

### **Section 4-9. M-1 Restricted Industrial District**

(Ord. 96-02) (Ord. 97-50) (Ord. 2002-65)

The M-1 District is intended to provide an environment exclusively for, and conducive to, the development and protection of office buildings, research facilities, specialized manufacturing plants, wholesale and warehouse activities that are conducted so the noise, odor, smoke, dust, vibration, heat, and glare of each operation is completely confined within an enclosed building. It is the intent of this District that the processing of raw materials for shipment in bulk form, to be used in an industrial operation at another location shall not be permitted.

#### ***4-9-1 Permitted Uses in the M-1 District***

1. Wholesaling, warehousing, storage or distribution establishments
2. Printing, publishing or similar establishments
3. Research and development facilities provided no hazardous material is used
4. Light manufacturing including assembly, compounding, processing, packaging or treatment of finished or semi-finished products from previously prepared material
5. Service establishments catering to commerce and industry including linen supply, freight movers, services, business machine services, canteen service, restaurant (including drive-in restaurant), union halls and employment agencies and centers
6. Radio and television stations and transmitters
7. Office buildings
8. Public utility structures, including electrical substations, gas metering stations, water tanks, sewage pumping stations, fire stations and other necessary public facilities
9. Essential services including and limited to water, sewer, gas, telephone, and electrical systems, including substations, lift stations, and similar sub-installations necessary for the performance of these services
10. Motels and hotels
11. Sexually oriented businesses
12. Signs subject to the provisions of Article VII
13. Customary accessory uses and structures

#### ***4-9-2 Special Exceptions in the M-1 District***

1. Sewage Disposal Plant
2. Motorized vehicle service, mechanical or body repair
3. Outdoor commercial recreation
4. Hospitals and veterinary hospitals
5. Bus passenger depots

#### ***4-9-3 Dimensional Requirements in the M-1 District***

1. In no instance shall a structure, parking lot, or any other accessory use, other than a landscaped yard, be located closer than fifty (50) feet to any residential or agricultural district.
2. All buildings shall be set back from the front yard fifty (50) feet and the side and rear lot lines a distance of not less than twenty (20) feet except as provided in subsections 4-9-3 (1) and 5-11-4.
3. All yards adjacent to a street which are created by the setback requirements contained herein shall be maintained as open landscaped yards bisected only by access drives, and their use for any other purpose including off-street parking, is specifically prohibited.
4. Each individual use shall be located on a lot having not less than forty thousand (40,000) square feet in area.

5. Lot Coverage:
  - a. Main and accessory buildings shall not cover more than fifty (50) percent of the lot area.
  - b. The coverage of main and accessory buildings plus the area used or designed for use by parking and loading facilities shall not exceed eighty (80) percent of the lot area. Not less than twenty (20) percent of the lot area shall be maintained as an open landscaped yard.
6. Maximum height: Thirty-five (35) feet.

**4-9-4 Required Conditions in the M-1 District**

1. All uses specified in subsections 4-9-1 and 4-9-2 shall be conducted wholly within an enclosed building, except for parking, loading and unloading facilities.
2. Any part of a lot not used for buildings or other structures, or off-street parking, loading and maneuvering areas, drives and pedestrian walks, shall be planted with appropriate ground cover, trees, flowers, shrubs, and grass lawns, all of which shall be properly maintained in a healthy condition at all times.
3. All required buffering whether planted or architectural, shall be properly maintained. Dead plant materials shall be removed within a reasonable time and replaced during the normal planting season.
4. No outside storage shall be permitted which is visible from any street or residential lot.
5. Any lighting including any permitted illuminated sign, shall be arranged so that there will be no annoying glare directed or reflected toward residential buildings in a residential district.
6. All of the uses permitted under this Section shall have their primary operations conducted entirely within enclosed buildings, and shall not emit glare, dust, smoke, or noxious odor or fumes outside of the building housing the operation, or produce a noise level or vibration at the property line that is greater than the average noise or vibration level occurring on the adjacent lot.
7. Special conditions related to sexually oriented businesses:
  - a. No sexually oriented business shall be located within 1000 ft. (measured as the longer of (a) the shortest distance from lot line – to – lot line along public rights-of-way AND (b) radially, i.e., within a 1000 radius) of any residence, nursing home, assisted living facility, mobile home park, park, playground, golf course, country club, church, synagogue, mosque or other house of worship, day care facility, family day care facility, group home, library, museum, school (public or private), outdoor recreation facility, property owned by the Madison City School Board or another sexually oriented business
  - b. No sexually oriented business shall be located along an arterial or collector road, as depicted in the City’s Comprehensive Plan, within 1000 ft. of the City limits (measured radially), as said limits exist on the date of application for zoning approval for such a business
  - c. All sexually oriented businesses must post their valid Business Privilege License and Zoning Permit in a conspicuous public area inside the building
  - d. A manager must be present at all times while the business is open
  - e. The business shall post and enforce a “no loitering” policy, and require that individuals not transacting business leave the premises
  - f. The business shall not permit individuals under 21 years of age to enter the premises or transact business
  - g. It shall be the duty of the manager to report any illegal activities on the premises to local law enforcement authorities
  - h. This ordinance shall not be construed to permit activities prohibited by law, including Public Indecency (Sec. 14-4, *et.seq.*, Code of Ordinances) Prostitution (Sec. 14-30, *et.seq.*, Code of Ordinances, and Title 13A, Article 3, Code of Alabama), or Obscenity (Title 13A, Article 4, Code of Alabama).

## **Section 4-10. M-2 General Industrial District**

(Ord. 96-02) (Ord. 97-50) (Ord 2000-237) (Ord. 2002-65)

The purpose of the M-2 District is to provide areas within the City where the principal use of the land is for industrial activities that by their nature may create some nuisance.

### ***4-10-1 Permitted Uses in the M-2 District***

1. Any use allowed as a Permitted Use in the M-1 District
2. Manufacturing, assembly, fabricating, compounding, processing, packaging or treatment of finished or semi-finished products
3. Concrete or cement product manufacture
4. Asphalt manufacture or refining
5. Automobile repair shops
6. Wholesaling, warehousing, storage, or distribution establishments
7. Building materials sales yard
8. Contractor's equipment storage yard
9. Truck and farm implement sales and service
10. Sexually Oriented businesses

### ***4-10-2 Special Exceptions in the M-2 District***

1. Quarry or sand and gravel operation provided the use does not adjoin any residential district
2. Volatile uses and volatile industries provided that such use or industry shall not be located closer than one thousand (1,000) feet to any residential district
3. Junk or salvage yard of any kind provided that any article or material stored permanently or temporarily outside of an enclosed building shall be so screened by ornamental walls, fences and/or evergreen plantings that it cannot be seen from public streets or adjoining lots when viewed by a person standing at ground level
4. Sewage Disposal Plant
5. Recycling facilities
6. Composting facilities
7. Solid Waste Transfer Stations

### ***4-10-3 Dimensional Requirements in the M-2 District***

1. In no instance shall a structure, parking lot, or any other accessory use, other than a landscaped yard, be located closer than fifty (50) feet to any residential or agricultural district.
2. **Front Yard Setback:** Twenty-five (25) feet (exception, see subsection 5-11-4.)
3. **Side Yard Setback:** Ten (10) feet.
4. **Rear Yard Setback:** Twenty-five (25) feet except where it is necessary to set back for the purpose of rail service in which case, the rear yard setback shall be no less than five (5) feet.
5. All yards adjacent to a street which are created by the setback requirements contained herein shall be maintained as open landscaped yards bisected only by access drives, and their use for any other purpose including off-street parking, is specifically prohibited. Each individual use shall be located on a lot having not less than twenty thousand (20,000) square feet in area.
6. **Lot Coverage:** Main and accessory buildings shall not cover more than fifty (50) percent of the lot area. No building shall exceed forty-five (45) feet in height. Not less than 20% of the gross plat area shall be maintained as an open landscaped yard.

**4-10-4 Required Conditions in the M-2 District**

1. All required buffers, whether planted or architectural, shall be properly maintained. Dead plant materials shall be removed within a reasonable time and replaced during the normal planting season.
2. No outside storage shall be permitted which is visible from any residential lot.
3. Special conditions related to sexually oriented businesses.
  - a. No sexually oriented business shall be located within 1000 ft. (measured as the longer of (a) the shortest distance from lot line – to – lot line along public rights-of-way AND (b) radially, i.e., within a 1000 ft. radius) of any residence, nursing home, assisted living facility, mobile home park, park, playground, golf course, country club, church, synagogue, mosque or other house of worship, day care facility, family day care facility, group home, library, museum, school (public or private), outdoor recreation facility, property owned by the Madison City School Board or another sexually oriented business
  - b. No sexually oriented business shall be located along an arterial or collector road, as depicted in the City’s Comprehensive Plan, within 1000 ft. of the City limits, as said limits exist on the date of application for zoning approval for such a business
  - c. All sexually oriented businesses must post their valid Business Privilege License and Zoning Permit in a conspicuous public area inside the building
  - d. A manager must be present at all times while the business is open
  - e. The business shall post and enforce a “no loitering” policy, and require that individuals not transacting business leave the premises
  - f. The business shall not permit individuals under 21 years of age to enter the premises or transact business
  - g. It shall be the duty of the manager to report any illegal activities on the premises to local law enforcement authorities
  - h. This ordinance shall not be construed to permit activities prohibited by law, including Public Indecency (Sec. 14-4, *et.seq.*, Code of Ordinances) Prostitution (Sec. 14-30, *et.seq.*, Code of Ordinances, and Title 13A, Article 3, Code of Alabama), or Obscenity (Title 13A, Article 4, Code of Alabama).