

Chapter 36

Industrial Zoning District West

This chapter establishes the Industrial Zoning District West (IZDW) and the standards that are specifically applicable within it.

36.1 Boundaries – Purpose

36.1.1 What are the boundaries of the IZDW? This zoning district is shown on the official zoning map that accompanies this bylaw.

36.1.2 What is the purpose of the IZDW? This zoning district accommodates a variety of industrial and some commercial uses, providing numerous jobs. The principal goal here is to ensure that industrial uses can prosper without adverse impacts on or complaints from incompatible neighbors.

36.1.3 What uses are permitted in the IZDW? See Table 36.A and the following notes.

36.1.3.1 Limited Commercial. Commercial uses will be limited to space-extensive retailing and a limited range of services that generally would not contribute to the on-the-street vitality of a retail shopping area.

36.1.3.2 Offices. Independent offices are not generally permitted in this zoning district, but may be permitted in business incubators or in order to support the adaptive re-use of existing industrial buildings.

<p>Business Incubator. A space that is made available to start-up enterprises at less than market rates. Incubators generally provide central services to the start-ups, including shared administrative support and business planning.</p>
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36.1.3.3 Accessory Structures and Uses. Accessory uses and structures are permitted in all zoning districts, as provided in Chapter 17 of this bylaw.

36.2 Permits. Permit requirements are explained in Chapters 4-6. With the minor exceptions noted there, all development in this zoning district will require a discretionary permit before an administrative permit can be approved.

36.3 Dimensional Standards

36.3.1 Is there a maximum building height in the IZDW? Yes. Building height in the IZDW is limited to 36 feet. Equipment used for manufacturing (NAICS 31-33) located on parcels with frontage on Avenues A, B C, or D at least 300 feet from Industrial Avenue and Williston Road may exceed this maximum with the approval of a discretionary permit by the DRB. Applicants will be required to obtain written authorization from the FAA for any equipment allowed under this provision as required by WDB 4.3.

36.3.2 Must development in the IZDW be set back from property lines? Yes. Setbacks from rear and side property lines in this zoning district are controlled by the landscaped buffer requirements of Chapter 23.

36.3.3 Must development in the IZDW be set back from roads? Yes. The minimum setbacks from roads in this zoning district shall be:

36.3.3.1 ... from the right-of-way of I-89, 150 feet; and

36.3.3.2 ... from the right-of-way of any other road, 35 feet.

36.3.3.3 Average Setback Exception. The DRB may allow the setback required along a local road to be reduced to the average existing setback. The average existing setback will be determined by the Administrator by averaging the existing setback on all properties that are along the same street and within 300 feet of the lot where a reduction is proposed. A reduction shall be permitted only where the reduced setback is sufficient to permit for the construction of a sidewalk or, where one is called for in the *Comprehensive Plan*, a multi-use path.

36.3.4 What use may be made of the required setbacks? The required setbacks must be landscaped in compliance with Chapter 23. Access drives, roads, pedestrian ways, underground utility lines, and where such lines are permitted, overhead utility lines may cross required setbacks at a right angle ($\pm 10^\circ$). Pedestrian ways may also run parallel to and within a required setback. Parking and loading areas may not be placed within the required setbacks.

36.3.5 Is a minimum lot frontage required in the IZDW? Yes. All lots must have at least 40 feet of frontage on an existing or proposed public or private road. The DRB may require a greater frontage where necessary to provide safe access to the lot.

36.4 Density Standards. There is no minimum lot size in this zoning district. See chapter 19 for an explanation of how density is calculated and a summary of the density standards of this bylaw. WDB 19.3 explains how the standards of this bylaw regulated nonresidential densities.

36.5 General Standards Development in this zoning district must, unless specifically exempted, comply with all standards established in Chapters 13-29.

36.6 Specific Standards Specific Standards are presented in WDB 36.7.

36.7. Outdoor Sales and Storage

36.7.1 Are outdoor sales permitted? Yes. Outdoor sales are permitted in this zoning district, but only within areas designated for that purpose on the approved plan. Outdoor sales outside designated areas are a violation of this bylaw, subject to enforcement as provided in WDB 7.4-7.6.

36.7.1.1 Outdoor sales areas must be separated from public sidewalk/s or path/s by a lawn or other landscaped area.

36.7.1.2 Outdoor sales areas must not be within required setbacks or landscaped buffers.

36.7.1.3 Outdoor sales areas that contain more than 4,000 square feet of paving must comply with the landscaping requirements for parking areas. See WDB 23.5.

36.7.2 Is outdoor storage permitted? Yes. Outdoor storage is permitted in this zoning district, but only within side and rear yards that are designated for that purpose on an approved site plan.

Outdoor storage outside designated areas is a violation of this bylaw, subject to enforcement as provided in WDB 7.4-7.6.

36.7.2.1 Outdoor Storage. Outdoor storage must be buffered from public ways and adjoining properties, as required by Chapter 23.

36.7.2.2 Screening. Screening fences or walls, which shall be located on the interior side of the buffer required by WDB 36.3.4, above, may be required by the DRB. Where such a requirement is imposed, the screening shall be an architectural extension of the building, with similar colors and detailing.

36.7.2.3 Temporary Storage. Temporary storage of construction equipment and materials is permitted in compliance with Chapter 17 of this bylaw.

36.8 Specific Plans. Specific Plans (see Chapter 9 of this bylaw) may be used to refine the requirements of this zoning district. The DRB may, when reviewing a pre-application, require that the applicant submit a specific plan before a discretionary permit for a new use, new structure, or major addition will be approved.

Table 36.A - Industrial Zoning District – West	NAICS	Notes
Uses that are not specifically permitted are prohibited. Listed uses are permitted only in compliance with all applicable requirements of this bylaw and with the purpose statement for this zoning district.		
Mining, but only as listed below		
Nonmetallic Mineral Mining & Quarrying	2120	
Support Activities for Mining	213	But only as an accessory to the above.
Construction	23	
Manufacturing	31-33	
Wholesale Trade	42	
Retail Trade, but only as listed below		
Motor Vehicle & Parts Dealers	441	
Home Furnishings Stores	4424	
Building Material & Garden Equipment & Supplies Dealers	444	
Manufactured Home Dealers	45393	
Nonstore Retailers	454	
Transportation & Warehousing	48-49	
But retail outlets for Postal Service	491	Permitted only as accessory uses.
and Couriers & Messengers	492	Permitted only as accessory uses.
Information	51	
but specifically not 51213, Theaters	51213	Should be in the TC Zoning District
and specifically not 51911, News Syndicates	51911	These uses belong in the growth center or village center.
or 51912, Libraries PUBLIC ONLY!	51912	
Telecommunications Facilities	517	In compliance with Chapter 21.
Other financial investment activities	5239	
Rental & Leasing Services	532	
Professional, Scientific, and Technical Services	54	

Admin & Support & Waste Management & Remediation, but only as listed below		
Investigation & Security Services	5616	
Services to Buildings & Dwellings	5617	
Waste Management & Remediation Services	562	
Educational Services, but only as listed below		
Technical & Trade Schools	6115	
Child Day Care Services	6244	
Arts, Entertainment, and Recreation, but only as listed below		
Fitness and Recreational Sports Centers	71394	
Accommodation & Food Services, only as listed below		
Limited Service Eating Places (cafeterias, snack bars)	724221	As an accessory to other permitted uses.
Food Service Contractors	72221	
Caterers	72232	
Mobile Food Services (vendors, kiosks)	72233	
Other Services, but only as listed below		
Repair & Maintenance	811	
Death Care Services	8122	
Drycleaning & Laundry Services, except coin-operated	81202	
Linen & Uniform Supply	81203	
Pet Care	81291	
Public Administration	92	Public parks are permitted in all zoning districts.