coffee shops or refreshment stands, and
  3. Soda or dairy bars.

#### **12.05 HEIGHT REGULATIONS**

No building shall exceed three (3) stories or forty (40) feet in height except as provided in Section 12.03 of this Chapter.

#### **12.06 AREA REGULATIONS**

- A. Front yard: As defined in Clermont County's or Miami Township's Thoroughfare Plan, there shall be a front yard having a depth of not less than seventy-five (75) feet from the street right-of-way line when abutting a major arterial and fifty (50) feet from the street right-of-way on internal roads.
- B. Side Yard. For buildings abutting districts other than residential districts, there shall be a side yard on each side of the building, which yard shall have a width of not less than twenty-five (25) feet. There shall be no side yard required for a building abutting

an "I" District or a building adjacent to another building within a Planned Industrial Park District.

- C. Where any yard of any use permitted in this zone abuts a residential zone, a minimum yard requirement of seventy-five (75) feet for each side and/or rear yard which abuts said zone shall be provided, ten (10) feet of which shall be maintained by a screening area, of solid wood fence, masonry wall, hedge or combination of appropriate height so as to effectively screen the view from adjacent residential properties.
- D. Rear Yard. There shall be a rear yard having a depth of not less than forty (40) feet.

#### **12.07 INTENSITY OF USE**

- A. Minimum Tract for Planned Industrial Park: Five (5) acres. However, development of a smaller tract adjacent to an existing approved site may be permitted providing the proposed development conforms to and extends the original development as if the new site has been a part of the originally approved site plan layout.
- B. Minimum Lot Area within Minimum Tract: One (1) acre.
- C. Minimum Lot Width at Building Setback Line. One hundred and fifty (150) feet.
- D. Maximum Floor Area Ratio: .50

#### **12.08 GENERAL PROVISIONS**

- A. Off street parking and loading and/or unloading shall be provided in accordance with Chapter 23 of this Zoning Resolution.
- B. No lighting shall be permitted which would glare from this zone onto any street, or into any adjacent property.
- C. All outdoor storage shall be screened so as not to be visible from any street or adjacent property and shall be located at least fifty (50) feet from any residential property or public or private street.
- D. All uses in this zone shall be conducted in such a manner so that no odor, smoke, glare, vibrations, or other impacts are evident from beyond the property lines.
- E. Assurances by the applicant that the use has the ability to comply with all Local, State, and Federal environmental regulations and standards shall be provided with an application for a zoning use certificate. A site plan, as regulated by Chapter 27 of this Zoning Resolution, shall be required for any use in this zone. In cases where the site plan proposes conditional uses, the site plan review shall precede any action by the Board of Zoning Appeals.
- F. Industrial use performance standards

1. No land or uses in these districts shall be used or occupied in any manner so as to create any dangerous, injurious, noxious or otherwise objectionable nuisance.
2. The determination of the existence of any dangerous and objectionable conditions shall be made at the location of the use creating the same or at such location where such conditions may be more apparent.
3. Environmental Requirements: No land or building in any district shall be used or occupied in any manner creating dangerous, injurious noxious, or otherwise objectionable conditions which could adversely affect the surrounding areas or adjoining premises, except that any use permitted by this resolution may be undertaken and maintained if acceptable measures and safeguards are taken to reduce dangerous and objectionable conditions to acceptable limits as established by the following:
  - a. Air Pollution - Air pollution shall be subject to the requirements and regulations established by the Ohio Environmental Protection Agency.
  - b. Electrical Disturbance - No activities shall be permitted which emit electrical disturbance affecting the operation of any equipment other than that of the creator of such disturbances. Any generated electrical disturbance shall comply with all applicable regulations of the Federal Communications Commission.
  - c. Erosion - No erosion, by either wind or water, shall be permitted which will carry objectionable substances onto neighboring properties.
  - d. Fire and Explosion Hazards - Adequate safety devices shall be provided where there are activities involving burning or storage of flammable or explosive materials, adequate safety devices shall be provided at any point. Adequate safety devices against the hazards of fire and exploding and adequate fire fighting and fire suppression equipment and devices, standard in the industry shall be provided. Burning of waste materials in an open fire is prohibited.
  - e. Glare and Heat - Any operation producing intense light or heat, such as high temperature processes like combustion or welding, shall be performed within an enclosed building and shall not be visible beyond any lot line bounding the premises. Welding that is required for exterior construction of a structure shall be exempt from these regulations. No exterior lighting

shall be positioned so as to extend glare onto an adjacent property or a public right-of-way.

- f. Liquid or Solid Wastes - no discharge at any point into any public sewer, private sewerage disposal system, stream, or into the ground, of any materials of such nature or temperature as can contaminate any water supply, interfere with bacterial processes in sewage treatment, or otherwise cause the emission of dangerous or offensive elements, shall be permitted, except in accordance with minimum standards approved by the Clermont County Health Department, the Ohio Department of Health, the Ohio Environmental Protection Agency, or such other governmental agency as shall have jurisdiction over such activities. The use of dumpsters or other types of reasonably accessible waste containers for the disposal of potentially dangerous liquid or solid waste materials shall not be permitted.
- g. Odors - No odor shall be emitted by any use permitted in any district in such quantities as to be readily detectable by a person not located on the premises.
- h. Radioactive Materials - No activities shall be permitted which utilize fissionable or radioactive materials if their use results at any time in the release or emission of any fissionable or radioactive material into the atmosphere, the ground, or sewerage systems.
- i. Storm Water Drainage - Due consideration shall be given to provisions for drainage, with particular reference to the effect on adjoining and nearby properties and on general drainage systems in the area. Where major drainage volumes appear likely and capacity of available system is found marginal or inadequate, consideration shall be given to possibilities for recharge of ground water supply on the property, temporary retention with gradual discharge, or other remedial measures.
- j. Trash Collection Facility - A trash collection facility shall include a large container such as a dumpster, or a small container such as a garbage can, bag or other similar container. No trash collection facility shall be located or stored in the front yard of a premise. A large trash collection facility shall be situated in a permanent location and placed on a concrete pad of appropriate size and strength. A dumpster pad shall be of a dimension that will allow a dumpster to sit entirely on the pad and permit the wheels of a trash disposal truck to rest on the pad while emptying said dumpster.

- k. Vibration - Every use shall be so operated that ground vibration inherently and recurrently generated is not perceptible, without instruments, beyond any lot line bounding the premises.

**Lot area, bulk yard and screening Requirements in the "I" Planned Industrial Park District**

REQUIREMENTS	"I" DISTRICT
<b>LOT REQUIREMENTS:</b>	
1. Minimum Tract Area	5 acres
2. Minimum Lot Within Tract	1 acre
3. Minimum Lot Width	150 feet
<b>MAXIMUM HEIGHT:</b>	
1. Principal Building	
a. Stories	3
or whichever is less	
b. Height	40 feet (Note 1)
2. Accessory Structures	
a. Stories	1
or whichever is less	
b. Height	15 feet
<b>MINIMUM YARD REQUIREMENTS: (Note 2)</b>	
1. Front	75/50 feet
2. Side	25 feet (note 3,4)
3. Rear	40 feet (note 3,4)
<b>MAXIMUM FLOOR AREA</b>	<b>.50</b>

Note 1. A height increase may be permitted in excess of forty (40) feet as a conditional use according to Section 12.03 of this Chapter.

Note 2. In cases where the property is located adjacent to Federal Highways, the setback requirements will not apply.

Note 3. Where any yard of any use permitted in this zone abuts a residential zone, a minimum yard requirement of seventy-five (75) feet for each side and/or rear yard which abuts said zone shall be provided, ten (10) feet of which shall be maintained by a screening area.

Note 4. No side yard is required for a building abutting an "I" District or a building adjacent to another building within a Planned Industrial Park District.