

ARTICLE 10
INDUSTRIAL ZONING DISTRICTS

SECTION 10-10
INDUSTRIAL ONE ZONING DISTRICT (M1)

A. Intent and Purpose

To provide the type of industrial uses which, while not necessarily attractive in operational appearance, such use is conducted in a manner so as not to cause inconvenience to neighboring properties.

B. District Stipulations and Provisions

Supplemental to and/or supplanting the “General Provisions”, Article 1:

1. No use shall be operated in such a manner as to be an explosion or fire hazard; nor shall there be emitted into the atmosphere any smoke, soot, dust, radiation, odor, noise, vibration, heat, glare, or toxic fumes to such an extent as to constitute a nuisance.
2. Residential uses, other than one dwelling unit for occupancy by caretaker and family, are discouraged and shall be permitted under a use permit only where it is shown that such permission will not cause a shortage of land for future industrial development.

C. Permitted Uses (See Permitted Uses Tables in back of this document)

1. All uses permitted in C3 District, except residential, and except that, unless specifically provided herein to the contrary, the following limitations are waived:
 - a. Use permits.
 - b. Maximum area to be occupied by any use.
 - c. Confining any use to closed buildings.
2. All industrial uses wherein the operation of such complies with the “Intent and Purpose” and “Stipulation” of this District and do not impose hazard to health or property in the neighborhood.
 - a. Where uncertainty exists as to compliance with the “Intent and Purpose” and “Stipulations”, the Board of Adjustment shall determine.
3. Fences or free-standing walls.

4. Medical Marijuana Dispensaries, and/or Medical Marijuana Dispensary Offsite Cultivation Location. Subject to a Conditional Use Permit and the related provisions of Article 3.
5. Medical Marijuana Infusion (or Manufacturing) Facility Subject to the following:
 - a. Applicant shall provide:
 - i. Name and location(s) of the offsite dispensary.
 - ii. A copy of the operating procedures adopted in compliance with A.R.S. §36-2804(B) (1) (c).
 - iii. A survey sealed by a registrant of the State of Arizona showing the location of the nearest medical marijuana dispensary or cultivation location if within 1,500 feet.
 - b. The facility shall not be located within one thousand five hundred (1,500) feet of the same type of use. This distance shall be measured from the exterior walls of the building or portion thereof in which the businesses are conducted or proposed to be conducted.
 - c. The facility shall not be located within one thousand five hundred (1,500) feet of a residentially zoned property. This distance shall be measured in a straight line from the exterior walls of the building or portion thereof in which the businesses are conducted or proposed to be conducted to the zoning boundary line of the residentially zoned property.
 - d. The facility shall not be located within one thousand five hundred (1,500) feet of a preschool, kindergarten, elementary, secondary or high school, place of worship, public park, or public community center.
 - e. This distance shall be measured in a straight line from the exterior walls of the building or portion thereof in which the business is conducted or proposed to be conducted to the property line of the protected use.
 - f. Medical Marijuana Infusion may be a part of a dispensary or cultivation location for a dispensary.
 - g. There shall be no emission of dust, fumes, vapors, or odors into the environment from the facility.

D. Signs

Requirements shall be the same as set forth in the C3 District.

E. Yard and Height Requirements

Except as required under “General Provisions”, Article 1:

None, except installations storing and/or dispensing inflammable fuels shall maintain such setbacks as required in the C3 District.

SECTION 10-11

INDUSTRIAL TWO ZONING DISTRICT (M2)

A. Intent and Purpose

To provide all types of commercial and industrial uses except that controls may be imposed to minimize air pollution, radiation, and/or explosion dangers.

B. District Stipulations and Provisions

Supplemental to and/or supplanting the “General Stipulations and Provisions”, Article 1.

1. Residential uses, other than one dwelling unit for occupancy by caretaker and family, are prohibited.

C. Permitted Uses (See Permitted Uses Tables in back of this document)

1. All uses permitted in the M1 District.
2. All commercial or industrial uses and accessory uses, except that the Building Inspector must deny permission where a proposed use will cause to be exhausted or emitted into the air pollutants such as smoke, soot, dust, gases or toxic fumes, or where there is latent radiation or explosion danger within or without the District.
 - a. In the event the Building Inspector denies a use for the reasons stated, an application may be filed to the Board of Supervisors for a conditional permit. Each use requested shall be considered on its merits as to how the area shall be affected and, if granted, such stipulations may be invoked so as to maintain consideration for the promotion and protection of public health, peace, safety, comfort, convenience and general welfare.

- i. Such application must be heard by the Board within thirty (30) days following such application, but after first receiving a report and recommendation from the Building Inspector and Health Officer.
- ii. The procedure of application, notice and schedule of fees shall be the same as that required for hearings on use permits by the Board of Adjustment. The notice postings may designate the hearing dates for both Commission and Board, and provided further that the Board hearing date may be the first regular Board meeting day after the date fixed for hearing by the Commission.
- iii. Any person aggrieved in any manner by any such conditional permit may, within thirty (30) days, appeal to the Superior Court, and the matter shall be heard de-novo as appeals from the Justice of the Peace Court.

D. Yard and Height Requirements

Except as required under “General Provisions”, Article 1:

None, except that installations storing and/or dispensing inflammable fuels shall maintain such setbacks as required in the C3 District.

SECTION 10-12

INDUSTRIAL THREE ZONING DISTRICT (M3)

A. Intent and Purpose

To provide all types of commercial or industrial uses without restrictions.

B. District Stipulations and Provisions

Supplemental to and/or supplanting the “General Provisions”, Article 1:

Residential uses, other than one dwelling unit for occupancy by caretaker and family, are prohibited.

C. Permitted Uses

All commercial or industrial uses and accessory uses.

D. Yard and Height Requirements

Except as required under “General Provisions”, Article 1: None.