

Bill No. 24-054 Ordinance No. 4698

Introduced by: Brian Pickard

AN ORDINANCE CREATING "I-3 GENERAL INDUSTRIAL DISTRICT" IN THE CITY OF UNION UNDER TITLE IV, LAND USE, CHAPTER 405 ZONING CODE, ARTICLE XI GENERAL INDUSTRIAL DISTRICTS, AMENDING RELATED ORDINANCES AND ESTABLISHING THE EFFECTIVE DATE THEREOF.

WHEREAS, the Board of Aldermen have determined that it is necessary and reasonable to create an "I-3 General Industrial" zoning district for property within the City of Union and to amend certain provisions of the Code of Ordinances of the City of Union relating to such a district,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF UNION, MISSOURI, AS FOLLOWS:

Section One. The Board of Aldermen of the City of Union hereby determines that it is necessary to amend a certain provision to Title IV, Land Use, Chapter 405 Zoning Code, Article XI General Industrial Zoning Districts of the City of Union Code of Ordinances as follows:

Section 405.420 is hereby amended by the following:

Section 405.420 General Purpose and Description.

C. "I-3" General Industrial District

The purpose of the "I-3" general industrial zone is to provide sites for industrial activities requiring large land areas, which have generally greater impacts on the community, and which may be incompatible with other uses. Uses may include manufacturing, assembly and fabrication and for warehousing, distribution, wholesaling and service operations which may create a minimum nuisance outside the plant; are conducted entirely within enclosed buildings, do not use the open area around such buildings for storage of raw materials or manufactured products or for any other industrial purpose other than transporting goods between buildings; provide for enclosed or screened loading and unloading berths; and which are not noxious or offensive by reason of the emission of smoke, dust, fumes, gas odors, noises, or vibrations beyond the confines of the building.

This district shall be located a minimum of 1,000 feet to the nearest residential zoning district to provide adequate buffer between the district and residentially zoned property within the City. The district shall be situated to provide substantial frontage along circumferential collector roads with ready access to the arterial network to minimize conflicts between truck and local passenger automobile traffic and along railroad access corridors where possible.

All uses in the "I-3" General Industrial District shall meet the following performance standards:

Performance standards.

To be a permitted industrial use in the Light Industrial District (I-3), whether as a permitted use, accessory use or as a Conditional use, such use must meet the following performance standards:

(1) **Physical Appearance.** All operations shall be carried on within an enclosed building except delivered materials or equipment in operable condition may be stored in the open for no more than 24 hours. Normal daily waste of an inorganic nature may be stored in containers not in building when such containers are not readily visible from the street.

Except as set forth above, all storage materials, products or equipment shall be within a fully enclosed building.

(2) **Fire Hazard.** No operation shall involve the use of highly flammable gases, acid,

liquids, grinding processes or other hazardous processes. Nothing in this section is designed to prohibit the use of normal heating fuels, motor fuels and welding gases when handled in accordance with other City ordinances.

(3) Noise. No operation shall be carried on which involves noise in excess of the normal traffic noise of the adjacent street at the time of the daily peak hour of traffic volume. Noise shall be measured at the property line and when the level of such noise cannot be determined by observation with the natural senses, a suitable instrument may be used and measurement may include breakdowns into a reasonable number of frequency ranges. All noises shall be muffled so as not to be objectionable due to intermittence, heat frequency or shrillness.

(4) Sewage and Liquid Wastes. No operation shall be carried on which involves the discharge into a sewer, water course or the ground of liquid waste of any radioactive nature, or liquid wastes of a chemical nature which are detrimental to normal sewage plant operation or corrosive and damaging to sewer pipes and installations.

(5) Air Contaminants. Air contaminants and smoke shall be less dark than designated Number One on the Ringleman Chart as published by the United States Bureau of Mines, except that smoke of a density designated as Number One shall be permitted for one (1) four (4) minute period in each one half (1/2) hour. Light colored contaminants of such an opacity as to obscure an observer's view to a degree equal to or greater than the aforesaid shall not be permitted. Particulate matter of dust as measured at the point of emission by any generally accepted method shall not be emitted in excess of two-tenths (.2) grains per cubic foot as corrected to a temperature of five hundred (500) degrees Fahrenheit, except for a period of four (4) minutes in any one-half (1/2) hour, at which time it may equal, but not exceed six tenths (.6) grains per cubic foot as corrected to a temperature of five hundred (500) degrees Fahrenheit.

Due to the fact that the possibilities of air contamination cannot reasonably be comprehensively covered in this section, there shall be applied the general rule that there shall not be discharged from any sources whatsoever such quantities of air contaminants or other material in such quantity as to cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public in general or to endanger the comfort, repose, health or safety of any such considerable number of persons or to the public in general or to cause or have a natural tendency to cause injury or damage to business, vegetation or property.

- (1) Odor. The emissions of odors that are generally agreed to be obnoxious to any considerable number of persons, shall be prohibited. Observations of odor shall be made at the property line of the establishment causing the odor. As a guide to classification of odor it shall be deemed that strong odors of putrefaction and fermentation tend to be obnoxious and that such odors as associated with baking or the roasting of nuts and coffee shall not be considered obnoxious within the meaning of this Ordinance.
- (2) Gasses. The gases sulfur dioxide and hydrogen sulphide shall not exceed five (5) parts per million. All nitrous fumes shall not exceed one (1) part per million. Measurements shall be taken at the property line of the particular establishment involved.
- (3) Vibration. All machines including punch presses and stamping machines shall be so mounted as to minimize vibration and in no case shall such vibration exceed a displacement of three thousandths (3/10,000) of an inch measured at the property line. The use of steam or broad hammers shall not be permitted in this district.
- (4) Glare and Heat. All glare, such as welding arcs and open furnaces, shall be shielded so that they shall not be visible from the property line. No heat from furnaces or processing equipment shall be sensed at the property line to the extent of raising the temperature of air or materials more than five (5) degrees Fahrenheit.
- (5) Residential Use. No structure shall be used for residential purposes except that a

watchman may reside on the premises.

Section 405.425 is hereby deleted and replaced by the following:

Section 405.425 Permitted Uses.

The permitted uses in the "I-1", "I-2", and "I-3" General Industrial Districts shall be as set out in Appendix A of this Title. In addition, retail sales of products related to the principal use provided that the gross amount of floor area devoted to sales and display does not exceed twenty-five percent (25%) of the gross floor area of the principal structure or ten thousand (10,000) square feet, whichever is less, shall be permitted. Products related to the principal use include products manufactured, printed, processed, assembled, compounded, serviced, repaired, produced, distributed or sold wholesale on site by the principal use.

Section 405.427 is hereby deleted and replaced by the following:

Section 405.427 Conditional Uses.

The conditional uses in the "I-1", "I-2", and "I-3" General Industrial Districts shall be as set out in Appendix of this Title.

Section 405.450 is hereby deleted and replaced by the following:

Section 405.450 Yard Requirements.

A. Front Yard. All buildings and structures shall have a front yard of at least fifty (50) feet. Buildings and structures placed on corner lots shall observe the front yard requirement on one street. Which yard shall be determined by the Zoning Enforcement Official. The yard which also abuts a street but is not designated as the front yard shall be considered a side yard and shall be subject to the requirements as hereinafter set forth. In making the determination the Zoning Enforcement Official shall consider the impact such determination will have on traffic as well as the impact on health, safety and welfare of the City as a whole.

B. Side Yard. All buildings and structures shall have total side yards of at least twenty-five (25) feet.

C. Rear Yard. All buildings and structures shall have a rear yard of at least thirty (30) feet.*

D. Yards Adjacent To Residential Districts. All buildings and structures on lots adjacent or abutting residential districts shall be located as to provide side yards or rear yards of at least thirty (30) feet and shall include therein a buffer as described in this Section, in so far as they do not conflict with the performance standards set forth for the "I-2" General Industrial District.

E. Railroad Siding Frontage. No yards shall be required for those portions of lots which front on railroad sidings.

F. Buffers And Screening. A typical opaque planting screen, in accordance with Appendix B of this Title, shall be planted wherever an "I-1" General Industrial District abuts a residential district. The requirements for the "I-2" General Industrial District are set forth in the Performance Standards set forth for the District. The requirements for "I-3" General Industrial District require a minimum 500-foot buffer between the District and residentially zoned property within the City.

Section 405.455 is hereby deleted and replaced by the following:

Section 405.455 Supplemental Regulations.

Supplemental regulations for each Industrial District shall be as permitted in Article XVI

of this Chapter, in so far as they do not conflict with the performance standards set forth for the "I-2" General Industrial District.

Section Two, The Chapter, Article, Division and/or Section assignments designated in this Ordinance may be revised and altered in the process of re-codifying or servicing the City's Code of Ordinances upon supplementation of such code if, in the discretion of the editor, an alternative designation would be more reasonable. In adjusting such designations, the editor may also change other designations and numerical assignment of code sections to accommodate such changes.

Section Three. It is hereby declared to be the intention of the Board of Aldermen that each and every part, section and subsection of this Ordinance shall be separate and severable from each and every other part, section, and subsection hereof and that the Board of Aldermen intends to adopt each said part, section and subsection separately and independently of any other part, section and subsection. In the event that any part of this Ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections and subsections shall be and remain in full force and effect.

Section 5. This ordinance shall be in full force and effect after its passage as provided by law.

Passed this 12 day of August, 2024.

Edwin K. Van Weelden	<u>YEA</u>	Jacob T. Doepke	<u>ABSENT</u>
Barbara E. Laberer	<u>YEA</u>	Dennis Soetebier	<u>YEA</u>
Heather Epple	<u>YEA</u>	Brian Pickard	<u>YEA</u>
Tom Strubberg	<u>YEA</u>	Russell Rost	<u>YEA</u>


Presiding Officer

Approved this 12 day of August, 2024.


Robert L. Schmuke, Mayor

Attest:


Jonita Copeland, City Clerk

