

Part III  
Article XXIV

**M-1, LIGHT INDUSTRIAL DISTRICT**

**Section 2400 Statement of Purpose**

The M-1 Light Industrial District is designed so as to primarily accommodate wholesale activities, warehouses, and industrial operations whose external, physical effects are restricted to the area of the District and which will not cause adverse effects on adjacent residential or commercial property.

**Section 2405 General Requirements**

1. Permitted Uses:

Permitted uses of land or buildings, as hereinafter listed, shall be permitted in the Districts indicated under the requirements specified. No buildings or zoning lot shall be devoted to any use other than a use permitted hereinafter in the Zoning District in which such building or zoning lot shall be located, with the exception of the following:

- A. Uses lawfully established on the effective date of this Ordinance.
- B. Permitted Uses as Special Exceptions are allowed in accordance with the provisions of No. 2 hereunder.

Uses already established on the effective date of this Ordinance, and rendered nonconforming by the provisions thereof, shall be subject to the regulations of this Ordinance.

2. Permitted Uses as Special Exceptions:

Special Exceptions, as hereinafter listed, may be allowed in the Zoning Districts indicated, subject to the issuance of Special Use permits in accordance with the provisions of Article XXIV Section 2420 and Article XIV Section 2520.

3. Performance Standards:

No use otherwise allowed shall be permitted within either the M-1 or M-2 Industrial Districts which does not conform to the following standards of use.

- A. **Smoke:** The emission of smoke or particulate matter in such manner or quantity as to endanger or to be detrimental to the public health, safety, comfort, or welfare, is not permitted. For the purpose of grading in the density of smoke, the Ringlemann Chart, published and used by the United States Bureau of Mines, shall be employed. The emission of smoke or particulate matter of a density greater than No. 2 of the Ringlemann Chart is prohibited at all times, except as otherwise provided hereinafter. The emission, from all sources within any lot area, of particulate matter containing more than 10% by weight of particles having a particle diameter larger than forty-four (44) microns is prohibited. Dust and other types of air pollution, borne by the wind from such sources as storage areas, yards, roads, and the like, within lot boundaries, shall be kept to a minimum by appropriate private landscaping, paving, oiling, fencing, or other acceptable means. Emission of particulate matter from such sources in excess of the weight limitation herein specified is prohibited. The emission of more than eight (8) smoke units (as defined by the United States Bureau of Mines) per hour per stack is prohibited, including smoke of a density in excess of Ringlemann No. 2. However, during one one-hour period in each twenty-four (24) hour day, each stack may emit up to sixteen (16)

smoke units when blowing soot or cleaning flues. Only during fire-cleaning periods, however, shall smoke of Ringlemann No. 3 be permitted, and then for not more than three (3) minutes.

- B. **Dust, Dirt and Fly Ash:** No person, firm or corporation shall operate or cause to be operated, maintained or cause to be maintained, any process for any purpose, a furnace or combustion device for burning of coal or other natural or synthetic fuels, without using recognized and approved equipment or methods to reduce the quantity of gasborne or airborne solids of fumes emitted into the open air so that the quantity of gasborne or airborne solids shall not exceed 0.20 grains per cubic foot of the carrying medium at the temperature of 500 degrees Fahrenheit.

Method of Measurement: For the purpose of determining the adequacy of such devices, these conditions are to be conformed to when the percentage of excess air in the stack does not exceed fifty (50) percent at full load. The foregoing requirement shall be measured by the A.S.M.E. Test Code for dust separating apparatus. All other forms of dust, dirt and fly ash shall be completely eliminated insofar as escape or emission into the open air is concerned. The Building Inspector may require such additional data as is deemed necessary to show that adequate and approved provisions for the prevention and elimination of dust, dirt, and fly ash have been made.

- C. **Odor:** The emission of odors which are generally agreed to be obnoxious to any considerable number of persons, at their place of residence, or within said premise emitting the odor, shall be prohibited.
- D. **Gases:** SO<sub>2</sub> gas, as measured at the property line shall not exceed an average of .3ppm over a twenty-four (24) hour period; provided however, that a concentration of .5 ppm will be allowed for a one (1) hour period out of a twenty-four (24) hour period; H<sub>2</sub>S shall not exceed 1 ppm; fluorine shall not exceed .1 ppm; nitrous fumes shall not exceed 5 ppm; CO shall not exceed 15 ppm.
- E. **Airborne Matter General:** In addition to a through d above, there shall not be discharged from any source whatsoever, such quantities of air contaminates or other material which cause injury, detriment or nuisance to the public or which endanger the comfort, health or safety of persons, or which cause injury or damage to business or property.
- F. **Glare and Radioactive Materials:** Glare from any process (such as or similar to arch weld, or acetylene torch cutting) which emits harmful ultraviolet rays shall be performed in such a manner as not to be seen from any point beyond the property line, and as not to create a public nuisance or hazard along lot lines. Radioactive materials and wastes, and including electromagnetic radiation such as X-ray machine operation, shall not be permitted to exceed quantities established as safe by the U.S. Bureau of Standards when measured at the property line.
- G. **Fire and Explosive Hazards:**
- 1.) The storage, utilization or manufacture of materials or products, ranging from incombustible to moderate burning as determined for a closed cup flash point of less than one hundred and eighty-seven degrees Fahrenheit (187°F) is permitted subject to compliance with all other performance standards for this district.
  - 2.) The storage, utilization, or manufacture of materials or products ranging from free or active burning to intense burning as determined for liquids by a closed cup flash point of less than one hundred and eighty-seven degrees Fahrenheit (187°F) but not less than

one hundred and five degrees Fahrenheit (105°) is permitted, subject to compliance with all other performance standards for this district, and provided the following conditions are met:

- a.) Said materials or products shall be stored, utilized, or produced within completely enclosed buildings or structures having incombustible walls; and
  - b.) All such buildings or structures shall be set back at least forty (40) feet from lot lines, or in lieu thereof, all such building or structures shall be protected throughout by an automatic sprinkler system complying with installation standards prescribed by the American Insurance Association; or if the materials, goods, or products are liquids, the protection thereof shall be in conformity with standards prescribed by the American Insurance Association.
- 3.) The utilization in manufacturing processes of materials which produce flammable or explosive vapors or gases determined for liquids by a closed cup flash point of less than one hundred and five degrees Fahrenheit (105°F) shall be permitted in this district provided:
- a.) That the final manufactured product does not itself have a closed cup flash point of less than one hundred and eight-seven degrees Fahrenheit (187°F).
  - b.) That the use and storage of such materials shall be in conformity with standards prescribed by the American Insurance Association and the requirements of any other ordinances.
  - c.) That the storage of more than fifty thousand (50,000) gallons of materials or products having a closed cup flash point of less than one hundred and five degrees Fahrenheit (105°F) (exclusive of storage of finished products in original sealed containers) is prohibited.
  - d.) That the storage of more than one hundred thousand (100,000) gallons of materials or products having a closed cup flash point of less than one hundred and eighty degrees Fahrenheit (180°F) (exclusive of storage of finished product in original sealed containers) is prohibited.

H. **Noise:** Sound levels shall be measured with a sound level meter and associated octave band filter manufactured according to standards prescribed by the American National Standards Institute. Measurements shall be made using the flat network of the sound level meter. Impulsive type noises shall be subject to the performance standards hereinafter prescribed, provided that such noises shall be capable of being accurately measured with such equipment. Noises capable of being so measured, for the purpose of this Ordinance, shall be those noises which cause rapid fluctuations of the needle of the sound level meter, with a variation of no more than plus or minus two (2) decibels. Noises incapable of being so measured such as those of an irregular and intermittent nature shall be controlled so as not to become a nuisance to adjacent uses. At no point on the boundary of this district shall the sound intensity level of any individual operation or plant (other than the operation of motor vehicles or other transportation facilities) exceed the decibel levels in the designated octave bands.

Octave Band (cycles per second)	Maximum Permitted Sound Level in Decibels	
	Along Residential Boundaries	Along Other Boundaries
0 to 75	72	75
75 to 150	67	70
150 to 300	59	63
300 to 600	52	57
600 to 1200	46	52
1200 to 2400	40	45
2400 to 4800	34	40
Above 4800	32	38

- I. **Vibrations:** No industrial operation or activity (except those not under the direct control of the manufacturer) shall cause at any time ground transmitted vibrations in excess of the limits set forth below. Vibration (the periodic displacement measured in inches of earth) shall be measured at any point along this district boundary line with a three-component measuring instrument approved by the Plan Commission and shall be expressed as displacement in inches.

Frequency (cycles per second)	Maximum Permitted Displacement
	Along Manufacturing District Boundaries
0 to 10	.0008
10 to 20	.0005
20 to 30	.0002
30 to 40	.0002
40 and over	.0001

- J. **Sewage Wastes:** No waste shall be discharged in the public sewer system which is not in compliance with the City of Valparaiso Ordinance 24, 1985, or as amended.

**Section 2410 Permitted Uses**

1. Any of the following uses conducted wholly within a completely enclosed building:
  - A. Warehousing and wholesale establishments and storage other than accessory to a permitted retail use.
  - B. Processing, packaging, or treatment of bakery goods, candy, cosmetics, pharmaceuticals, toiletries, hardware, and cutlery.
  - C. Tool, die, gauge, and machine shops.
  - D. Manufacturing or assembling of articles from the following previously prepared materials: canvas, cellophane, cloth, cork, feathers, felt, fiber, fur, glass, hair, leather, paper, plastics, precious or semi-precious metals or stones, shell, textiles, tobacco, wax, wire, wood, and yarns.
  - E. Manufacture of musical instruments, toys, watches, clocks, ceramic products, novelties, metal stamps, and small molded rubber products.
  - F. Manufacture or assembly of electrical appliances, electronic instruments, radios, phonographs, photographic equipment, and engineering, scientific, research, or medical equipment.

- G. Experimental, film, or testing laboratories.
  - H. Manufacture of light sheet metal products.
  - I. Building material sales.
  - J. Dwellings for caretakers or watchmen accessory to any of the above uses, farm dwellings on farms of ten (10) acres or more. Other residential uses are specifically prohibited
2. Railroad transfer and storage tracks, and passenger end freight terminals.
  3. Publicly owned buildings, public utility buildings, telephone exchanges, transformer stations, and substations with service yards, but without storage yards, water or sewage pumping stations, when operation requirements necessitate the location of said facilities within the district in order to serve the immediate vicinity.
  4. Water and gas tanks and holders, and heating and electric power generating plants, and all necessary uses.
  5. Other uses similar to the above and subject to the requirements set forth in the following sections.
  6. Any retail or commercial use allowed in the C-3, Central Business District, and any use permitted without special exception in the OS, Open Space District.
  7. Accessory uses customarily incidental to any of the permitted uses.
  8. Off-street parking and loading space as required in Article VII.

**Section 2420 Permitted Uses as Special Exceptions**

The following uses may be permitted after approval by the Board of Zoning Appeals, if the proposed use will constitute a desirable and stable development which will be in harmony with development in adjacent areas and will not cause congestion on public streets nor be contrary to the spirit and purpose of this Ordinance.

1. Rustproofing shops.
2. Metal plating, buffing, and polishing shops, subject to appropriate measures to control the type of process to prevent noxious results and/or nuisances.
3. Other uses of a similar and no more objectionable character to the above uses, and subject to the requirements set forth in the following sections.
4. Salt, gas, or oil wells, and gravel mining, subject to the following restrictions in addition to the other regulations of this Article:
  - A. Before any excavation or drilling is begun, there should be a plan on file with and approved by both the State Department of Natural Resources and the Commission for both excavation and reclamation activities.
  - B. Any excavation or drilling should be surrounded by a fence not less than seven (7) feet high.
  - C. Any excavation or drilling shall be carried on in such a manner so as not to disturb any land or properties immediately adjacent to the property on which the excavation is being accomplished.
5. Sanitary landfill, subject to all additional local, state, and federal standards governing landfill location and operation.
6. Gasoline Dispensing and Service Stations.

**Section 2430 Area, Height and Placement Requirements**

1. Minimum Lot Area - twelve thousand (12,000) square feet.
2. Minimum Lot Width - seventy-five (75) feet.

3. Minimum Yard Requirements:
  - A. Front Yard: Not less than twenty-five (25) feet. In addition, no parking shall be permitted in the front yard except after review of the parking plan layout and points of access by the Plan Commission. The setback shall be measured from the nearest side of existing and/or proposed right-of-way lines.
  - B. Side Yard: There shall be provided an interior side yard of not less than fifteen (15) feet in depth along each interior side lot line; and there shall be provided a side yard of not less than twenty-five (25) feet in depth in every instance where the side property line is adjacent to a public street.
  - C. Rear Yard: There shall be provided a rear yard of not less than twenty-five (25) feet in depth along each rear lot line.
4. Transitional Yard: Where a side or rear lot line coincides with a side or rear lot line in an adjacent Residential or Commercial District, a yard shall be provided along such side or rear lot line not less than thirty (30) feet in depth and shall contain landscaping and planting suitable to provide an effective screen.
5. Maximum Lot Coverage: Not more than seventy (70) percent of the lot shall be covered by buildings or parking areas.
6. Maximum Height of Buildings: Four (4) stories, but not more than fifty (50) feet.
7. Off-Street Parking: See Article VII.