

*City of*

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**BEATRICE**

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*Nebraska*

**ZONING ORDINANCE**

**ARTICLE ELEVEN  
PERFORMANCE STANDARDS**

**LAST UPDATED – SEPTEMBER 2014**

# ARTICLE ELEVEN – PERFORMANCE STANDARDS

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## 1101 Purpose

The Performance Standards establish minimum standards that apply to the operations of individual use types within zoning districts. They are intended to insure that uses control the severity of external effects and operate in a way that is consistent with the public health, safety, and welfare.

## 1102 Uses in the LI Limited Industrial Zoning District

The following performance standards apply to all industrial uses permitted within an LI Limited Industrial zoning district:

1. Physical Appearance: All operations shall be carried on within an enclosed building except that new materials or equipment in operable condition may be stored outside. Normal daily inorganic wastes may be stored outside in containers, provided that such containers are not visible from the street.
2. Fire Hazard: No operation shall involve the use of highly flammable gases, acid, liquids, or other inherent fire hazards. This prohibition shall not apply to the normal use of heating or motor fuels and welding gases when handled in accordance with other City regulations.
3. Maximum Permitted Sound Levels Adjacent to Residential Zoning Districts: No operation in the LI district shall generate noise in excess of the levels established in Section 1104 at the boundary of such operation with a non-industrial use. Noise shall be measured at the property line, using a suitable instrument. All noises shall be muffled so as not to be objectionable due to intermittence, beat frequency, or shrillness.
4. Sewage and Wastes: No operation shall discharge into a sewer, drainage way, or the ground any material which is radioactive, poisonous, detrimental to normal sewer plant operation, or corrosive to sewer pipes and installations.
5. Air Contaminants
  - (a) Air contaminants and smoke shall be less dark than the designated Number One on the Ringleman Chart published by the United States Bureau of Mines, except that smoke of the density of Number One shall be permitted no more than four minutes of any 30-minute period.
  - (b) Except as follows, particulate matter shall not be emitted from its point of origin in excess of 0.2 grain per cubic foot as corrected to a temperature of 500 degrees Fahrenheit. Emissions are permitted equal to or less than 0.6 grains per cubic foot for no more than four minutes of any 30-minute period.

- (c) No material may be discharged into the air from any source in such quantity as to cause injury, detriment, nuisance, or annoyance to any considerable number of people or to the public in general; or to endanger the health, comfort, or safety of any considerable number of people or to the public in general; or to damage other businesses, vegetation, or property.
  - (d) No material may be discharged into the air from any source in such quantity as to cause injury, detriment, nuisance, or annoyance to any considerable number of people or to the public in general; or to endanger the health, comfort, or safety of any considerable number of people or to the public in general; or to damage other businesses, vegetation, or property.
6. Odor: The emission of odors determined by the Planning Commission to be obnoxious to most people shall be prohibited. Such odors shall be measured at the property line of the operation causing the odor. As a guide to classification of odors, the strong odors of putrefaction and fermentation tend to be "obnoxious, " while odors associated with baking or the roasting of nuts or coffee shall not normally be considered to be "obnoxious."
  7. Gases: No release of noxious or poisonous gases shall be permitted except as provided in this section. Measurements of sulfur dioxide, hydrogen sulfide, or carbon monoxide shall not exceed 5 parts per million; and nitrous fumes shall not exceed 1 part per million, taken at the property line of the operation originating the emissions.
  8. Vibration: All machines shall be mounted to minimize vibration. No measurable vibration shall occur at the property line of the operation which exceeds a displacement of .003 inch. The use of broad steam hammers shall not be permitted.
  9. Glare and Heat: All glare, such as welding arcs and open furnaces, generated by a use shall be shielded or directed so as not to be visible at the property line of the operation. No heat may be generated from an operation that raises the air temperature at the property line of the operation by more than five degrees Fahrenheit above the ambient air temperature.

### 1103 Uses in the GI District: Performance Standards

The following performance standards apply to all industrial uses permitted within a GI General Industrial zoning district:

1. Physical Appearance: Salvage Services and similar uses and operations shall be screened from view from both streets and adjacent properties as provided by Section 606(d) and Article Eight.
2. Fire Hazard: All flammable substances involved in any activity established in the district shall be handled in conformance with the latest edition of the Fire Prevention Code published by the American Insurance Association; and other appropriate Federal, State, and City Ordinances.
3. Maximum Permitted Sound Levels Adjacent to Residential Zoning Districts: No operation in the GI district shall generate sound levels in excess of those specified in Section 1104 at the boundary of a residential district. All noises shall be muffled so as not to be objectionable because of intermittence, beat frequency, or shrillness.

4. Sewage and Wastes: No operation shall discharge into a sewer, drainage way, or the ground any material which is radioactive, poisonous, detrimental to normal sewer plant operation, or corrosive to sewer pipes and installations.
5. Air Contaminants
  - (a) Air contaminants and smoke shall be less dark than the designated Number One on the Ringleman Chart published by the United States Bureau of Mines, except that smoke of the density of Number Two shall be permitted no more than ten minutes of any 30-minute period.
  - (b) Except as follows, particulate matter shall not be emitted from its point of origin in excess of 0.2 grain per cubic foot as corrected to a temperature of 500 degrees Fahrenheit. Emissions are permitted equal to or less than 0.6 grains per cubic foot for no more than four minutes of any 30-minute period.
  - (c) No material may be discharged into the air from any source in such quantity as to cause injury, detriment, nuisance, or annoyance to any considerable number of people or to the public in general; or to endanger the health, comfort, or safety of any considerable number of people or to the public in general; or to damage other businesses, vegetation, or property.
6. Odor: Odor causing operations shall be controlled so as to minimize the escape of odors within the limits of technology and economic feasibility.
7. Gases: No release of noxious or poisonous gases shall be permitted except as provided in this section. Measurements of sulfur dioxide, hydrogen sulfide, or nitrous fumes shall not exceed 5 parts per million; and carbon monoxide shall not exceed 25 parts per million, with measurements taken at the property line of the operation.
8. Vibration: All machines shall be mounted to minimize vibration. No vibration shall be permitted which interferes with neighboring industrial operations.

#### **1104 Maximum Permitted Sound Levels**

Table 11-1 displays the maximum permitted sound levels that may be generated by uses in the LI and GI zoning districts where adjacent to residential zoning districts. All measurements shall be taken at or within the boundary between the originating district and the adjacent residential zoning district with a sound level meter meeting ANSI specifications for a Type II or better general purpose sound level meter. The A-weighted response shall be used.

**TABLE 11-1**  
**MAXIMUM PERMITTED SOUND LEVELS AT NON-INDUSTRIAL**  
**ZONING DISTRICT BOUNDARIES**

<u>Originating Zoning District</u>	<u>Time</u>	<u>Maximum One Hour Leq* (dba)</u>
<b>LI</b>	7:00 a.m. – 10:00 p.m.	65
	10:00 p.m. – 7:00 a.m.	55
<b>GI</b>	7:00 a.m. – 10:00 p.m.	70
	10:00 p.m. – 7:00 a.m.	60

\* Leq is the constant sound level that, in a given situation and time period, conveys the same sound energy as the actual time-varying A-weighted sound. It is the average sound level and accurately portrays the sound the human ear actually hears.