

ORDINANCE # 161A

AN ORDINANCE TO AMEND THE EAST JORDAN ZONING CODE TO PROVIDE FOR ZONING REQUIREMENTS IN THE CITY OF EAST JORDAN'S AIR/INDUSTRIAL PARK

SHORT TITLE: LI LIGHT INDUSTRIAL DISTRICT

The City of East Jordan hereby ordains:

Section 1. Purpose.

In those areas set aside by the City of East Jordan to provide for Air Industrial Park Development, located in South Arm Township and under the jurisdiction of the City of East Jordan pursuant to an Agreement under Public Act 425 of 1984, the following restrictions are specifically designed to promote and create a working environment that is safe, attractive and answers the needs of a Light Industrial Complex and is an attribute to the community.

In order to achieve this goal, the following restrictions shall be required so that industrial activity can co-exist with the surrounding zoned districts without causing nuisance, hazard or visual blight.

These restrictions are imposed upon the property to insure proper use and appropriate development and improvement of each building site thereof; to protect the owners of building sites against such improper use of surrounding building sites as will depreciate the value of their property; to guard against the erection thereon of structures built of improper or unsuitable materials; to insure adequate and reasonable development of said property; to encourage the erection of attractive improvements thereon, with appropriate locations thereof on building sites; to prevent haphazard and inharmonious improvements on building sites; to secure and maintain proper setbacks from streets; and in general to provide adequately for a high type quality of development on said property and for the orderly development and efficient maintenance thereof.

Section 2. Permitted Principal Uses

The following uses are permitted as long as they are conducted completely within a building, structure or an area enclosed and screened from external visibility beyond the lot lines of the parcel upon which the use is located, except as otherwise provided in this Ordinance:

- A. Warehousing, transfer facilities, not including waste disposal transfer stations, but not excluding recycling centers provided they adhere to other statutes provided herein.
- B. Manufacturing, compounding, processing, assembling, packaging or treatment of such products as electrical appliances, electronic instruments and devices, printed circuit boards and computer subassemblies.
- C. Manufacture of light sheet metal products.
- D. Manufacture of pottery or similar ceramic products using kilns fired by gas or electricity.
- E. Printing plants, tool, die, gauge and machine shops.
- F. Packaging and/or parcel delivery services.
- G. Wholesale establishments, such as plumbing and electrical supply establishments
- H. Retail sale of food, beverages and other such convenience items to occupants and employees is permitted so long as these items are not offered for sale to the general public.
- I. Retail sales of products manufactured or assembled within the Park are permitted.

Section 3. Prohibited Uses

The following uses are strictly prohibited within the Air Industrial Park:

- A. Asphalt or tar manufacturing or refining.
- B. Manufacture of gas, coke or coal tar products.
- C. Slaughtering of animals for the reduction or recovering of products from dead animals or animal offal or garbage.
- D. Petroleum refining, chemical production and/or processing industries or similar factories or uses.
- E. Auto wrecking, salvage yards or junk yards.
- F. Central mixing plant for asphalt, mortar, plaster or concrete except as may be required in connection with paving of roads or other construction within the development.

- G. Heavy drop forge stamping plant or ferrous or non ferrous foundry.
- H. Saw mills, lumber and building materials and bulk storage yards.
- I. Storage buildings, of any size and type, are prohibited as a principal use of a lot.

Section 4. Site Plan Review.

All uses permitted under the provisions of this zoning ordinance and applying for a zoning permit, shall follow the requirements of Article XL, "Site Plan Review".

Section 5. Development Standards and Regulations.

A. Outside Storage

- 1. The outside storage of materials, supplies, vehicles, equipment or similar items is allowed only when such storage is specifically shown on the site plan as approved by the Planning Commission.
- 2. Outside storage shall be limited to the rear yard area.
- 3. Outside storage areas shall be completely fenced with a fence at least eight (8) feet high, constructed of chain link or other suitable material.
- 4. Outside storage areas shall be screened from view from all roadways. This screening shall be either opaque screening or evergreen landscape screening.

B. Off-Street Parking

- 1. One (1) parking space shall be provided for each employee, customer and/or guest during the period of maximum use.
- 2. All roadways, driveways and parking areas shall consist of hard surfaced concrete, blacktop or equivalent as approved by the Planning Commission.

C. Landscaping

- 1. A landscape plan shall be submitted to the Planning Commission for approval. This landscape plan shall be part of, or accompany, the site plan.
- 2. A greenbelt at least ten (10) feet in width shall be provided around the entire perimeter of the Air Industrial Park area except where ingress and egress drives are located. Green belt is defined to be a maintained grass area that may include trees and/or shrubbery.

3. The off-street parking areas and driveway accesses shall be screened from view of any adjoining residential property. Such screening shall consist of earth berm, permanent walls or evergreen landscaping subject to approval of the Planning Commission.

4. All landscaping and screening shall be maintained in an attractive, litter-free, safe and healthy condition. Maintenance of all landscaping shall be of sufficient frequency to prevent overgrowth and deterioration from the original condition.

D. Sign Regulations

All signs shall adhere to the regulations set forth in Article XXI.

E. Lighting Requirements

All lighting used to illuminate buildings, signs and/or off-street parking areas shall be shielded as to prevent direct light rays from the source of light from being directly visible from adjoining property.

F. Public Road Access

Any use developed or proposed within this district shall have direct access to a dedicated public road.

G. Utilities

To the extent possible, all utilities serving the business structures shall be buried underground.

H. Covered Trash Receptacles

Covered trash receptacles shall be enclosed on three (3) sides by structurally sound, secure walls that conform to or are consistent with construction and design of the building to be erected. The walls shall be one (1) foot higher than the receptacle and shall be located in the rear yard. The fourth side of the enclosed trash receptacle area shall be equipped with an opaque lockable gate that is the same height as the walls.

I. Loading and Unloading

1. Loading and unloading areas shall be located in the rear or side yard.

2. Loading and unloading areas shall not be located where they will interfere with parking or obstruct ingress and egress.

J. General

All activities and uses within this District shall conform to the following:

1. Smoke

A person or industry shall not discharge into the atmosphere from any single source of emission whatsoever any air contaminate for a period or periods aggregating more than three (3) minutes in any one hour which is:

a. As dark or darker in shade as that designated as No. ½ on the Ringlemann Chart, as published by the United States Bureau of Mines, or

b. Of such density as to obscure an observer's view to a degree equal to or greater than the level of smoke described in subsection (a) of this Section.

c. At no time may smoke emissions be darker than Ringlemann No. 1.

2. Open Fires

A person or industry shall not burn any combustible refuse in any open outdoor fire within the district.

3. Noxious Gases

No noxious or malodorous gases shall be allowed to escape into the atmosphere in concentrations which are offensive, which produce a public nuisance or hazard on any adjoining lot or property, or which could be detrimental to human, plant or animal life.

4. Air Contaminants

A person or industry shall not discharge from any source whatsoever such quantities of air contaminants or other material, including fly-ash, dust, vapor or other air pollutants, which could cause injury or harm to health, animals, vegetation or other property, or which can cause excessive soiling. Dust, dirt, smoke or fly-ash shall not be in excess of 0.3 grams per cubic foot of flue gas at stack temperature of 500 degrees Fahrenheit and not to exceed fifty (50) percent excess air.

5. Glare and Heat

Any operation or activity shall be so conducted that direct and indirect illumination from the source of light shall not cause illumination in excess of one-half (0.5) of one (1) foot candle when measured at any adjoining residence or business district boundary line. Flickering or intense source of light shall be so controlled as not to cause a nuisance across any lot lines. If heat is a result of an industrial operation, it shall be so insulated as to not raise the temperature at any property line at any time.

6. Noise

The measurable noise emanating from the premises and as measured at the street or property line, may not exceed sixty (60) decibels as measured on the "C" scale of a sound level meter constructed and calibrated in conformance to the

requirements of the American Standards Association. Objectionable noises, due to intermittence, beat frequency or shrillness, shall be muffled so as not to become a nuisance to adjacent uses. Sirens and related apparatus used solely for safety and other public purposes are exempt from this standard.

7. Vibration

Vibrations from industrial operations and vehicular traffic in this zone must be controlled to the extent that they cannot be felt past any property line.

8. Radio Transmission

For electronic equipment required in an industrial operation, the equipment shall be so shielded that its operation will not interfere with radio, television or other electronic equipment.

9. Storage of Flammable Material

Any activity involving the use or storage of flammable or explosive materials shall be protected by adequate fire-fighting and fire-suppression equipment and such safety devices as are normally used in the handling of any such material. Such hazards shall be kept removed from adjacent activities to a distance which is compatible with the potential danger involved.

10. Radioactive Materials

No activity shall emit dangerous radioactivity at any point, or unreasonable electrical disturbance adversely affecting the operation of any equipment other than that of the creator of such disturbance.

11. Water Pollution

Pollution of water shall be subject to such requirements and regulations as are established by the Michigan State Department of Public Health, the Michigan Water Resources Commission, the District Health Department #3, the U.S. Environmental Protection Agency and City sewage ordinance. Such requirements and regulations shall apply in all cases except when they are less stringent than the following standards in which case the following standards shall apply:

- a. No waste shall be discharged in the public sewer system which is dangerous to the public health and safety.
- b. Acidity or alkalinity shall be neutralized to a Ph of 7.0 as a daily average on a volumetric basis, with a maximum temporary variation of Ph 5.0 to 10.0.
- c. Wastes shall not contain cyanides and halogens and shall contain not more than 10 p.p.m. of the following gases; hydrogen sulfite, sulphur dioxide and nitrous oxide.
- d. Wastes shall not contain any insoluble substance in excess of 10,000 p.p.m. or exceeding a daily average of 500 p.p.m. or fail to pass a No. 8 Standard Sieve or have a dimension greater than one-half (1/2) inch.
- e. Wastes shall not have chlorine demand greater than 15 p.p.m.
- f. Wastes shall not contain phenols in excess of .005 p.p.m.
- g. Wastes shall not contain any grease or oil or any oil substance in excess of 100 p.p.m. or exceed a daily average of 25 p.p.m.

Section 6: Building Construction

- A. Individuals or organizations shall, within twelve (12) months from the date of purchase, commence construction on any unimproved property conveyed and shall have the same ready for occupancy for a permitted use herein within twenty-four (24) months from the date of said purchase. Failure to comply would result in property reverting to City control, unless this provision is waived in writing.
- B. All development within the area shall be subject to airport flight clearance easements.
- C. All buildings shall be constructed of those approved materials suitable for the proposed use and compatible with adjacent areas. All sides of any building facing upon a public street must be of a finished material. Finished material is defined as face brick,

glass, ornamental stone or other decorative materials such as wood or metal with special treatment. In the event of a dispute as to whether or not a particular material qualifies as “finish material”, the decision of the Planning Commission shall be final. All exposed concrete block or metal must be painted or varnished within sixty (60) days from the date of occupancy except those materials not normally painted or those materials which have been pre-finished. All buildings shall be constructed in accordance with applicable codes and ordinances of local governmental bodies. No used material shall be incorporated within any building without the express written permission of the Planning Commission. No structure, covering, garage, barn or other outbuilding of a temporary nature shall be situated, erected or maintained on any parcel of the subject property, but this shall not apply to construction buildings or storage facilities used in the course of construction of any permanent building.

Section 7. Area and Bulk Requirements

- A. Total minimum area for Planned Air/Industrial Park 40 acres
- B. Front Yard Setback 50 feet
- C. Rear Yard Setback 25 feet

Except where abutting a residential zone. Areas abutting a residential zone shall have a minimum rear yard setback of fifty (50) feet.

- D. Side Yard Setback 25 feet

Except where abutting a residential zone. Areas abutting a residential zone shall have a minimum side yard setback of fifty (50) feet.

- E. Minimum Lot Area Not less than 1 acre
- F. Maximum Lot Coverage 35% (a)
- G. Maximum Height of all Structures 30 feet (b)
- H. Minimum Clear Space Around Structures 25 feet

(a) Inclusive of parking and loading areas.

(b) No structure shall hereafter be erected or altered exceeding a height of 30 feet unless approved by the Board of Appeals as within the fire-fighting capabilities of the City, upon written application of the owner of the premises.

Roll Call Vote:

Ayes: Klooster, Norton, Cihak, Chappuies, and Mayor Peck

Nays: None

Absent: Gee and Sweet

Adopted: January 19, 1999

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Kathy O'Rear, City Clerk