

ARTICLE IV
Industrial District

§ 225-13. I-1 Industrial District. [Amended 3-20-1996 by Ord. No. 1996-1; 3-18-1998 by Ord. No. 1998-1]

- A. Specific intent. It is the purpose of this district to encourage industrial development which is free from offensive noise, vibration, smoke, odors, glare, hazards of fire other objectionable effects. Industries which can meet the standards imposed in this district shall be permitted to locate in districts adjacent to commercial and residential uses and adjoining arterial highways, provided adequate landscaping and screening are employed. It is further the intent of this district to provide for suitable location for Transit Oriented Mixed Use developments when situated near rail and related commuter transportation infrastructure, and where legislatively established by the Zoning Code as a specific overlay map in the I-1 Industrial District. **[Amended 4-18-2019 by Ord. No. 2019-01]**
- B. Use regulations. A building may be erected, altered or used and a lot may be used or occupied for any of the following purposes and no other:
- (1) Permitted principal uses.
- (a) Agriculture. (See § 225-21.)
 - (b) Laboratory.
 - (c) Manufacturing.
 - (d) Food processing.
 - (e) Machine shop.
 - (f) Welding shop.
 - (g) Wholesaling.
 - (h) Warehousing and distribution.
 - (i) Railroad operation including sidings.
 - (j) Automotive repair shop. (See § 225-14B.)
 - (k) Automotive sales agency. (See § 225-14A.)
 - (l) (Reserved)¹
 - (m) Office/warehouse.
 - (n) Car wash. (See § 225-14P.)
 - (o) Nontower wireless communications facility. (See § 225-14U.) **[Added 7-20-2016 by Ord. No. 2016-03]**

1. Editor's Note: Former Subsection B(1)(l), Public utility, was repealed 9-21-2011 by Ord. No. 2011-03.

- (2) Permitted accessory uses.
 - (a) Accessory use on the same lot with and customarily incidental to any of the foregoing permitted principal and conditional uses. (See § 225-20.)
 - (b) Parking. (See § 225-19.)
 - (c) Signs. (See § 225-26.)
- (3) Conditional uses. (Subject to the provisions of §§ 225-13C and D and 225-35.)
 - (a) Multiple buildings on a single industrial lot.
 - (b) Business or professional offices, banks, passenger station for public transportation, gasoline service station, restaurant and personal service shops, provided that such use are planned and incorporated as an integral part of multiple use industrial development.
 - (c) Office buildings provided that the total floor area of the building is 35,000 or more square feet.
 - (d) Communication and data service centers.
 - (e) Truck terminal.
 - (f) Heliport.
 - (g) Junk yard.
 - (h) Quarry operations and the expansion thereof. (See § 225-14M.)
 - (i) Landfill and trash compacting station. (See § 225-14L.)
 - (j) Any other use as determined by the Board of Supervisors to be the same general character as the uses under Subsection B(1) and (3) above.
 - (k) Commercial recreation.
 - (l) Public utilities. **[Added 9-21-2011 by Ord. No. 2011-03]**
 - (m) Any other lawful use not otherwise provided for by this chapter, subject to § 225-35. **[Added 9-21-2011 by Ord. No. 2011-03]**
 - (n) Renewable energy system as a principal use in accordance with § 225-14T. **[Added 5-21-2014 by Ord. No. 2014-02]**
 - (o) Tower-based wireless communications facility. (See § 225-14U.) **[Added 7-20-2016 by Ord. No. 2016-03]**
 - (p) Transit Oriented Mixed Use Development, where legislatively established by an overlay map in the I-1 Industrial District and subject to the Transit Oriented Mixed Use Development Standards set forth in § 225-13E. **[Added 4-18-2019 by Ord. No. 2019-01]**

- C. Height, area and bulk regulations. The following regulations shall be observed for all the permitted uses and approved conditional uses:
- (1) Maximum height.
 - (a) For any structure: 35 feet, but not exceeding three stories.
 - (b) Buildings and structures may exceed 35 feet in height up to a maximum of 70 feet, but no exceeding six stories only when permitted as a conditional use by the Board of Supervisors subject to the provisions of § 225-35 of this chapter and for each foot in height above 35 feet there shall be an additional three feet to the requirements for the depth of the front yard and an additional two feet for each side yard.
 - (2) Minimum lot area and width.
 - (a) A lot area of not less than two acres shall be provided.
 - (b) A lot width of not less than 200 feet at the building line and 100 feet at the street line shall be provided.
 - (3) Front, side and rear yard. There shall be a yard on each lot abutting the following major traffic arteries, Boot Road, Quarry Road and Brandywine Avenue, the depth of which shall not be less than 100 feet. On all other lots there shall be a front yard the depth of which shall be not less than 70 feet. On each corner lot not abutting a major traffic artery, the side yard abutting a street shall have a minimum width, measured from the street line, of not less than 70 feet. Each lot shall have a rear yard the minimum depth of each of which shall be 50 feet. Each lot which is not a corner lot shall have two side yards with a minimum aggregate width of 100 feet and no side yard shall have a width of less than 30 feet.
 - (4) Building separation. No exterior structural wall of a building may be located within 30 feet of the exterior structural wall of another building on the same lot. Buildings on the same lot may be connected by enclosed walkways.
 - (5) Lot coverage, building coverage and landscaped area.
 - (a) The building coverage of any lot shall not exceed 35% of the lot area. The total impervious coverage of any lot shall not exceed 55%. At least 45% of the lot area of any lot shall be covered with vegetation and landscaped according to § 225-17A hereof and according to a landscape plan reviewed and approved by the Township Board of Supervisors before any new building permits for the lot are issued.
 - (b) The following regulations shall apply when authorized as a conditional use by the Board of Supervisors subject to the provisions of § 225-35 of this chapter for any lot with a lot area of five acres or more provided that the building area of any one building shall not exceed 55,000 square feet and the distance between buildings shall be a minimum of 15 feet and a minimum mean distance of 30 feet:
 - [1] The building coverage of any lot shall not exceed 45% of the lot area. The total impervious coverage of any lot shall not exceed 65% of the lot area. At

least 35% of the lot area of any lot shall be covered with vegetation and landscaped according to § 225-17A hereof and according to a landscape plan reviewed and approved by the Township Board of Supervisors before any new building permits for the lot are issued.

D. Standards. The following regulations shall be observed in this district:

- (1) Where an industrial lot abuts a residential district or use, a planting screen, as defined in § 225-3, shall be required.
- (2) All sources of air pollution shall comply with all applicable rules and regulations promulgated by the Air Pollution Commission of the Commonwealth of Pennsylvania, Department of Environmental Protection, or any other governmental agency jurisdiction over matters pertaining to air pollution, as presently enacted or as from time to time promulgated, modified or amended.
- (3) All methods and practices of solid waste or refuse disposal must comply with all applicable rules and regulations promulgated by the Department of Environmental Protection of the Commonwealth of Pennsylvania or any other governmental agency having jurisdiction over matters pertaining to solid waste or refuse disposal, as presently enacted or as from time to time promulgated, modified or amended.
- (4) All methods and practices of sewage or liquid waste disposal must comply with all applicable rules and regulations promulgated by the Department of Environmental Protection of the Commonwealth of Pennsylvania or any other governmental agency having jurisdiction over matters pertaining to sewage or liquid waste disposal, as presently enacted or as from time to time promulgated, modified or amended.
- (5) No use shall be conducted so that regular production noise shall exceed the level of ordinary conversation at the boundaries of the lot.
- (6) No use shall produce any heat or glare perceptible at or beyond the lot boundaries.
- (7) No use shall utilize lighting in a manner which produces glare perceptible at or beyond the lot boundaries.
- (8) No use shall permit physical vibration perceptible at or beyond the lot boundaries.
- (9) No use shall produce electromagnetic radiation or injurious radioactive emissions.
- (10) No use shall engage in the reproduction or storage of any material designed for use as an explosive.
- (11) The design standards contained in § 225-17, the loading regulations in § 225-18 and off-street parking regulations in § 225-19, shall apply to all uses in this district.
- (12) The use and storage of shopping carts shall comply with § 225-14O.

E. Transit Oriented Mixed Use Development standards and Overlay establishment. **[Added 4-18-2019 by Ord. No. 2019-01]**

- (1) The following Transit Oriented Mixed Use developments and overlays are hereby

established:

- (a) River Station Mixed Use Development Overlay established. A Transit Oriented Mixed Use Development Overlay is hereby established and incorporated as part of the East Caln Township Zoning Ordinance, entitled the "River Station Mixed Use Development Overlay," pursuant to and subject to the "River Station Land Diagram," Overlay Map last revised December 13, 2018, attached hereto and incorporated herein as Exhibit "A". All uses in the River Station Mixed Use Development Overlay shall be subject to conditional use application, review and approval, and further subject to all use and development standards established by the Transit Oriented Mixed Use Development standards established in this § 225-13E or otherwise by the Zoning Ordinance. The East Caln Zoning Map is amended accordingly.
- (b) (Reserved)
- (c) (Reserved)
- (2) A Transit Oriented Mixed Use Development Overlay shall be permitted on tracts in excess of 10 gross acres, and at least one boundary of the Overlay Map shall be located within 2,000 feet of rail and related commuter transportation infrastructure, and have frontage on an Arterial Street.
- (3) A Transit Oriented Mixed Use Development Overlay shall comply with all Industrial District height, area and bulk regulations (as set forth in § 225-13C) and standards (as set forth in § 225-13D), except as modified by this § 225-13E. In the case of conflict between the provisions of this Subsection E and the underlying Industrial District regulations and standards, this Subsection E shall apply.
- (4) A Transit Oriented Mixed Use Development Overlay shall include any three or more of the following use groups, by conditional use only, and only where an overlay map is first legislatively established and approved, and incorporated into the Zoning Ordinance:
 - (a) Use Group A: Open Space. The Open Space Use Group includes walking paths, pedestrian bridges, woodlands, streams, stormwater management facilities, and multimodal connections to the trails. The Open Space Use Group shall have an appropriate mix of features to ensure community access and enjoyment of natural landscapes.
 - (b) Use Group B: (Reserved)
 - (c) Use Group C: (Reserved)
 - (d) Use Group D: Retail. The Retail Use Group includes retail, restaurants, personal service shops, and bank uses; and uses of similar character as determined in conjunction with a conditional use application.
 - (e) Use Group E: Transit Oriented Development. The Transit Oriented Development includes multifamily residential; retail, restaurants, personal service shops, and

banks; business or professional offices or office buildings; and medical offices; and uses of similar character as determined in conjunction with a conditional use application.

- (f) Use Group F: Transitional Zone. The Transitional Zone Use Group includes business or professional offices, manufacturing, and school/educational uses; and uses of similar character as determined in conjunction with a conditional use application.
- (5) Use groups may include one or more buildings within each use group, and each building may include more than one use within the use group.
- (6) Physical Use Group areas established by a legislatively approved Overlay Map shall have boundary tolerances among and between Use Groups of 180 feet in any direction, where such tolerances are first approved in conjunction with a conditional use application.
- (7) All building and structure placement shall encourage design variety. The following specific setback standards shall apply for any Transit Oriented Mixed Use Development Overlay:
 - (a) The following setbacks shall apply for lots, tracts, condominium or development units abutting an arterial street:

Arterial Street	Setback
Minimum lot area	1 acre
Minimum lot width	80 feet
Front yard	20 feet*
Side yard	10 feet
Rear yard	10 feet
Building separation	20 feet
Maximum building coverage	45%
Maximum lot coverage	65%

NOTES:

*

Where parking is located between the street and building, a screen consisting of landscaping and fencing shall be implemented to create a walkable street scape. Where parking is located between the street and building, a landscaped screen consisting of a Pier-Fence-Hedge-Street Tree combination shall be implemented to buffer views of parking and to help create a walkable streetscape.

- (b) The following setbacks shall apply for lots, tracts, condominium or development units abutting a nonarterial street:

Nonarterial Street	Setback
Minimum lot area	1 acre
Minimum lot width	100 feet
Front yard	20 feet*
Side yard	10 feet
Rear yard	10 feet
Building separation	20 feet
Maximum building coverage	45%
Maximum lot coverage	65%

- (c) For a school/educational use on a lot, tract, condominium or development unit, the Board of Supervisors shall determine appropriate setbacks in the conditional use approval process, based upon consideration of an engineered sketch/layout proposal by the applicant establishing conformance with other Transit Oriented Mixed Use Development Overlay standards; in consideration of reviews and recommendations by Township professional consultants as to the appropriateness of the proposal; and in consideration of § 225-35 standards addressing conditional use regulations.
- (d) For any setbacks approved in conditional use proceedings, if the proposed setback is greater than 30 feet, a pier-fence-hedge-street tree combination, in accordance with the River Station General Design Manual, shall apply.
- (8) Maximum height shall be 50 feet for any building or structure within the Transit Oriented Mixed Use Development.
- (9) All uses shall provide for appropriate parking in accordance with § 225-19, except that

in the conditional use process, the Board of Supervisors may, in its sole discretion, adjust the parking standards, in consideration of § 225-35 standards addressing conditional use regulations.

- (10) As part of any conditional use approval, or later subdivision and land development approval, or as part of a permit approval, and where a use proposed creates a particular impact on fire, emergency, police, traffic or other public safety services and infrastructure, the Board of Supervisors, as part of such approvals, may impose reasonable conditions to account for or ameliorate the fiscal or services impact, in order to assure the proper provision of such services and infrastructure. As to any lot, tract, condominium or development unit exempt from real estate taxes, the amelioration or accounting of the fiscal or services impact of the use may include, but not be limited to, development of payment-in-lieu-of-tax (PILOT) agreements.
- (11) For every conditional use application, subdivision and land development application, or other approval sought pursuant to a Transit Oriented Mixed Use Development Overlay, the applicant shall submit a handbook of design standards, including a manual of written and graphical design guidelines, for review and approval by the Township Board of Supervisors, with review and input from Township consultants. Such handbooks and manuals shall include but not be limited to building and parking locations; streetscape detail; common open space; stormwater management; and maintenance of improvements.

(a) The following specific handbooks of design standards are hereby established:

[1] River Station Mixed Use Development Overlay Design Standards. All land uses and development within the River Station Mixed Use Development Overlay, whether approved at one time, in phases, or in piecemeal fashion, shall comply with the General Manual of Written and Graphic Design Guidelines, last revised December 13, 2018, attached hereto and incorporated herein as Appendix "A" (the "River Station General Design Manual").²

[a] The River Station General Design Manual shall achieve conceptual design, circulation and functional consistency with any directly adjacent transit-oriented development in adjoining municipalities.

[b] Each phase, stage, or portion of development within the River Station Mixed Use Development Overlay shall be consistent with the River Station General Design Manual, and for each phase, stage or portion of the development presented for conditional use approval, the applicant shall prepare for review and approval by the Township a more specific manual ("Specific Phase/Stage Manual") providing additional design detail for the phase, stage or portion of the development being proposed. The Specific Phase/Stage Manual shall be subject to review and approval by the Board of Supervisors in conditional use, and shall include consideration of reviews and recommendations by Township professional consultants as to the appropriateness of the proposal; and in

2. Editor's Note: The River Station General Design Manual is included as an attachment to this chapter.

consideration of § 225-35 standards addressing conditional use regulations.

[c] The Board of Supervisors may provide for and permit alterations or variations from the River Station General Design Manual at each phase, stage or portion of the development during the conditional use approval process, if the applicant proves equal or better functional or aesthetic results can be achieved through alteration or variation, and subject to consideration of reviews and recommendations by Township professional consultants as to the appropriateness of the proposal.

[2] (Reserved)

[3] (Reserved)

- (12) Where the Board of Supervisors has approved development plans by both conditional use and through subdivision and land development, for a Transit Oriented Mixed Use Development on a tract meeting the requirements stated herein, individual units, buildings, or parcels of land within the approved Transit Oriented Mixed Use Development may be subdivided, leased, purchased, sold, mortgaged, and developed as individual zero lot line units or as individual parcels without meeting the area and bulk or other applicable standards of the Zoning Ordinance; provided, however, that the development plan for the entire tract shall at all times remain compliant with the applicable standards.
- (13) Any and all association, condominium, or other agreements relating to development shall be subject to review and approval of the Township Solicitor, and shall properly ensure and provide responsibility for common elements and infrastructure by the applicant, developer, user or tenant at each phase, stage or portion of approval.
- (14) For each phase, stage or portion of approval, the applicant must show in conditional use that the phase, stage or portion of the development proposed meets all § 225-35 standards addressing conditional use regulations, and that the phase, stage or portion of development proposed will include all necessary infrastructure and improvements necessary to provide for safe and efficient traffic, circulation and access at the time of occupancy of the phase, stage or portion of development proposed, as well as upon full buildout of the entire Transit Oriented Mixed Use Development Overlay.