

- (4) The servicing or repair of vehicles, boats or equipment shall not be conducted on the premises.
- (5) The operation of a mini warehouse shall in no way be deemed to include a transfer and storage business.
- (6) A landscaped strip of at least 10 feet in width shall be provided along the entire perimeter of the property. Landscaping shall consist of a variety of evergreen plant materials consisting of trees, shrubs and suitable ground covers. All vehicular and pedestrian ways shall be paved with asphalt or concrete. Remaining areas of the site shall be planted with grass or otherwise suitably landscaped and maintained.

§ 140-31. Lot, area and dimensional requirements.

The following requirements shall apply in C-2 Highway Commerce Districts.¹³

**ARTICLE XI
I Industrial District**

§ 140-32. Purpose; summary of land uses.

The I Industrial District is designed to provide sites for heavy industrial and related commercial activities.

A. Uses permitted by right.

- (1) Automotive sales, service, rental.
- (2) Building materials sales, retail and wholesale.
- (3) Contractors plant sales, storage, supply yard, fuel handling.
- (4) Correctional institution.
- (5) Distributing and beverage bottling.
- (6) Garden center, commercial greenhouse, equipment sales.
- (7) Laundry and dry-cleaning plant.
- (8) Light manufacturing and fabrication.
- (9) Office, business and sales.
- (10) Packaging and delivery service.
- (11) Printing and publishing.
- (12) Restaurant.
- (13) Shop/custom work and repair.

¹³ Editor's Note: The Schedule of Lot, Area and Dimensional Requirements is included at the end of this chapter.

- (14) Truck and rail terminal/freight handling.
- (15) Warehousing and storage, including mini warehouse.
- (16) Wholesale distribution.

B. Conditional uses.

- (1) Hazardous waste treatment/disposal.
- (2) Integrated industrial area.
- (3) Junkyard.
- (4) Recycling center.
- (5) Research and testing.

C. Special exceptions.

- (1) Security fences.
- (2) Sexually oriented business.

D. Accessory uses.

- (1) Structures and activities normally incidental to industrial uses.

§ 140-33. Conditional use regulations.

The following conditional uses may be authorized by the Borough Council following review by the Borough Planning Commission, pursuant to the standards and criteria specified herewith:

A. Hazardous waste treatment and disposal facilities.

- (1) Hazardous waste treatment and disposal facilities, exclusive of recycling processes, may be permitted if they comply with the requirements and definitions of the Solid Waste Management Act, Act No. 97 of 1980, as amended,¹⁴ and all applicable requirements of this chapter.
- (2) All hazardous waste treatment or disposal facilities shall meet the siting criteria of 25 PA Code Sections 75.421-429 and 441-450.
- (3) Any costs incurred by the borough in preparing comments for the Department of Environmental Protection in connection with the siting criteria shall be reimbursed by the applicants.
- (4) A permit from the Department of Environmental Protection shall be a condition precedent to the issuance of a building permit or zoning certificate for a hazardous waste treatment or disposal facility.
- (5) All applicants shall have valid reviews and permits, where applicable, for a hazardous waste treatment and disposal facility from all appropriate permitting authorities prior

¹⁴ Editor's Note: See 35 P.S. § 6018.101 et seq.

to applying for a building or zoning permit. This shall include all state, federal, county and local authorities.

- (6) All hazardous waste treatment and disposal facilities shall have appropriate access restrictions to adequately protect the residents and borough. At a minimum, this shall include a chain link fence at least six feet high around the perimeter of contiguous property owned by the facility, with access to the premises secured by locked gates, which shall be monitored by personnel from the facility on a twenty-four-hour seven-day-per-week basis.
 - (7) The perimeter of any site that borders a public highway or an adjacent R-1, R-2, R-3, C-1 or C-2 Zoning District shall be screened and landscaped consistent with the screening requirements contained in Article XIV of this chapter.
 - (8) Parking in association with the facility shall be accommodated on site.
 - (9) Site access points shall be designed to preclude the stacking of entering vehicles onto any adjacent public right-of-way or onto adjacent or nearby land parcels that are not under ownership or lease and not a contiguous part of the disposal facility.
 - (10) All hazardous waste treatment or disposal facilities that accept waste from off site shall pay monthly to the borough a per-ton fee as set forth from time to time by resolution of the Board of Supervisors and a per-gallon fee as set forth from time to time by resolution of the Board of Supervisors for each ton and/or gallon accepted during the preceding calendar month, for safety and police services required for the protection of the owner/operator and the residents of the borough. The operator of the disposal facility shall provide and maintain the required devices for measurement of all hazardous waste materials.
 - (11) The Borough Council shall require the facility to post an indemnity bond in favor of the borough, in a sum determined by the borough, to cover loss resulting from any potential hazards, spills or accidents arising from the use of the property as a hazardous waste facility.
 - (12) The Borough Council, as part of the conditional use review process, may consider the nature of the material to be processed at a facility and may determine that the facility may constitute an unacceptable risk to the general health, safety and public welfare of the residents of the borough.
- B. Integrated industrial area. Integrated industrial sites consisting of a combination of permitted industrial uses in the I District by right or conditional use on a common contiguous site and designed as a unit may be permitted subject to the following minimum requirements:
- (1) Sites shall be a minimum of two acres.
 - (2) Structures shall be set back at least 75 feet from the road right-of-way.
 - (3) Structures shall be a minimum of 50 feet from all adjacent property lines.
 - (4) All site roads shall be constructed to meet or exceed the following standards;
 - (a) An eight-inch-thick subbase.

- (b) A six-inch-thick bituminous concrete base course.
- (c) A two-inch-thick bituminous wearing course ID-2 shall be constructed on the prepared base course.
- (d) Site road cartways shall be at least 30 feet in width and properly drained.
- (5) A site plan, prepared by an architect or civil engineer registered in the Commonwealth of Pennsylvania, shall be submitted which contains the following information:
 - (a) A survey drawn to scale prepared by a licensed professional land surveyor, registered in the Commonwealth of Pennsylvania, showing the exact size, shape and dimensions of the lot to be built upon.
 - (b) The exact size and location of all existing buildings and structures on the lot and the structure or building proposed to be erected, moved, repaired or altered.
 - (c) All adjacent streets with traffic flow patterns.
 - (d) A circulation plan for all vehicles, including provisions for ingress and egress drives for all off-street parking and loading areas.
 - (e) Preliminary architectural and engineering sketches showing plan elevations and other necessary information related to water runoff control, contours, type of building construction and other related existing and proposed site features.
 - (f) A detailed site drainage plan showing on-site facilities and provisions for handling runoff beyond the site.
 - (g) A plan showing water supply and sewerage facilities consistent with requirements of the Pennsylvania Department of Environmental Protection.
- C. Junkyards.
 - (1) The site shall be completely enclosed by a sight-obscuring screen, masonry wall, wooden fence or compact evergreens at least eight feet in height.
 - (2) The site shall contain one entrance and one exit less than 30 feet in width.
 - (3) Storage shall be limited to nonorganic material.
 - (4) The site shall be located a minimum of 200 feet from any adjoining district.
 - (5) The site shall be located a minimum of 100 feet from any highway, borough street or access road.
 - (6) Off-street parking shall be provided within the site enclosure.
 - (7) On-site burning or incineration of vehicles shall be prohibited unless said burning is carried out in a completely enclosed incinerator as approved by the Borough Fire Department and the Pennsylvania Department of Environmental Protection.
- D. Waste recycling center.

- (1) Waste recycling and related handling activities shall be restricted to nonhazardous materials, and all activities and functions shall be in accordance with applicable federal, state, county and borough rules, regulations and directives.
- (2) No recycling activities and functions shall be established on a site containing less than five contiguous acres.
- (3) All facilities shall have a chain link fence at least six feet high around all activity areas, and said areas shall be secured during nonbusiness hours.
- (4) The perimeter of any site that borders a public highway or an adjacent R-1, R-2, R-3 or C-1 Zoning District shall be screened and landscaped consistent with the screening requirements contained in Article XIV of this chapter.
- (5) Site access points shall be designed to preclude the stacking of entering vehicles onto any adjacent public right-of-way.
- (6) All parking in association with on-site activities shall be accommodated on site.
- (7) All materials brought to the site shall be processed and shipped from the site in an expedient manner, consistent with commonly accepted recycling procedures and practices. No extended term storage or keeping of materials shall be permitted in conjunction with recycling centers.
- (8) The applicant for the conditional use permit shall be responsible for correcting any litter problems that occur within 1/2 mile of the recycling center that are attributable to the center and related operations. Failure to correct said problem shall be cause for revocation of the conditional use permit.

E. Research and testing laboratory.

- (1) No activities shall be permitted that involve the handling, testing, processing or other use of waste materials resulting from residential, municipal, commercial, industrial, institutional, mining or agricultural operations or from any combination of the above. Such waste materials shall include but not be limited to garbage, refuse, sludge and other discarded materials, including solid, liquid, semisolid or contained gaseous materials.
- (2) No activities or substances of a hazardous nature shall be employed, stored or utilized in a manner that will constitute a danger to the health, safety or general welfare of site occupants, adjacent areas or the community at large. Where reasonable cause for concern is raised by borough officials, residents or other affected parties, the applicant for a conditional use shall be required to certify that no such conditions will be present.
- (3) Such other factors and criteria may be required as the Planning Commission and/or Borough Council deem necessary.

§ 140-34. Special exceptions.

- A. Security fence on the perimeter of property not more than 12 feet in height may be permitted as a special exception with approval of the Industry Borough Zoning Hearing Board.
- B. Sexually oriented business: see § 140-60 of this chapter.

§ 140-35. Lot, area and dimensional requirements.

The following requirements shall apply in I Industrial Districts.¹⁵

ARTICLE XII
SC Special Conservation District

§ 140-36. Purpose; summary of land uses.

The purpose of the SC Special Conservation District is to preserve those land areas within the borough where topography and existing natural amenities will require special planning techniques for development and use. Special consideration is required that this district's natural amenities and environmental uniqueness will be protected. Erosion, sedimentation and siltation are to be prevented and safeguards are established for the protection of the health, safety and welfare of persons from flooding, mudslides, landslides and other natural dangers to life and property.

- A. Uses permitted by right: none.
- B. Conditional uses:
 - (1) Recreational uses and facilities utilizing the natural environment with a minimum amount of alteration of the natural conditions of the site.
 - (2) Agricultural uses for pasturage and forestry and support facilities.
 - (3) Single-family detached residential dwelling.
 - (4) Tree nursery.
- C. Special exceptions: none.
- D. Accessory uses.
 - (1) Private garage or private parking area accessory to a single-family residential dwelling.
 - (2) Structures and activities normally incidental to residential use.

¹⁵ Editor's Note: The Schedule of Lot, Area and Dimensional Requirements is included at the end of this chapter.