

5.16 I-3 Heavy Industrial District

5.16.01 Description of District:

The I-3 Heavy Industrial District is intended to be located in areas so that its permitted and special uses are conducted in such a manner so as to not to be detrimental to the rest of the community by reason of their noise, vibration, smoke, dust, toxic or noxious materials, odor, fire, explosive hazards, glare or heat that may be incidental to their operations. Further development of residences is prohibited in this District to keep residential uses from absorbing any adverse effects of the industries and to conserve the supply of industrial land for industrial use.

5.16.02 Uses Permitted: No land shall be used or occupied and no building, structure or premises shall be erected, altered, enlarged, occupied, or used, except as otherwise provided for in this Ordinance, for other than one or more of the following uses:

1. Any use permitted in the I-2 Light Industrial District;
2. Accessory uses;
3. Any use whose primary purpose includes the heavy manufacturing, fabrication, assembly, disassembly, processing, storage or treatment of goods and services, including but not limited to:
 - a. Asphalt products;
 - b. Concrete and cement products;
 - c. Construction equipment;
 - d. Motor vehicles;
 - e. Paints, inks;
4. Manufacturing, compounding, processing and storage of flammable liquids, gases, chemicals, acids, fertilizers;
5. Public and private utility-type uses and governmental service uses;
6. Railroad yards, including switching, storage, loading, unloading and maintenance facilities;
7. Recycling centers;
8. Synthetic natural gas plants;
9. Petroleum production, refining and storage;
10. Power plants;

5.16.03 Special Land Uses Permitted: The following uses shall be permitted only if specifically authorized by the Village Board:

1. Car washes;
2. Drive-in banking facilities;
3. Dwelling unit (one only) when used by the caretakers and their families, who own or are

employed in the allowable commercial or industrial use of the premises, and which may be located on the ground floor;

4. Foundries, forges and smelters;
5. Mining operations;
6. Junkyards, salvage yards and automobile graveyards;
7. Planned unit developments;
8. Sanitary landfills, solid waste transfer stations, composting, energy reclamation facilities, incinerators, and similar uses, but excluding hazardous or radioactive waste disposal;
9. Steel mills;

5.16.04 Temporary Uses Permitted

Upon application to and issuance by the Building Commissioner or a permit therefor, the following uses may be operated as temporary uses:

Temporary permit uses in the I-1 and I-2 District.

5.16.05 Accessory Buildings and Uses Permitted

Accessory uses, buildings or other structures and devices customarily incidental to and commonly associated with a permitted use or special use may be permitted, provided they are operated and maintained under the same ownership or control, on the same or on an immediately adjacent parcel, which may be separated by either public or private roadways, and does not include structures or features inconsistent with the permitted use or special use. Such uses are subject to supplementary regulations outlined in Section 6.05, Accessory Buildings, Structures and Uses of Land. Notwithstanding anything contained in this Zoning Ordinance to the contrary, including without limitation Section 4, in the I-3 Heavy Industrial District:

- a. Accessory buildings, structures, or uses may occupy more than ten (10) percent of the area on which the main building is situated, and may be higher than the principal building; and
- b. Temporary trailers, buildings or yards for construction administration, materials, and equipment, both incidental and necessary for construction in the I-3 zoning district, shall be considered permitted accessory buildings and uses which do not require a temporary use permit and which are not subject to an express limited duration.

5.16.06 Density and Dimensional Requirements

1. **Minimum Lot Area:** A minimum lot area of fifteen (15) acres shall be provided for each lot used for a permitted or special use, except for public and private utility-type and governmental service uses, which may have a minimum lot area of not less than five (5) acres, unless a smaller area is deemed reasonable and appropriate by the Village Board.
2. **Minimum Lot Width:** A minimum lot width of one hundred (100) feet shall be provided for each lot used for a permitted or special use.
3. **Building Setback Requirements:**

- a. *Front Yard*: No principal building shall be allowed within forty (40) feet of any front lot line or street right-of-way line.
 - b. *Side Yard*: No principal building shall be allowed within ten (10) feet of any side lot line.
 - c. *Rear Yard*: No principal building shall be allowed within ten (10) feet of any rear lot line.
 - d. *Exception*: Building setback requirements described above for side and rear yards adjacent to a railroad or a railroad siding shall not be applicable.
 - e. *Adjacency to a Residential District*: Where a side yard or rear yard in this district abuts a residential zoning district, no principal building shall be allowed within one-hundred (100) feet of the residential lot line.
4. *Maximum Site Coverage*: Not more than seventy (70%) of the lot area may be occupied by buildings and structures, including accessory buildings.
 5. *Building Height Limitations*: No building shall exceed four (4) stories or forty-five (45) feet in height. This height may be increased to a maximum of one hundred (100) feet as long as all yard setbacks are increased by a ratio of one (1) foot for every two (2) feet, or portion thereof, of increased building height over forty-five (45) feet, provided that no front yard setback exceed one-hundred fifty (150) feet and no side or rear yard exceed seventy-five (75) feet.

Chimneys, cooling towers, elevator head houses, monuments, stage towers or scenery lofts, tanks, water towers, ornamental towers and spires, church steeples, power lines, power poles or necessary equipment and mechanical appurtenances usually required to be placed above the roof level are not subject to the height limitations herein prescribed.

6. *Maximum Principal Buildings on a Lot*: Notwithstanding anything contained in this Zoning Ordinance to the contrary, more than one principal building may be located on a zoning lot in an I-3 Heavy Industrial District.

5.16.07 Landscaping and Screening Requirements

When, at the time of initial construction, an I-3 Industrial use is located adjacent to a lesser intense zoning classification within the Village of Elwood, excluding those properties zoned A-1 Agricultural, the following landscape and screening provisions shall be required:

1. All yards and open spaces surrounding buildings, parking lots, access drives and streets shall be landscaped with trees and shrubs, and shall be maintained by the property owner.
2. Trees in front yards shall be planted at a ratio of at least one (1), two and one-half (2-1/2) inch caliper shade tree for every thirty (30) feet of street frontage. Strategic grouping of trees is encouraged, as opposed to even spacing of trees.
3. Yard areas shall be landscaped at a ratio of at least one (1) shrub or tree for every ten (10) feet of the principal building's nearest exterior wall. Strategic grouping is also encouraged.
4. For parking areas greater than thirty (30) spaces, a minimum of twenty (20) square feet of

interior landscaped area per space shall be provided. In order to qualify as an interior landscaped area, said area shall be located wholly within or projecting inward from the boundaries of the parking area.

The terms of these landscaping and screening provisions will not apply in the event an I-3 Industrial use becomes adjacent to a lesser intense classification within the Village of Elwood (excluding those properties zoned A-1 Agricultural) subsequent to the time of original construction.

5.16.08 Special Provisions

Waste Materials: No materials or wastes shall be deposited upon a lot in such a form that they may be transferred off the property by natural causes or forces.

The following list references the appropriate sections of this Ordinance which specify the other regulations governing development in this district:

1. "Off-Street Parking and Loading" - Section 8
2. "Signs" - Section 9
3. "Outdoor Storage" – Section 6.06
4. "Screening" – Section 6.07