

ROSELLE ZONING UPDATE:

SECTION 8: PERFORMANCE STANDARDS

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8-1: HOW TO USE THIS CHAPTER

8-2: PURPOSE

8-3: COMPLIANCE WITH PROVISIONS

8-1 - How to Use this Chapter

In some cases, businesses or industries may have undesirable impacts on adjacent areas. These can cause a range of noise disturbances, pollution, and even potentially dangerous situations. The standards in this section set baseline parameters for how business and industrial uses may operate. They serve as a guide to those operations and as a code enforcement standard should concerns about performance are raised.

8-2 - Purpose

This Chapter provides that commercial or industrial property shall not create dangerous, injurious, or noxious condition that may adversely affect adjoining properties, surrounding areas or other portions of the Village. All uses permitted by this Code may be conducted so long as acceptable measures and safeguards are employed to limit potential adverse impacts to acceptable limits, as established by the following performance standards and other requirements of the Village Code.

8-3 - Compliance with Provisions

All uses currently existing or established in the Village shall be operated in such a manner as to comply with the applicable performance standards defined in this Chapter. No use already established on the effective date of this Chapter shall operate or be altered or modified to conflict with the applicable Performance Standards of this Chapter. Standards for regulating materials controlled by this Chapter shall be as consistent with or defined by relevant State and Federal Agencies. In cases where a conflict between local, State or Federal regulations occurs, the more restrictive shall apply.

8-3-A. Noise: The following requirements shall apply to all nonresidential uses:

1. Sound pressure levels shall be in keeping with current State of Illinois standards as prescribed by the Illinois Pollution Control Board (Subtitle H: Noise), as may be amended from time to time.
2. Exceptions: The following activity shall be exempted from the rules and regulations of this Subsection 9-3-A.
 - a. Sound emitted from emergency warning or safety devices.
 - b. Sound emitted from lawn care maintenance equipment used during daylight hours.
 - c. Sound emitted from vehicles, snowblowers and similar equipment used for snow removal and hauling operations.

- d. Sound emitted from equipment being used for construction between the hours of seven o'clock (7:00) A.M. to seven o'clock (7:00) P.M., of each day, or for such additional hours as may be authorized by the Zoning Administrator.
- e. Sound emitted from trucks and vehicles entering or leaving industrial zoned property, except as may be caused by idling engines, off the road vehicles, mixers on ready mix concrete trucks, and trailer mounted refrigeration units.

8-3-B. Air Pollution (Smoke and Particulate Matter): Any visual emissions, particulate matter emissions, odor, airborne toxic material and other air pollution shall meet the current standards of the Illinois Pollution Control Board; Title 35, Subtitle B, "Air Pollution", Chapter I, Pollution Control Board, as may be amended from time to time.

8-3-C. Toxic Substances: No use shall for any period of time discharge across the boundaries of the lot wherein it is located toxic or noxious matter in such concentrations as to be detrimental to or endanger the public health, safety, comfort or welfare, or cause injury or damage to property or business.

8-3-D. Odor: The release of materials intrinsically odorous or capable of being odorous, either by bacterial decomposition or chemical reaction, which renders it perceptible from beyond the lot shall be prohibited. The emission of odorous matter in such a quantity as to be readily detectable at any point along lot lines, or as to produce a public nuisance or hazard beyond lot lines is prohibited.

8-3-E. Fire and Explosion Hazards: Materials that present potential fire and explosive hazards shall be transported, stored and used only in conformance with all applicable federal, state and Village laws, in addition to the standards specified in this Subsection.

1. The storage, utilization, or manufacture of materials or products ranging from incombustible to moderate burning—as determined for liquids by a closed cup flash point of not less than one hundred eighty-seven (187) degrees Fahrenheit—is permitted subject to compliance with all other performance standards for the M District.
2. The storage, utilization, or manufacture of materials or products ranging from free or active burning to intense burning—as determined for liquids by a closed cup flash point of less than one hundred eighty-seven (187) degrees Fahrenheit, but not less than one hundred five (105) degrees Fahrenheit—is permitted subject to compliance with all other performance standards for the M District, and provided the following conditions are met:
 - a. Said materials or products shall be stored, utilized or produced within completely enclosed buildings or structures having incombustible exterior walls; and
 - b. All such buildings or structures shall be set back at least forty (40) feet from lot lines, or in-lieu-of, all such buildings or structures shall be protected throughout by an automatic sprinkler system (or a carbon dioxide system of equal protection) complying with installation standards prescribed by the National Fire Protection Association; or if the materials, goods, or products are liquids, the protection thereof shall be in conformity with standards prescribed by the National Fire Protection Association.
3. The utilization in manufacturing processes of materials which produce flammable or explosive vapors or gases—as determined for liquids by a closed cup flash point of

less than one hundred five (105) degrees Fahrenheit—shall be permitted in this district provided:

- a. That the final manufactured produce does not itself have a closed cup flash point of less than one hundred eighty-seven (187) degrees Fahrenheit;
- b. That the use and storage of such materials shall be in conformity with standards prescribed by the National Fire Protection Association and the requirements of other ordinances in the Village Code of Roselle;
- c. That the storage of more than fifty thousand (50,000) gallons of materials or products having a closed cup flash point of less than one hundred five (105) degrees Fahrenheit (exclusive of storage in underground tanks and exclusive of storage of finished products in original sealed containers) is prohibited; and
- d. That the storage of more than one hundred thousand (100,000) gallons of materials or products having a closed cup flash point of less than one hundred eighty-seven (187) degrees Fahrenheit (exclusive of storage in underground tanks and exclusive of storage of finished products in original sealed containers) is prohibited.

8-3-F. Glare: All lighting shall meet the following requirements.

1. All lighting sources, on properties other than those zoned for single-family residential use, shall be arranged to reflect light away from adjoining properties in a manner that does not produce glare clearly visible beyond a property line so as to cause nuisance or impairment of vision. Glare is best reduced when the light source is not visible from adjacent properties. Therefore, the use of lenses, deflectors, shields, louvers, or prismatic control devices shall be used to eliminate nuisance and hazardous lighting to facilitate compliance with this requirement.
2. In all residential zoning districts, no light source shall cause illumination in excess of one (1) foot-candle in residential districts at any property lot line.
3. Any operation producing intense glare or heat shall be performed within completely enclosed buildings in such a manner as not to create a public nuisance or hazard along lot lines.

8-3-G. Heat: Operation producing intense heat shall be performed within completely enclosed buildings in such a manner as not to create a public nuisance or hazard along lot lines.

8-3-H. Vibration: The following requirements shall apply to all nonresidential uses:

1. Any process or equipment that produces intense earth-shaking vibrations - such as are created by drop forges, hydraulic surges or other processes - shall be set back at least five hundred (500) feet from the property boundaries on all sides. However, in no case shall such vibrations be allowed to create a Public Nuisance or hazard beyond the property boundaries.
2. Exceptions: The provisions of this Subsection VIII-2-B shall not apply to sound emitted from equipment being used for permitted construction between the hours of seven o'clock (7:00) A.M. and seven o'clock (7:00) P.M., of each day.

8-3-I. Water Pollution: All land uses shall comply with all applicable rules and regulations of the State of Illinois Pollution Control Board regarding water pollution, Title 35, Subtitle C, entitled "Water Pollution", as amended from time to time.

8-3-J. Sewage Waste: Sewers and sewage discharge shall meet the appropriate Village codes and all IEPA requirements.

8-3-K. Electromagnetic Interference: Electromagnetic interference from any equipment or business operations shall not adversely affect the operation of any equipment located adjacent or nearby properties.