#### **ORDINANCE NO. 24-03**

## AN ORDINANCE TO AMEND THE CODE OF THE CITY OF CORUNNA, CHAPTER 86, ZONING ARTICLE X (I – INDUSTRIAL DISTRICTS)

#### THE CITY OF CORUNNA ORDAINS:

SECTION I. <u>Amendment to sections 86-271 thru 86-300</u>, of the city code of the city of Corunna, Michigan, shall be as follows:

# Article X -Industrial Districts (I-L (Light) and I-H (Heavy)

§ 86-271 Intent. [Amended 6-6-1994 by Ord. No. 94-06]

The I Industrial District is designed so as to primarily accommodate wholesale activities, warehouses and industrial operations whose external physical effects are restricted to the area of the district and in no manner affect in a detrimental way any of the surrounding districts. The general goals of this use district include, among others, the following specific purposes:

- (1) To provide sufficient space, in appropriate locations, to meet the needs of the municipality's expected future economy for additional manufacturing and related uses.
- (2) To protect abutting residential districts by separating them from manufacturing activities, and by prohibiting the use of such industrial areas for new residential development.
- (3) To promote manufacturing development which is free from danger of fire, explosions, toxic and noxious matter, radiation and other hazards, and from offensive noise, vibration, smoke, oder and other objectionable influences.
- (4) To protect the most desirable use of land in accordance with a well-considered plan.
- (5) To protect the character and established pattern of adjacent development, and in each area to conserve the value of land and buildings and other structures, and to protect the municipality's tax revenue.

It is the intent of the industrial districts to provide for areas of light and heavy industrial uses and for other compatible uses.

The purpose of Light Industrial (I-L) is to provide areas for low-intensity manufacturing, distribution, industrial services and related offices, research, development, & technology industries. Light Industrial uses generate few effects felt off-site, such as smoke, noise, or odor.

The purpose of Heavy Industrial (I-H) is to provide areas for and to encourage development of heavy and intensive industrial processing, manufacturing, bulk handling and storage, and other compatible and similar uses. Heavy Industrial uses, though regulated, may produce vibration, smoke, noise, odor, glare, dust and other effects that travel off-site.

In the Industrial zoning districts, the uses listed below in Table 1 within the designated zoning districts are permitted uses or special condition uses as designated. Special condition uses are subject to section 86-273, 86-274, 86-275, 86-391, & 86-393

TABLE 1
Industrial Zoned Districts Permitted and Special Condition Uses
I-L (Light Industrial) I-H (Heavy Industrial)
P = Indicates Permitted Uses S = Special Use Permit

Uses		
INSTITUTIONAL	I-L	I-H
All public utilities, including buildings, necessary structures, storage yards and other related uses.	S	Р
Municipal uses such as water treatment plants and reservoirs, sewage treatment plants, and all other similar municipal buildings and uses, including outdoor storage.		P
Warehouse, storage and transfer and electric and gas service buildings and yards, public utility buildings, telephone exchange buildings, electrical transformer stations and substations, and gas regulator stations.		P
COMMERCIAL		
Adult entertainment businesses	S	
Auto engine and body repair, and undercoating shops when located in a completely enclosed building.	Р	S
Automobile, aircraft, watercraft, and other machinery plants, including all enameling, painting, and welding operations		Р
Greenhouses.	Р	Р
Kennels.	Р	
Retail uses which have an industrial character in terms of either their outdoor storage requirements or activities, such as but not limited to a lumberyard, building materials outlet, upholsterer, or cabinetmaker.		Р
Trade or industrial schools.		S
INDUSTRIAL		
Central dry-cleaning plants or laundries, provided that such plants shall not deal directly with consumer at retail.	S	Р
Contractor's establishment	Р	S
Laboratories: experimental, film or testing.	S	Р

Uses		
	I-L	I-H
Manufacturing and repair of electric or neon signs, light sheet metal products, including heating and ventilating equipment, cornices, eaves and the like.	S	Р
Manufacture or assembly of electrical appliances, electronic instruments and devices, radios and phonographs.	S	Р
Manufacture of musical instruments, toys, novelties and metal or rubber stamps, or other molded rubber products.	S P	
Manufacture of pottery and figurines or other similar ceramic products using only previously pulverized clay, and kilns fired only by electricity or gas.	S	P
Manufacture, compounding, assembling or treatment of articles of merchandise from previously prepared materials, including bone, canvas, cellophane, cloth, cork, elastomers, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, rubber, precious or semiprecious metals or stones, sheet metal, shell, textiles, tobacco, wax, wire, wood, and yarns.	S	P
Manufacture, compounding, processing, packaging, or treatment of products such as but not limited to bakery goods, candy, cosmetics, pharmaceuticals, toiletries, food products, hardware, and cutlery, and tool, die, gauge and machine shops.	S	P
Mini warehouses (self-storage facilities)	S	
Recycling centers.	S	Р
Stamping plants and foundries		S
Storage facilities for building materials, sand, gravel, stone and lumber, and storage of contractors' equipment and supplies.		S
Trucking facilities	Р	Р
Warehousing and wholesale establishments and trucking facilities.	Р	Р
MISC		
Accessory buildings and uses customarily incident to any of the uses permitted in this section	P/S	P/S
Commercial television and radio towers, public utility microwaves, and public utility television transmitting towers, subject to the following listed special use conditions	Commercial television and radio towers, public utility microwaves, and public utility television transmitting towers, subject to the fol-	
Marihuana growers, processors, secure transporters, safety compliance facilities, and microbusinesses (all subject to Chapter 16 of the code book)	Р	Р

Uses	I-L	I-H
Other uses similar to the uses listed in this section.	Р	Р

In an Industrial District, no building or land shall be used and no building shall be erected except for one or more of the following specified uses, unless otherwise provided in this chapter:

- (1) Any use charged with the principal function of basic research, design and pilot or experimental product development, when conducted within a completely enclosed building.
- (2) Any of the following uses when the manufacturing, compounding or processing is conducted wholly within a completely enclosed building:
- a. Warehousing and wholesale establishments and trucking facilities.
- b. The manufacture, compounding, processing, packaging or treatment of products such as but not limited to bakery goods, candy, cosmetics, pharmaceuticals, toiletries, food products, hardware and cutlery, and tool, die, gauge and machine shops.
- c. The manufacture, compounding, assembling or treatment of articles of merchandise from previously prepared materials, including bone, canvas, cellophane, cloth, cork, elastomers, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, rubber, precious or semiprecious metals or stones, sheet metal, shell, textiles, tobacco, wax, wire, wood and yarns.
- d. The manufacture of pottery and figurines or other similar ceramic products using only previously pulverized clay, and kilns fired only by electricity or gas.
- e. Manufacture of musical instruments, toys, novelties and metal or rubber stamps, or other molded rubber products.
- f. Manufacture or assembly of electrical appliances, electronic instruments and devices, radios and phonographs.
- g. Laboratories: experimental, film or testing.
- h. Manufacturing and repair of electric or neon signs, light sheetmetal products, including heating and ventilating equipment, cornices, eaves and the like.
- i. Central dry cleaning plants or laundries, provided that such plants shall not deal directly with consumer at retail.
- j. All public utilities, including buildings, necessary structures, storage yards and other related uses.
- (3) Warehouse, storage and transfer and electric and gas service buildings and yards, public utility buildings, telephone exchange buildings, electrical transformer stations and substations, and gas regulator stations.
- (4) Storage facilities for building materials, sand, gravel, stone and lumber, and storage of contractors' equipment and supplies.

- (5) Municipal uses such as water treatment plants and reservoirs, sewage treatment plants, and all other similar municipal buildings and uses, including outdoor storage.
- (6) Kennels.
- (7) Greenhouses.
- (8) Trade or industrial schools.
- (9) Retail uses which have an industrial character in terms of either their outdoor storage requirements or activities, such as but not limited to a lumberyard, building materials outlet, upholsterer or cabinetmaker.
- (10) Recycling centers.
- (11) Auto engine and body repair, and undercoating shops when located in a completely enclosed building.
- (12) Other uses similar to the uses listed in this section.
- (13) Accessory buildings and uses customarily incident to any of the uses permitted in this section.

§ 86-273 Special condition uses.

[Amended 6-6-1994 by Ord. No. 94-06; 6-15-1998 by Ord. No. 98-02; 9-16-2002 by Ord. No. 02-12]

The following special condition uses shall be permitted in the LI- I-L and the I-H district are subject to the conditions required in this section for each use, subject to any and all reasonable conditions which may be imposed in accordance with § 4c.(2) of the City-Village Zoning Act (MCL 125.584c), as amended, and further subject to review and approval by the Planning Commission as specified in § 86-393, pertaining to review and approval of conditional uses, and § 86-391, pertaining to review and approval of site plans:

- (1) Miniwarehouses (self-storage facilities), subject to the following conditions:
  - a. The minimum size of the site devoted to such use shall not be less than three acres.
  - b. Building setbacks shall be as follows: front yard not less than 20 feet; side and rear yard not less than 10 feet.
  - c. Building separation between self-storage buildings on the same site shall be 45 24 feet, as measured from side to side or front to rear, or equal to the building height, whichever is greater.
  - d. The total lot coverage of all structures shall be limited to 50% of the total lot area. There is no limit on the lot coverage of the structures on the parcel so long as all requirements of this section are met such as setbacks, building separation, and total acreage of property.
  - e. When adjacent to a residential district, a sight proof barrier shall be provided around the perimeter of the development. The barrier shall be located at the setback line and may consist of either the solid facades of the storage structures or a fence. If a fence is provided, it shall be a minimum of six feet in height and shall be constructed of brick, stone, masonry units or wood products which are determined by the building inspector to be durable and weather resistant.

- f. A ten-foot landscaped greenbelt shall be provided between the property line and required barrier along all street frontages. A five-foot landscaped greenbelt shall be provided between the property line and barrier where the site abuts any residential district. All materials shall be planted in conformance with § 86-350.
- g. Parking shall be provided in the ratio of one space for each 2,000 square feet of gross building area. At a minimum, two parking spaces must be assigned to, and located conveniently to, each individual storage building. In addition, two spaces for the resident manager, and one additional space for each additional employee, shall be provided adjacent to the rental office.
- h. Internal driveway aisles shall be a minimum of 24 feet in width.
- i. All off-street parking areas and driveways shall be hard surfaced and drained in accordance with § 86-338.
- j. All ingress and egress from the site shall be directly onto a major thoroughfare as identified on the City future land use plan.
- k. Building height shall not exceed one story (15 feet), except that a caretaker's or resident manager's unit may be allowed a building height of two stories (25 feet).
- I. No single storage building shall exceed 5,000 10,000 square feet.
- m. All storage on the property shall be kept within an enclosed building. **Except as allowed under the following provisions.** 
  - a. Vehicles allowed in outdoor vehicle storage areas include personal and recreational vehicles, boats.
  - b. Outdoor vehicle/boat storage areas must have limited visibility from the road and full approval from the Planning Commission as to location and any other reasonable requirements the Planning Commission deems necessary to fulfill the intent of this ordinance.
  - c. Outdoor vehicle/boat storage areas are not permitted in required front or side yard setbacks. Further, outdoor storage areas are not permitted between the front of the principal building and the public road.
  - d. Outdoor vehicle/boat storage areas may only be permitted as accessory uses to mini-warehouse or self-storage facilities. The area dedicated to outdoor vehicles / boats storage must be less than the area dedicated to self-storage uses for each individual development.
  - e. All vehicles stored in outdoor vehicle / boat storage areas must be operational. All boats except small fishing boats under 14' in length, canoe and kayaks must be on a trailer that is operational.
  - f. Any and all coverings or tarps must be maintained in good order.
- n. The use of the premises shall be limited to storage only, and the premises shall not be used for any auction or sales, or storage and transfer business; for the servicing, repair or fabrication of any vehicle, boat, trailer, appliance or similar item; or for the operation of power tools, compressors, kilns or

similar equipment; except that limited sales to tenants of products and supplies incidental to the principal use, such as packing materials, identification labels, rope, locks, tape, etc., shall be permitted on the site devoted to this use. The storage of combustible or flammable liquids, combustible fibers or explosive materials, as defined in the fire protection code, or toxic materials, is expressly prohibited.

- (2) Commercial television and radio towers, public utility microwaves, and public utility television transmitting towers, subject to the following conditions:
  - a. They shall be located centrally on a continuous parcel of not less than 1.0 times the height of the tower, measured from the base of the tower to all points on each property line.
  - b. A barrier not exceeding eight feet in height shall be installed along the perimeter of the development. The barriers shall be located at the setback line and consist of either an ornamental masonry wall or fence constructed of materials which are determined by the building inspector to be durable and weather resistant.
  - c. A ten-foot landscaped greenbelt shall be provided between the property line and required barrier along all street frontages. A five-foot landscaped greenbelt shall be provided between the property line and barrier where the site abuts any residential district. All materials shall be planted in conformance with § 86-350(c)(2).
  - d. A minimum of two parking spaces must be provided on the site and interior to the perimeter barrier. The parking area shall be provided with a permanent durable and dustless surface and shall be so graded and drained so as to dispose of all surface water accumulated within the parking area.
  - e. All towers shall be developed on a site consisting of at least two acres in area.
  - f. The tower shall be located no closer than 100 feet to any abutting residential district or public street, as measured from the base of the tower.
  - g. All towers constructed shall not be altered in terms of physical improvements or method of operation, except, however, that modification may occur upon submittal and approval of an amended application for special condition use approval.
- (3) Adult entertainment businesses, which are subject to the following conditions:
- a. No adult entertainment business shall be located within 1,000 feet of any other adult entertainment business or within 500 feet of any of the following uses:
- 1. All class C establishments licensed by the state liquor control commission, except as to "adult cabarets" located within the City as so licensed.
- 2. Pool or billiard halls.
- 3. Coin-operated amusement centers.
- 4. Teenage discos or dancehalls.
- 5. Ice or roller skating rinks.
- 6. Pawnshops.
- 7. Indoor or drive-in movie theaters.

- 8. Any public park.
- 9. Any church.
- 10. Any public or private school having a curriculum including kindergarten or any one or more of the grades 1 through 12.

Such distance shall be measured along the centerline of the street or streets or address between two fixed points on the centerlines determined by projecting straight lines at right angles from the part of the uses listed in this subsection nearest to the contemplated location of the structure containing the adult entertainment use, and from the contemplated location of the structure containing the adult entertainment use nearest to a use listed in this subsection.

- b. No adult entertainment business shall be located within 500 feet of any area zoned residential. Such required distances shall be measured by a straight line between a point on the boundary line of a zoned residential area nearest to the contemplated structure or contemplated location of the structure containing the adult entertainment business to a point on the contemplated structure or contemplated location of the structure containing the adult entertainment business nearest to the boundary lines of a zoned residential area.
- c. All adult entertainment business shall be contained in a freestanding building. Enclosed malls, commercial strip stores, common wall structures and multi-uses within the same structure do not constitute a freestanding building.
- d. No adult entertainment business shall be conducted in any manner that permits the observation of any material depicting, describing or relating to specified sexual activities or specified anatomical areas from any public way or from any property not regulated as an adult entertainment use. This subsection shall apply to any display, decoration, sign, show window or other opening.
- e. No person owning, operating, managing or employed by or within a cabaret shall dance, perform or serve food, beverages or alcoholic beverages while displaying or allowing to be visible specified anatomical areas, as defined in this chapter, or allow any other person to do so.
- f. No person owning, operating, managing or employed by or within a cabaret shall, by means of dancing, acting or otherwise moving about, perform specified sexual activities, as defined in this chapter, or allow any other person to do so.
- g. No person owning, operating, managing or employed by or within a cabaret shall have, own or possess, within said cabaret, any type of radio receiver equipment containing police radio frequency bands or capable of receiving police radio communications, or allow any other person to do so.
- h. No person shall reside in or permit any person to reside in the premises of any adult entertainment business.
- i. No person shall operate an adult personal service business, unless there is conspicuously posted in each room, where such business is carried on, a notice indicating the prices for all services performed by said business. No person operating or working at such a place of business shall solicit or accept any fees except those indicated on any such notice.
- j. No person operating an adult entertainment business shall permit it to be used for acts of prostitution or to be frequented by known prostitutes who have been convicted of the act of prostitution within the last 24 months and any customers convicted of being customers of prostitutes within the last 24 months.

- k. No person operating an adult entertainment business shall permit any person under the age of 18 to be on the premises of said business either as an employee or customer.
- No person shall become the lessee or sublessee of any property for the purpose of using said property for an adult entertainment business without the express written permission of the owner of the property for such use.
- m. No lessee or sublessee of any property shall convert that property for any other use to an adult entertainment business without the express written permission of the owner of the property for such use.
- n. The provisions of this section regarding massage parlors shall not apply to hospitals, sanitariums, nursing homes, medical clinics or the offices of a physician, surgeon, chiropractor, osteopath, psychologist, clinical social worker or family counselor who is licensed to practice his or her respective profession in the State of Michigan, or who is permitted to practice temporarily under the auspices of an associate; an establishment duly licensed in the State of Michigan, clergymen, members of a state certified massage therapy association. Members of a state certified massage therapy association must have a certificate of completion of a massage program from a community college, college or university.
- o. Building design, facade, or any painted images, murals, pictorials or characters that depict specific anatomical areas or specific sexual activities on a building, inside or outside thereof, are prohibited.
- p. Enforcement:
- Anyone violating this ordinance or any subsection, paragraph, clauses and parts hereof is guilty of a
  misdemeanor and shall be subject to a maximum penalty of 90 days in jail, or an equal amount of time
  of community service, or any combination thereof not exceeding 90 days, plus \$500 fine, plus actual
  costs of prosecution.
- 2. Continuing violations. In addition to the penalty provided in Subsection (3)p.1 of this section, any condition caused or permitted to exist in violation of the provisions of this Code, or any ordinance, shall be deemed a new and separate offense for each day that such condition continues to exist.
- (4) Accessory buildings and uses customarily incident to any of the uses permitted in this section.

§ 86-274 Required conditions. [Amended 6-6-1994 by Ord. No. 94-06]

Required conditions for uses in the I-L or I-H Districts are as follows:

- (1) Screening of open storage. Open storage facilities for materials or equipment used in manufacturing, compounding or processing shall be totally obscured by a wall on those sides abutting R-C, R-O, R-A, RM, C-1, C-2 and C-3 districts, and on any front yard abutting a public thoroughfare except as otherwise provided in § 86-352. In I districts, the extent of such a wall may be determined by the Planning Commission on the basis of usage. Such a wall shall not be less than four feet six inches in height, and may, depending upon land usage, be required to be eight feet in height, and shall be subject further to the requirements of Article XII of this chapter. The height shall be determined as in § 86-352(b).
- (2) Performance standards. All activities and uses within the district shall conform to the following performance standards:

- a. Smoke. A person or industry shall not discharge into the atmosphere, from any single source of emission whatsoever, any air contaminant for a period or periods aggregating more than three minutes in any one hour which is:
- 1. As dark or darker in shade as that designated as no. 1/2 on the Ringelmann chart, as published by the United States Bureau of Mines; or
- 2. 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.1 of this subsection.
- 3. At no time may smoke emissions be darker than Ringelmann no. 1.
- b. Open fires. A person or industry shall not burn any combustible refuse in any open outdoor fire within the district.
- c. 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.
- d. 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 gram per cubic foot of flue gas at a stack temperature of 500° F. and are not to exceed 50% excess air.
- e. Glare and heat. Any operation or activity producing glare shall be so conducted that direct and indirect illumination from the source of light shall not cause illumination in excess of 0.5 footcandle when measured at any adjoining residence or business district boundary line. Flickering or intense sources 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.
- f. Noise. No activity shall emit noise in excess of the standards specified in § 86-356.
- g. Vibration. Vibrations from industrial operations and vehicular traffic in this district must be controlled to the extent that they cannot be felt past any property line.
- h. 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.
- i. Storage of flammable materials. Any activity involving the use or storage of flammable or explosive materials shall be protected by adequate firefighting 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.
- j. Radioactive materials or electrical disturbance. No activity shall emit dangerous radioactivity at any point, or unreasonable electrical disturbance adversely affecting the operation at any point of any equipment other than that of the creator of such disturbance.
- k. Water pollution. Pollution of water shall be subject to such requirements and regulations as are established by the state department of health, the state water resources commission, the county health department and the U.S. Environmental Protection Agency. 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:

- 1. No waste shall be discharged in the public sewer system which is dangerous to the public health and safety.
- 2. 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.
- 3. Wastes shall contain no cyanides and no halogens and shall contain not more than 10 parts per million of the following gases: hydrogen sulfite, sulfur dioxide and nitrous oxide.
- 4. Wastes shall not contain any insoluble substance in excess of 10,000 parts per million or exceeding a daily average of 500 parts per million or fail to pass a no. 8 standard sieve, or have a dimension greater than 1/2 inch.
- 5. Wastes shall not have chlorine demand greater than 15 parts per million.
- 6. Wastes shall not contain phenols in excess of 0.005 parts per million.
- 7. Wastes shall not contain any grease or oil or any oil substance in excess of 100 parts per million or exceed a daily average of 25 parts per million.

§ 86-275 Area and bulk requirements. [Amended 6-6-1994 by Ord. No. 94-06]

Area and bulk requirements for the I District are set out in Article XI of this chapter, the Schedule of Regulations, limiting the height and bulk of buildings, providing the minimum size of lots by permitted land use, and providing minimum yard setback requirements.

§ 86-276 through § 86-300. (Reserved)

#### SECTION 2. Severability.

This Ordinance and the several sections, sub-sections, paragraphs, clauses and parts thereof are hereby declared to be severable. If any part or clause thereof is declared or adjudged invalid by present or future legislation or decree, the balance of the Ordinance shall not be affected thereby.

### SECTION 3. Conflicting Ordinances Repealed.

All Ordinances previously adopted and incorporated in the Code of the City of Corunna, Michigan, through codification procedures, or any existing Ordinances that are inconsistent with the provision of this Ordinance are hereby repealed, and in the case of inconsistencies, to the extent of such inconsistency, are hereby repealed.

#### SECTION 4. Copies Available.

This Ordinance may be purchased or inspected in the City Clerk's Offices, Monday through Thursday, between the hours of 9:00 a.m. and 4:30 p.m.

#### SECTION 5. Effective Date.

This Ordinance shall take effect pursua hereof.	ant to the Corunna City Charter, immediately upon publication
DATE OF PASSAGE: June 3, 2024	
DATE OF PUBLICATION: EFFECTIVE DATE:	
	CITY OF CORUNNA
	BY:
	Wayne LeDuc ITS: MAYOR
	BY:
	Jennifer LePior ITS: CLERK
STATE OF MICHIGAN }	
}ss. COUNTY OF SHIAWASSEE}	
true and accurate copy of the City of Co	ne City of Corunna, do hereby certify that the foregoing is a orunna ORDINANCE NO. 24-3 passed on the 3rd day of

**June**, **A.D.**, **2024.** Further, I certify that I caused the same to be published in the Argus Press newspaper, Owosso, MI, within 12 days after adoption by the Corunna City Council, Corunna, Michigan.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 3<sup>rd</sup> day of June, A.D., 2024.

Jennifer LePior Corunna City Clerk