

Section 4.12 I-2 Heavy Industrial District

4.12.01 **Intent:** This zoning district is intended to provide for heavy commercial and heavy industrial land uses. These uses will typically be *heavy* water users, produce odors, smoke, steam and other emissions. Most of these uses will require railroad or highway accessibility.

Adult Businesses are regulated in order to control the Secondary effects associated with such uses and is not intended to prohibit these uses from exercising their rights under the U.S. Constitution.

4.12.02 **Permitted Principal Uses:**

Uses within this section and those found in **Section 4.16** of the Ordinance are permitted and allowed to exist upon the approval of a zoning permit from the County.

1. Wholesale trade, storage, and warehousing.
2. Auction, and animal sales yard.
3. Building materials, hardware, and garden supply.
4. Farm supplies, feed, equipment, and machinery sales.
5. Railroads and public thoroughfares.
6. Carpenter and cabinet shops
7. Clothes dry cleaning and/or dyeing establishments, including those using flammable cleaning fluids with a flash point higher than 100° F.
8. Building construction, general contractors and builders operations.
9. Non-building construction, general contractors and special trade construction contractors.
10. Railroad, trucking, air, water transportation, freight terminals and warehousing facilities.
11. Lumber and wood products.
12. Printing, publishing, and allied products.
13. Electric, gas, water, and sanitary services.
14. Agricultural products and grain elevators.
15. Storage and sale of liquid or solid fertilizers.
16. Welding and other metal working shops.
17. Carpet and rug cleaning, provided the necessary equipment is installed and operated for the effective precipitation or recovery of dust.
18. Bakeries, other than those whose products are sold at retail on the premises.
19. Carting, express, hauling or storage yards.
20. Concrete mixing and concrete products.
21. Creamery, dairy, bottling works, ice cream manufacturing (wholesale). Ice cream manufacturing and cold storage plants.
22. Furniture and fixtures products.
23. Enameling or lacquering.
24. Flammable liquids, underground storage only, not to exceed 50,000 gallons or 25,000 gallons if located within two-hundred (200) feet of any residential use or district.
25. Laboratories – experimental, film, or testing.
26. Machine shops.
27. Manufacturing of personal and household goods, including but not limited to:
 - a. musical instruments,
 - b. novelties,

- c. electrical appliances,
 - d. electronic devices,
27. Manufacturing of pottery and/or ceramic products, using only previously pulverized clay and kilns fired only by electricity or gas.
 28. Manufacturing and repair of electric signs and advertising structures.
 29. Manufacturing of sheet metal products including heating and ventilating equipment.
 30. Manufacturing of wood products, not involving chemical treatment, including sawmills and planing mills.
 31. Manufacturing, compounding, processing, packaging or treatment of cosmetics, pharmaceuticals.
 32. Any use which is interpreted by the Zoning Administrator to be a use similar to the one of the above-named and **Section 4.16** uses and in conformance with the intent of this district.

4.12.03

Conditional Uses:

The following uses and those found in **Section 4.16** are allowed only when Boone County has determined that all the conditions for said use have been met and/or that the uses present no threat to the health, safety and general welfare of the general public and/or the natural environment.

1. Communications and television services and towers, See **Section 8.01**.
2. Abattoir, slaughter houses, meat packing plants and stock yards.
3. Acid manufacture or wholesale storage of acids.
4. Auto wrecking, salvage, or junk yards provided they meet with the Boone County Salvage Yard Ordinance #5A.
5. Manufacture of cement, lime, gypsum or plaster of Paris.
6. Distillation of bones.
7. Manufacture and/or storage of explosives.
8. Manufacture and/or storage of fertilizer including anhydrous ammonia.
9. Garbage, offal or dead animal reduction or dumping.
10. Gas manufacturing and cylinder recharging.
11. Junk, iron or rags, storage or baling, and waste paper yards, where the premises upon which activities are conducted wholly within an enclosed building, wall or fence not less than six feet in height, completely obscuring the activity.
12. Manufacturing and/or storage of petroleum products, including refinement and wholesale storage.
13. Temporary and/or permanent asphalt batch plants.
14. Wholesale storage of gasoline and other flammable products.
15. Manufacturing of meat, food, and kindred products.
16. Manufacturing of textile mill products.
17. Manufacturing of apparel and other products of fabrics, leather, and similar materials.
18. Manufacturing of paper and allied products.
19. Manufacturing of chemicals and allied products.
20. Manufacturing of petroleum and related products.
21. Manufacturing of rubber and miscellaneous plastic products.

22. Manufacturing of metal products.
23. Manufacturing of stone, clay, cement, and glass products.
24. Reconstruction and expansion of nonconforming residences; when possible reconstructed structures shall meet new setbacks.
25. Manufacturing of photographic and optical products.
26. Animal rendering and hide curing.
27. Any use which is interpreted by the Zoning Administrator to be a use similar to the one of the above-named and section 4.16 uses and in conformance with the intent of this district.
28. Adult Entertainment establishments.
 - a. No Adult business shall be closer than 1,000 feet to any similar use and no closer than 1,000 feet to a residential district / use, religious uses, educational uses and recreational uses. Measurements shall be made in a straight line, without regard to intervening structures or objects, from the main entrance of such adult business to the point on the property line of such other adult business, residential district / use, religious use, educational uses and recreational use.
 - b. Said businesses shall be screened along adjoining property lines as to prevent any direct visual contact of the adult business at the perimeter.
 - c. Doors, curtains and any other means of obstruction to the opening of all booths and other preview areas, including but not limited to Adult Novelty Businesses, Adult Motion Picture Arcades, Adult Mini-Motion Picture Theaters, and Adult Motion Picture Theaters shall be removed and kept off at all times during the execution of this Permit. Failure to comply with this condition shall result in revocation of the Conditional Use Permit.
 - d. No adult business shall be open for business between the hours of twelve midnight and six a.m.
 - e. The proposed location, design, construction and operation of the particular use adequately safeguards the health, safety, and general welfare of persons residing or working in adjoining or surrounding property,
 - f. Such use shall not impair an adequate supply of light and air to surrounding property,
 - g. Such use shall not unduly increase congestion in the streets or public danger of fire and safety,
 - h. Such use shall not diminish or impair established property values in adjoining or surrounding property,
 - i. Such use shall be in accord with the intent, purpose and spirit of this Ordinance and the Comprehensive Development Plan of Boone County,
 - j. Applications for adult businesses under the terms of this Section shall be accompanied by evidence concerning the feasibility of the proposed request and its effect on surrounding property and shall include a site plan defining the areas to be developed for buildings and structure, the areas to be developed for parking, driveways and points of ingress and egress, the location and height of walls, the location and type of landscaping, the location, size and number of signs and the manner of providing water supply and sewage treatment facilities.

- k. An adult business shall post a sign at the entrance of the premises which shall state the nature of the business and shall state that no one under the age of eighteen (18) years of age is allowed on the premises. This Section shall not be construed to prohibit the owner from establishing an older age limitation for coming on the premises.
- l. Prohibited Activities of Adult Businesses:
 - i. No adult business shall employ any person under eighteen (18) years of age
 - ii. No adult business shall furnish any merchandise or services to any person who is under eighteen (18) years of age
 - iii. No adult business shall be conducted in any manner that permits the observation of any model or any material depicting, describing or relating to specified sexual activities or specified anatomical areas by display, decoration, sign, show window or other opening from any public way or from any property not licensed as an adult use. No operator of an adult business or any officer, associate, member, representative, agent, owner, or employee of such business shall engage in any activity or conduct in or about the premises which is prohibited by this Ordinance or any other laws of the State.
 - iv. No part of the interior of the adult business shall be visible from the pedestrian sidewalk, walkway, street, or other public or semi-public area.

29. Waste Disposal – Landfill or Solid Waste Disposal Facility (Except in flood hazard areas). [*Ordinance #94 February 200*].

4.12.04

Accessory Uses:

The following accessory buildings and uses and those in **Section 4.16** are permitted in this District.

- 1. Buildings and uses customarily incidental to the permitted principal uses.
- 2. Temporary buildings and uses incidental to construction work, or those necessary in the event of any emergency as determined by the Board of Supervisors, either of which shall be removed upon the completion or abandonment of the construction work or emergency condition.
- 3. Private recreational facilities used in conjunction with the permitted use.
- 4. Parking pursuant to **Article 6**.
- 5. Signs pursuant to Article 7.

4.12.05

Height and Lot Requirements:

The height and minimum lot requirements shall be as found in **Section 4.15**.

4.12.06

Other Applicable Provisions:

- 1. When the side or rear yard abuts a residential use or district, the outside boundaries shall be screened with approved landscape plant materials, walls, or fencing.
- 2. Environmental performance standards: Any use under the provisions of this Section shall comply with environmental performance standards relating to noise, emission, dust, odor, glare, and heat. These performance standards are located in **Section 4.11.07**.
- 3. Dwelling units, accessory buildings or other structures shall not be constructed below detention/retention dams where a registered professional engineer determines they will be damaged by failure of the dam.

4. When two (2) lots are established immediately adjacent to one another, the two (2) lots may be required to be served by a single driveway or one (1) access point onto any County Road as approved by the County Engineer, or along any State and/or Federal Road as approved by the Iowa Department of Transportation. Said access road shall be through a common easement of at least fifty feet in width. Exception to this provision is when said lots are fronting upon a dedicated road/street as part of a subdivision.
5. No structure occupied by humans or animals shall be constructed within 1200 feet of any public use area.
6. The best practical means available for the disposal of refuse matter or water-carried waste, the abatement of noxious or offensive odors, dust, smoke, gas, noise or similar nuisance shall be employed.
7. All facilities required for discharge, collection and treatment of liquid, solid or gaseous wastes shall be designed, constructed and operated in accordance with regulations of the Iowa Department of Natural Resources.
8. All principal or accessory structures housing a use permitted only in the I-2 District shall be located at least 200 feet from any residential district and one-hundred (100) feet from any other district except the I-1 District.

4.12.07

Performance Standards:

1. **Physical Appearance:** All operations shall be carried on within an enclosed building except that new materials or equipment in operable condition may be stored in the open. Normal daily wastes of an inorganic nature may be stored in containers not in a building when such containers are not readily visible from a street. The provisions of this paragraph shall not be construed to prohibit the display of merchandise or vehicles for sale or the storage of vehicles, boats, farm machinery, trailers, mobile homes, or similar equipment when in operable condition.
2. **Fire hazard:** No operation shall involve the use of highly flammable gasses, acid, liquids, grinding processes, or other inherent fire hazards. This provision shall not be construed to prohibit the use of normal heating fuels, motor fuels and welding gases when handled in accordance with other regulations of local, state, and federal authorities.
3. **Noise:** No operation shall be carried on which involves noise in excess of the normal traffic noise of the adjacent street at the time of the daily peak hour of traffic volume. Noise shall be measured at the property line and when the level of such noise cannot be determined by observation with the natural senses, a suitable instrument may be used and measurement may include breakdowns into a reasonable number of frequency ranges.
4. **Sewage and Liquid Wastes:** No operation shall be carried on which involves the discharge into a sewer, water course, or the ground, liquid waste of any radioactive or poisonous nature or chemical waste which are detrimental to normal sewage plant operation or corrosive and damaging to sewer pipes and installations.
5. **Air Contaminants:**
 - a. Air Contaminants and smoke shall be less dark than designated Number One on the Ringleman Chart as published by the United States Bureau of Mines, except that smoke of a density designated as Number One shall be permitted for one four minute period in each one-half (1/2) hour. Light colored contaminants of such opacity as to obscure an observer's view to a degree equal to or greater than the aforesaid shall not be permitted.

- b. Particulate matter of dust as measured at the point of emission by any generally accepted method shall not be emitted in excess of two tenths (0.2) grains per cubic foot as corrected to a temperature of five-hundred (500) degrees Fahrenheit, except for a period of four (4) minutes in any one-half (1/2) hour, at which time it may equal but not exceed six tenths (0.6) grains per cubic foot as corrected to a temperature of five-hundred (500) degrees Fahrenheit.
 - c. Due to the fact that the possibilities of air contamination cannot reasonably be comprehensively covered in this section, there shall be applied the general rule that there shall not be discharged from any sources whatsoever such quantities of air contaminants or other material in such quantity as to cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public in general; or to endanger the comfort, repose, health, or safety of any such considerable number of persons or to the public in general, or to cause, or have a natural tendency to cause injury or damage to business, vegetation, or property.
6. **Odor:** The emission of odors that are generally agreed to be obnoxious to any considerable numbers of persons, shall be prohibited. Observations of odor shall be made at the property line of the establishment causing the odor. As a guide to classification of odor it shall be deemed that strong odors of putrefaction and fermentation tend to be obnoxious and that such odors as associated with baking or the roasting of nuts and coffee shall not normally be considered obnoxious within the meaning of this Ordinance.
7. **Gases:** The gases sulphur dioxide and hydrogen sulphide shall not exceed five (5) parts per million, carbon monoxide shall not exceed five (5) parts per million. All measurements shall be taken at the zoning lot line.
8. **Vibration:** All machines including punch presses and stamping machines shall be so mounted as to minimize vibration and in no case shall such vibration exceed a displacement of three thousandths (0.003) of an inch measured at the zoning lot line. The use of steam or broad hammers shall not be permitted in this zone except for building construction.
9. **Glare and heat:** All glare, such as welding arcs and open furnaces shall be shielded so that they shall not be visible from the zoning lot line. No heat from furnaces or processing equipment shall be sensed at the zoning lot line to the extent of raising the temperature of air or materials more than five (5) degrees Fahrenheit.