

# BINGEN MUNICIPAL CODE

## Chapter 17.48

### INDUSTRIAL (M2) DISTRICT

#### Sections:

17.48.010	Intent.
17.48.020	Permitted uses.
17.48.030	Conditional uses.
17.48.035	Outdoor storage.
17.48.040	Density.
17.48.045	Performance standards for cogeneration facilities.
17.48.050	Prohibited uses.
17.48.060	Underground utilities required.

#### **17.48.010 Intent.**

To provide areas where diverse industrial development can occur that will foster economic stability and growth consistent with maintaining environmental and community quality. (Ord. 440, Att. A (part) 1997).

#### **17.48.020 Permitted uses.**

The following uses shall be permitted outright in an M2 district (uses defined below are referenced to those defined in the OMB Standard Industrial Classification Manual, 1987 edition):

- A. Construction.
  - 1. Heavy construction, except building.
- B. Manufacturing.
  - 1. Lumber and Wood Products;
  - 2. Paper and allied products excluding pulp and paper mills;
  - 3. Stone, clay and glass products;
    - a. Structural clay products,
    - b. Concrete, gypsum, and plaster products:
  - 4. Primary metal industries:

- a. Nonferrous rolling and drawing;
- 5. Fabricated metal products:
  - a. Metal cans and shipping containers,
  - b. Plumbing and heating, except electric,
  - c. Fabricated structural metal products,
  - d. Screw machine products, bolts, etc.,
  - e. Metal forgings and stampings,
  - f. Metal services,
  - g. Miscellaneous fabricated metal products;
- 6. Industrial machinery and equipment:
  - a. Farm and garden machinery,
  - b. Construction and related machinery,
  - c. Metalworking machinery,
  - d. Special industry machinery,
  - e. General industry machinery except industrial furnaces and ovens,
  - f. Computer and office equipment,
  - g. Refrigeration and service machinery,
  - h. Industrial machinery, NEC;
- 7. Transportation equipment:
  - a. Ship and boat building and repairing;
- 8. Instrument and related products.
- C. Transportation and public utilities.
  - 1. Trucking and warehousing;

2. Water transportation:
    - a. Water transportation services,
    - b. Water transportation of freight;
  3. Transportation services:
    - a. Freight transportation arrangement,
    - b. Miscellaneous transportation services;
  4. Communications:
  5. Electric, gas, and sanitary services except refuse systems;
  6. Cogeneration facility, subject to compliance with the performance standards set forth at Section 17.48.045 of this chapter.
- D. Wholesale Trade.
1. Wholesale trade durable goods:
    - a. Lumber and construction materials,
    - b. Metals and minerals, except petroleum,
    - c. Machinery, equipment, and supplies;
  2. Wholesale trade nondurable goods:
    - a. Paper and paper products,
    - b. Petroleum and petroleum products.
- E. Retail Trade.
1. Building materials and garden supplies:
    - a. Lumber and building materials.
- F. Other Categories.
1. Recycling and/or remanufacturing of metal and paper products;

2. Rock, sand, or gravel crushing, processing and storage. (Ord. 440, Att. A (part) 1997).

**17.48.030 Conditional uses.**

- A. Permitted uses in the light industrial district (M1) may be considered conditional uses in this district.
- B. Any other uses determined by the board of adjustment to be in keeping with the purpose and intent of this district. (Ord. 440 Att. A (part), 1997).

**17.48.035 Outdoor storage.**

Outdoor storage in an M2 district must be maintained in an orderly manner at all times.

- A. In this district, in the case of junkyards, auto wrecking and scrap metal storage facilities, outdoor storage is permitted under the following conditions:
  1. No wrecked auto or scrape material may be piled higher than the top of the fence or screening material; such screening material to be a sight-obscuring fence or planting which shall completely enclose said use.
  2. Such storage shall not be closer than one hundred feet from any public thoroughfare and not closer than three hundred feet from any residential district.
- B. Storage of waste materials which would attract insects or otherwise create a health hazard is prohibited. (Ord. 440, Att. A (part) 1997).

**17.48.040 Density.**

Density provisions for the M2 district are as follows:

- A. Maximum lot coverage: None.
- B. Maximum height: None.
- C. Minimum front yard: No front yards are required except where such property flanks or is opposite a residential zone in which cases the setbacks of the districts can be observed.
- D. Minimum side yard: No sidewalks are required except where such property flanks or is opposite to a residential zone in which case the setbacks of the district shall be observed.
- E. Minimum rear yard: No rear yards are required except where such property flanks or is opposite a residential zone in which case the setbacks of the district shall be observed. (Ord. 440, Att. A (part) 1997).

**17.48.045 Performance standards for cogeneration facilities.**

A cogeneration facility shall be subject to the following performance standards:

- A. Air Quality.** A cogeneration facility shall comply with all applicable air quality standards established by the federal Clean Air Act, the Washington State Clean Air Act and implementing regulations promulgated there-under. A cogeneration facility shall have met this requirement by providing the city, prior to occupancy, with copies of any permits or approvals required by and one or more air quality agencies with jurisdiction to apply such standards, or if such permits or approvals are not so required, by providing the city with written evidence that such permits or approvals are not required by application of such standards.
- B. Water Quality.** A cogeneration facility shall comply with all applicable water quality standards established by the Federal Clean Water Act, the Washington State Clean Water Act and implementing regulations promulgated thereunder. A cogeneration facility shall have met this requirement by providing the city, prior to occupancy, with copies of any permits or approvals required by and one or more water quality agencies with jurisdiction to apply such standards, or if such permits or approvals required by and one or more water quality agencies with jurisdiction to apply such standards, or if such permits or approvals are not so required, by providing the city with written evidence that such permits or approvals are not required by application of such standards.
- C. Noise Standards.** A cogeneration facility shall comply with the Washington State “Maximum Environmental Noise Levels” promulgated by the Washington State Department of Ecology and codified at WAC Chapter 173-60. A cogeneration facility shall have met this requirement by providing the city, prior to occupancy, with a noise monitoring and control plan that indicates how the “Maximum Environmental Noise Levels” will be met.
- D. Outdoor Lighting.** Outdoor lighting in working areas and for security purposes shall be aimed or shielded away from any adjacent non-industrial areas.
- E. Emergency Response Plan.** A cogeneration facility shall, prior to occupancy, submit to the city an emergency response plan that:

  - 1. Identifies all facilities and procedures for emergency preparedness and response to be implemented in compliance with all applicable regulations,
  - 2. Provides for employee training in the implementation of such facilities and procedures, and
  - 3. Provides for coordination, in the implementation of such facilities and procedures, with the Bingen Police Department and the Bingen Fire Department. (Ord. 440, Att. A (part) 1997).

**17.48.050 Prohibited uses.**

- A. No building, structure, or premises, or portions there of, established after the effective date of this title, shall be used as a permanent residence, except as quarters for a caretaker, guard or other persons whose permanent residency on the premises is required for operational safety or protective purposes.
- B. No sign shall extend over sidewalk area. (Ord. 440, Att. A (part) 1997).

**17.48.060 Underground utilities required.**

All new structures shall be serviced by underground utilities if such underground utilities are practical under the circumstances, and if such underground installations do not require a departure from a serving utility's standard practices. (Ord. 440, Att. A (part) 1997).