

Section 413 GI GENERAL INDUSTRIAL DISTRICT

Section 413.1 SPECIFIC INTENT

It is the purpose of the GI General Industrial District to provide an area in which a variety of industrial uses and certain commercial uses may be conducted, provided that they will not adversely effect the public health, safety, and general welfare of the residents and inhabitants of the Township.

Section 413.2 USES PERMITTED BY RIGHT

Land and buildings in a GI General Industrial District may be used for the following purposes and no others, unless a Special Exception as provided for in Section 413.3 below is granted:

- a. Business, professional or governmental office and office buildings.
- b. Scientific or industrial research, testing or experimental laboratory or similar establishment for research or product development.
- c. Printing and publishing activities.
- d. Industrial operations involving the production, packaging, fabrication, processing, assembly, manufacture, compounding and bottling of foods, goods, materials and electricity, provided that all such activities shall be carried on within a building. The following performance standards shall apply:

(1) Air Management

- a. No person shall cause, suffer, or permit any odor which causes annoyance or discomfort to the public from any source in such a manner that these malodors are detectable outside of the property of the person on whose land the source is being operated.
- b. Air quality standards of the Pennsylvania Department of Environmental Protection shall be complied with unless a more restrictive standard is established by this ordinance and in which case the more restrictive standard shall apply.
- c. No person shall permit the emission into the outdoor atmosphere of visible air contaminants in such a manner that the opacity of the emission is greater than twenty percent (20%), except where the presence of uncombined water is the only reason for the failure of the emission to meet this limitation.

- d. No dust or dirt shall be discharged beyond the lot lines of the lot on which it originates.

(2) Wastewater Management

- a. No wastewater discharge is permitted into a reservoir, sewage or storm disposal system, stream, open body of water, or into the ground, of any materials in such a way or of such nature or temperature as could contaminate any water supply or damage or be detrimental to any sewage system or sewage treatment plant, or otherwise cause the emission of dangerous objectionable elements unless treated so that the insoluble substances (oils, grease, acids, alkalines and other chemicals) are in accordance with the standards as approved by Water Pollution Control Boards, appropriate agencies of the Department of Environmental Protection, other municipality regulations or other agencies having jurisdiction.

(3) Solids Waste Management

- a. No storage of waste material on the lot shall be permitted. All waste materials awaiting transport shall be concealed from view from all adjacent properties and streets, kept in enclosed containers, and be enclosed by a fence or other suitable means to adequately prevent access to the material from all adjacent properties.

(4) Noise and Vibration

- a. Sound level limits, measured at the property line of the source of noise, shall be as follows, unless a more restrictive standard is applied elsewhere in this Ordinance.

Ambient sound levels shall be observed with an Integrating Sound Level Meter complying with current Type 1 ANSI or ISO standards. The meter shall be set for "fast" response and "A" weighting. The average (equivalent) sound level shall be observed over at least a 20-minute period.

Measurements to determine compliance with Sound Level Limits shall be done with an Integrating Sound Level Meter conforming to current Type 1 ANSI or ISO standards. The meter shall be set for "fast" response and "A" weighting. The average (equivalent) sound level shall be observed over at least a 20-minute period.

Sound Levels by Receiving Land Use

<u>Zoning of Adjoining Lot</u>	<u>Time</u>	<u>Sound Level (Leq) Limit</u>
Residential, Agricultural or Rural	7:00 a.m. – 10:00 p.m.	60 dBA
	10:00 p.m. – 7:00 a.m. plus Sundays and legal holidays	50 dBA
Commercial or Industrial-Commercial	7:00 a.m. – 10:00 p.m.	65 dBA
	10:00 p.m. – 7:00 a.m. plus Sundays and legal holidays	60 dBA
Industrial	At all times	70 dBA

If existing ambient sound levels are equal to or higher than the prescribed limit, the new noise source shall be permitted to result in a sound level increase of up to 3dBA over existing ambient sound levels, or to a maximum level which is 7 dBA higher than the prescribed maximum in the preceding table, whichever is lower. If the existing ambient sound levels are more than 7dBA above the prescribed maximum, no increase above ambient sound levels shall be permitted.

The maximum permissible sound levels listed in the previous table shall not apply to any of the following noise sources:

- The emission of sound for the purpose of alerting persons to the existence of an emergency.
- Emergency work to provide electricity, water, or other public utilities when public health or safety are involved.
- Construction operations.
- Lawn maintenance equipment.
- Motor vehicle operations.
- Short duration sound levels related to isolated events, provided the duration is less than one minute and the sound level does not exceed 90 dBA at the property line; provided they do not occur more than one time per hour; and provided they occur only between the hours of 7:00 a.m. and 7:00 p.m.

- b. No physical vibration shall be perceptible without use of instrument at or beyond the lot lines, unless such vibration shall be regulated by and shall have been approved by the Pennsylvania Department of Environmental Protection.

(5) Visual and Heat

- a. No lighting shall be utilized in a manner which produces glare perceptible at or beyond the lot lines.
- b. Any operation producing heat shall be conducted in such a manner as to prevent any effect from the heat beyond the lot lines of the lot on which the operation is located.

(6) Electromagnetic and Radioactive Radiation

- a. All electromagnetic radiation shall comply with the regulations of the Federal Communication Commission, provided that no electromagnetic radiation shall be produced which interferes with radio or television reception or the operation of other equipment beyond the lot lines. No injurious electromagnetic radiation or radioactive emission shall be produced, and all radioactive emissions shall meet Federal and State standards.

(7) Carcinogenic Substances

- a. No carcinogenic substances shall be released into the air, ground, or water.

(8) PA DEP Requirements

- a. All regulations of the Pennsylvania Department of Environmental Protection shall be complied with.
- e. Warehousing, distributing and wholesale sales of manufactured foods, goods, and materials.
- f. Financial institution.
- g. Health fitness center.
- h. Mini self storage units pursuant to Section 523 of this Ordinance.
- i. Shop of carpenter, electrician, metal worker, cabinet maker, upholsterer, plumber, mason painter, home builder, heating contractor, or similar skilled tradesman.

- j. Heavy commercial uses, which shall be carried on in a completely enclosed building, except for off-street parking and loading facilities including wholesale businesses, storage and warehousing establishments, truck and freight terminals, delivery and distribution centers, mechanical and vehicle equipment repair establishments, and dry cleaning and dyeing plants.
- k. Heavy commercial or industrial uses which do not require complete enclosure in a building including building materials, new and used machinery storage and sales, vehicle and trailer sales and storage, farm equipment and construction machinery establishments, scrap processing operations or automobile shredding establishments.
- l. Quarries pursuant to Township Ordinance 1964-2.
- m. Public uses and structures owned and operated by the Township or a municipal authority organized by the Township subject to the provisions of Section 539 of this Ordinance.
- n. Accessory buildings, structures and uses to the above uses when on the same lot as the permitted use and not detrimental to the neighborhood.

Section 413.3 USES PERMITTED BY SPECIAL EXCEPTION

The following uses are permitted when Special Exceptions are granted by the Zoning Hearing Board in accordance with Section 802.5 of this Ordinance:

- a. State licensed Day Care Center, subject to:
 - (1) All State licensing requirements shall be met.
 - (2) Provision shall be made for safe pickup and delivery of children, such that children do not have to cross traffic areas to reach the car waiting to pick them up.
- b. Accessory uses, or buildings, or structures not located on the same lot as the permitted principal use.
- c. Communications Antennas mounted on an existing Public Utility Transmission Tower, existing Building, or existing Communications Tower, and Communications Equipment Buildings, subject to Section 513 of this Ordinance.
- d. Communications Tower and Communications Equipment Buildings subject to the Standards for Communication Towers and Communications Equipment Buildings set forth in Section 514 of this Ordinance.
- e. Junk yards, subject to:

- (1) All junk yards shall be enclosed with a chain-link fence a minimum of six (6) feet in height with gates. Gates shall be securely locked except during business hours when an adult attendant is on the premises.
- (2) All junk shall be stored and set back at least twenty-five (25) feet from any adjoining premises and at least fifty (50) feet from the right-of-way of any public street.
- (3) Burning or melting of any junk, rubbish, or refuse is prohibited.
- (4) All junk shall be stored and arranged so as to permit access by fire fighting equipment and to prevent accumulation of stagnant water. Junk or scrapped automobiles shall not be piled to a height of more than eight (8) feet from the ground.
- (5) All gasoline shall be drained from any junk or scrapped automobiles into containers and removed from the premises within twelve (12) hours from arrival of junked automobiles on the premises.
- (6) No garbage or organic waste shall be permitted to be stored on any junk yard.

f. Trash transfer station, subject to:

- (1) The facility must conform to the regulations of and have a valid permit from the Pennsylvania Department of Environmental Protection.
- (2) The entire operation must be carried out in an enclosed building.
- (3) No trash shall be stored on the premises overnight, unless it is stored in leakproof, flyproof, and rodentproof containers.
- (4) The facility is to be used by trash haulers only, and shall not be open to the public.
- (5) Trash transfer stations shall handle only solid waste of a nonhazardous nature.

g. Recycling collection center, subject to:

- (1) All materials shall be stored inside a building.
- (2) Gasoline, oil, or other flammable or toxic substances shall be removed from any recyclable materials, or other items stored in the premises. Such liquid shall be removed and disposed of in a proper manner and shall not be deposited on or into the ground.

- (3) No material shall be burned on the premises.
- (4) No garbage or other waste liable to give off a foul odor to attract vermin or insects shall be kept on the premises.

h. The collection, processing, bottling and distribution of surface water and groundwater, subject to:

- (1) A permit shall be obtained from the Pennsylvania Department of Environmental Protection.
- (2) A hydrologic study shall be submitted to the Township, which shall indicate the impact of water collection activities on surface water and groundwater supplies and quality in the general area of such activities.

Water collection activities shall not endanger surface water and groundwater levels and quality on nearby properties. Any person engaged in water collection activities under this Section who affects a public or private water supply by contamination or diminution shall restore or replace the affected water supply with an alternate source of water adequate in quantity and quality for the purposes served by the water supply.

- (3) Any person engaged in water collection activities shall post security with the Township in such form and amount as the Township Board of Supervisors may determine to be adequate to guarantee the restoration or replacement of any water supply or supplies which may be adversely affected by such water collection activities.
- (4) The operator shall post security with the Township to cover the cost to repair, reconstruct or resurface any public roads maintained by the Township which are damaged or subjected to excessive wear resulting from the use of said roads by the operator or others in connection with the water collection operations. In lieu thereof the operator may enter into an agreement with the Township to make an annual contribution to be used in the maintenance of said roads.
- (5) The failure to post such security or to adequately protect the surface water and groundwater levels and quality on nearby properties shall be grounds for revocation of the operator's certificate of occupancy by the Township Board of Supervisors and, in that event, an officer of the Township, in addition to other remedies, penalties and forfeitures provided in this Zoning Ordinance, may institute in the name of the Township any appropriate action or proceeding to prevent, restrain, correct or abate any continuing violation of the provisions of this Ordinance by the operator.

i. Airport or heliport, subject to:

- (1) Prior to use of the airport or heliport notification shall be made to the Federal Aviation Administration (FAA) of the intention to establish an airport and the FAA shall indicate it has no objection.
- (2) Prior to use of the airport or heliport, the site shall be inspected and approved for licensing by the Bureau of Aviation, Pennsylvania Department of Transportation.
- (3) The airport or heliport shall be constructed, operated, and maintained in accordance with the published rules and regulations of the Federal Aviation Administration, Pennsylvania Bureau of Aviation and the National Fire Protection Association.
- (4) The permit to operate the airport or heliport shall be revoked if:
 - The Bureau of Aviation revokes its license.
 - The FAA withdraws its approval.
 - The site becomes or is operated in violation of this Ordinance or the rules and regulations of the Federal Aviation Administration or the Pennsylvania Bureau of Aviation or is operated in a manner different than approved by the Bureau of Aviation or the Township Supervisors.
- (5) No night landings or take-offs shall be permitted.

j. Sanitary landfill, subject to:

- (1) The service area shall include Ontelaunee Township and the landfill shall serve the resident of Ontelaunee Township on an equal basis with its other customers.
- (2) All requirements of the Pennsylvania Solid Waste Management Act and regulations and standards of the Department of Environmental Protection relating to sanitary landfills shall be met. The applicant shall be required to submit any and all plans, applications, data, materials, studies, and information to the Township as is required to be submitted to the Pennsylvania Department of Environmental Protection pursuant to said Act, regulations and standards. All such materials shall be certified by the applicant to be true and correct copies of original materials filed with the Department. The applicant shall submit copies of all correspondence with the Department of Environmental Protection to the Township, regularly notify the Township of the status of this application to the Department,

and notify the Township prior to any public hearing held on this application.

Prior to the onset of operation of the landfill, a permit must be obtained from the Pennsylvania Department of Environmental Protection for operation of the landfill.

- (3) The landfill shall be located so that safe and adequate access is available at all times. Any access road, as defined herein, to the proposed landfill shall be a minimum of twenty-four feet (24') paved cartway in width and paved with bituminous or concrete materials having a surface and base course of sufficient depth to withstand traffic loads, determined by the number and weight of trucks anticipated in a daily operation of the proposed landfill. The Township Board of Supervisors shall require that the cost of improvement of public access roads to provide this standard of access shall be assessed against the applicant either by requiring contribution of monies sufficient to pay for the improvements to the access roads, or by assessing dumping fees on the operation of said landfill sufficient to pay for the improvements to the access roads. Applicant shall give written assurance by corporate surety bond that, within one (1) year of the termination of the landfill operation, all access roads will be restored, if necessary, to their condition existing immediately prior to the commencement of the operation, as determined by the Township engineer.
- (4) The landfill site shall be properly fenced along the interior boundary of the buffer yard to prevent blowing papers and other refuse on adjoining properties. The fence shall be galvanized metal wire mesh constructed of No. 9 gauge wire woven in a two inch (2") mesh in full conformance with American Society of Testing Materials Specifications. The surface height of the fence shall be eight feet (8'), plus an additional minimum of three (3) strands of barbed wire, installed at least six inches (6") apart onto brackets affixed to the top of the fence at an angle forty-five degrees (45°) from vertical facing away from the landfill. The fence shall contain at all entrances gates which are locked except during business hours. In addition, temporary litter control fences shall be installed, in such manner as to prevent litter from dispersing from the landfill site, no more than seventy-five feet (75') downwind from the immediate operating area. The landfill site shall be adequately policed, and all litter shall be collected daily and incorporated into the landfill.
- (5) The landfill shall be located a minimum of one hundred feet (100') from any street not located within the landfill site and one hundred feet (100') from any adjoining property line.

- (6) A buffer yard shall be maintained along all boundaries of the landfill, except at entrances. All buffer yards shall include a planted landscape screen composed of both a low level and high level screen. The species and spacing of trees shall be approved by the Zoning Officer and shall be such to constitute an effective screen. The high level screen shall consist of a combination of evergreen and deciduous trees with no deciduous specimen less than eight feet (8') in height when planted and no more than twenty-five feet (25') apart on center. Evergreen trees shall be no less than six feet (6') in height when planted and spaced at intervals of not more than ten feet (10') on center. The low level screen shall contain two (2) staggered rows not more than ten feet (10') apart. The operator shall maintain the planted screen and replace any plant material which does not live within one (1) year of initial planting.
- (7) A certified copy of all reports, data, plans, and other material or information required to be submitted to Pennsylvania Department of Environmental Protection shall be submitted to the Township Board of Supervisors.
- (8) The following definitions apply:
 - a. "Access Road" – all roads, either public or private, within the Township which are used by vehicles weighing over twenty thousand (20,000) pounds, loaded, to transport solid waste to a landfill.
 - b. "Landfill" – a disposal facility or part of a facility where solid waste is placed in or on land.
 - c. "Landfill Site" – tract of land upon which is located a landfill, including all structures and other appurtenances or improvements erected thereon.
 - d. "Sanitary landfill" – a land site on which engineering principles are used to bury deposits of solid waste without creating public health or safety hazards, nuisances, pollution, or environmental degradation.
- k. Bed and Breakfast, subject to the provisions of Section 538 of this Ordinance.

Section 413.4 AREA, YARD, AND HEIGHT REGULATIONS (Except as noted elsewhere in this Ordinance)

Maximum Permitted

Building Height	90 feet
Lot Area Covered by Buildings	25 percent
Lot Area Covered by Impervious Surface	65 percent
Storage Height	25 feet

Minimum Requirements

Lot Size	75,000 sq.ft.
Lot Width	
at street line	200 feet
at building setback line	200 feet
Front Yard	100 feet
Rear Yard	50 feet
Each Side Yard	50 feet
Distance Between Buildings	50 feet

All minimum side and rear yard dimensions shall be increased an additional one (1) foot for every one (1) foot a building height exceeds the height of forty (40) feet, up to ninety (90) feet in height.

All outdoor storage areas shall be fenced with a minimum six (6) feet high chain-link fence.

No building or accessory structure, storage, or parking or loading areas shall be located closer than two hundred (200) feet to any residential zoning district.

Section 409 C-2 SHOPPING CENTER DISTRICT

Section 409.1 SPECIFIC INTENT

The purpose of the C-2 Shopping Center District is to provide for areas within the Township for the establishment of centralized retail sale stores and of their related services to establish a steadily increasing variety of goods and services to residents of the Township with a carefully controlled regard to traffic and traffic patterns.

Section 409.2 USES PERMITTED BY RIGHT

The following principal uses and their accessory uses are permitted by right in the C-2 Shopping Center District, provided that the use, type, dimensional and other applicable requirements of this chapter are satisfied:

- a. Retail establishments for the sale of dry goods, variety merchandise, clothing, foods, beverages, drugs, furnishings or other household supplies, sale and repair of jewelry, clocks, optical goods, and musical instruments.
- b. Business or professional offices, studios, banks or other similar financial institutions, libraries, passenger stations for public transportation.
- c. Restaurants, cafes, taverns or other places serving food or beverage, provided, however, that an outdoor counter, drive-in or curb service shall not be permitted.
- d. Personal service shops, including barber shops, beauty salons, shoe repair, tailor, dressmaking pickup for dry cleaning and laundry, and job printers.
- e. A store specializing in the sale of tires, batteries, automotive accessories, gasoline, lubricants and the service and repair of motor vehicles in conjunction with a department store or shopping center.
- f. Public uses and/or structures owned and operated by the Township or a Municipal Authority organized by the Township, subject to the provisions of Section 539 of this Ordinance.

Section 409.21 USES PERMITTED BY SPECIAL EXCEPTION

The following uses are permitted when Special Exceptions are granted by the Zoning Hearing Board pursuant to Section 802.5 of this Ordinance.

- a. Bed and Breakfast, subject to the provisions of Section 538 of this Ordinance.

Section 409.3 SIGNS

The following uses are permitted when approved by the Township Board of Supervisors:

- a. Each use shall be limited to two (2) of the following signs along each street on which the use is located:
 - One (1) parallel or projecting sign.
 - One (1) window sign.
 - One (1) freestanding sign.

- b. In case of a shopping center, one (1) freestanding sign indicating the name of the center or similar use may be erected. No portion of a shopping center sign shall be less than twenty feet (20') nor more than forty feet (40') above the ground. The area of any one side of such sign shall not exceed three hundred square feet (300 S.F.), including marquee for public announcements. The location and orientation of such sign shall be shown on the development plan.

- c. In the case of a shopping center or a group of stores or other business uses on a lot held in single and separate ownership, the provisions of this section relating to the total area of signs permitted on a premises shall apply with respect to each building, separate store or similar use. Only parallel sign shall be permitted for individual establishments.

Table of Sign Area Requirements – On Premises Signs

<u>Type</u>	<u>Maximum Area (Square Feet)</u>
Parallel	Not exceeding 25% of building face area; no greater than 100
Projecting	Not exceeding 25% of building face area; no greater than 50
Window (All window signs shall be limited to lettering which identifies occupancy or business.)	Not exceeding 1 for each 2 linear feet of lot frontage or 100, whichever is smaller

Section 409.4 USE CONDITIONS

- a. All business, services and processing, including storage and outside sales, shall be conducted wholly within the building coverage area set forth in Subsection 409.6 hereunder. All outside sales shall be confined within chain-link or equivalent fencing.

- b. All exterior lighting shall be properly focused to prevent glare off the premises.

Section 409.5 DEVELOPMENT PLAN

- a. A development plan for the shopping center shall be formulated, submitted, reviewed, and approved as prescribed in the Ontelaunee Township Subdivision and Land Development Ordinance and any amendments thereto.
- b. An advisory recommendation from the Planning Commission to the Board of Supervisors on the development plan shall be required prior to action by the Board of Supervisors.

Section 409.6 AREA, YARD, AND HEIGHT REGULATIONS

All uses shall comply with the following dimensional requirements in the C-2 District:

Table of Dimensional Requirements
C-2 Shopping Center District

	C-2 Principal Use			
	Retail Sales	Business or Professional Sales	Restaurant or Tavern	Personal Service Shops
Minimum Lot Area (sq.ft.)	217,800	217,800	217,800	217,800
Minimum Width (feet)	400	400	400	400
Maximum Lot Area Covered by Buildings (percent)	25	25	25	25
Maximum Lot Area Covered by Impervious Surface (percent)	75	75	75	75
Height (feet)	65	65	65	65
Front Yard (feet)	50	50	50	50
Side Yard, 1* (feet)	50	50	50	50
Side Yard, Both (feet)	100	100	100	100
Rear Yard (feet)	50	50	50	50

Note: * Where a grouping of stores with common party walls provides a shopping center, the yard requirements shall not be required for each store but will be required for the total grouping.

Section 409.7 BUFFER YARDS

All C-2 District buildings, service and parking areas shall be screened from existing abutting residential lots. Buffer yards are required for all nonresidential uses which border residential districts. The buffer yards shall comply with the following:

- a. The buffer yard shall be measured from the district boundary line or from the near street line where a street serves as the district boundary line. Buffer yards may not be part of a street right-of-way but shall be in addition to that right-of-way.
- b. A twenty foot (20') buffer yard shall be required, unless otherwise indicated in this Ordinance.
- c. The buffer yard may be part of the required side or rear yard, and in the case of conflict, the larger yard requirements shall apply.
- d. In all buffer yards, the exterior width beyond the planting screen shall be planted with grass seed, sod or ground cover and shall be maintained and kept clean of all debris, rubbish, weeds and tall [no more than twelve inches (12'')] grass.
- e. The buffer yard shall be a landscaped area free of structures, materials and vehicular parking. No driveways or streets shall be permitted in the buffer yards except at points of ingress or egress.
- f. Screening.
 - (1) All buffer yards shall include a dense screen planting of trees, shrubs or other plant materials, or both, to the full length of the lot line to serve as a barrier to visibility, airborne particles, glare and noise. Such screen planting shall be in accordance with the following requirements:
 - a. Plant materials used in the screen planting shall be of such species and size as will produce, within three (3) years, a complete year-round visual screen of at least six feet (6') in height.
 - b. The screen planting shall be permanently maintained by the landowner and any plant materials which do not live shall be replaced.
 - c. The screen planting shall be so placed that at maturity it will not be closer than three feet (3') to any street or property line.
 - d. The screen planting or fence shall be broken only at points of vehicular or pedestrian access.

- (2) In circumstances where it is impractical for a screen to meet all the requirements of this subsection or where to do so would create an undue hardship, the Zoning Hearing Board may modify the requirements or approve acceptable alternatives which shall satisfy the spirit, objectives and intent of the screen requirements.

Section 409.8 OFF-STREET PARKING, LOADING AREAS, AND INTERNAL DRIVES

- a. One (1) off-street parking space is required for each 220 square feet of retail sales area (4.5 spaces per 1,000 S.F).
- b. All private drives, parking areas, service and access ways shall be constructed in accordance with appropriate Township street construction specifications.

Section 409.9 VEHICULAR INGRESS AND EGRESS

All points of vehicular ingress and egress to and from the public highway shall be provided with acceleration and deceleration lanes in accordance with design standards of the Pennsylvania Department of Transportation.