

*Township of Upper Hanover, PA
Friday, August 21, 2020*

Chapter 500. Zoning

Article XVIII. LI Light Industrial District

[Amended 1-8-2002 by Ord. No. 02-04; 4-4-2002 by Ord. No. 02-09]

§ 500-1800. Declaration of legislative intent.

[Amended 2-13-2007 by Ord. No. 2007-01]

In expansion of the declaration of legislative intent and statement of community development objectives found in §§ **500-101** and **500-102** of Article I of this chapter, it is the intent of this article to provide regulations for light industrial development that are generally consistent with the goals and recommendations of the Upper Perkiomen Valley Regional Comprehensive Plan, the Upper Hanover Township Open Space and Environmental Resource Protection Plan Update (2006), or any successor plan thereto, and the following objectives:

- A. Promote development of a broad range of employment-oriented manufacturing, research and development, laboratory and office uses on individual lots and in planned industrial/office centers.
- B. Apply strict performance standards to limit potential pollution and other adverse environmental effects and minimize vehicular, fire and safety hazards resulting from permitted development.
- C. Confine traffic impacts to major roads by taking vehicular access only from arterial and collector roads and by using railroad freight access to further reduce impact on area roads.
- D. Establish flexible lotting standards and operational, dimensional and landscaping standards to minimize adverse impacts on surrounding uses and natural features and to encourage superior site design.
- E. Provide reasonable standards for the height and bulk of all buildings and other industrial, office and other structures and for the dimensions of yards and open spaces to make development more compatible with the rural character of the area.

§ 500-1801. Permitted uses.

The following uses are permitted in the LI Light Industrial District:

- A. Light industrial.
 - (1) Manufacturing and processing.

- (2) Scientific or industrial research, product development, or engineering facilities.
 - (3) Printing, publishing, lithography and similar processes.
 - (4) Warehousing, storage or wholesale business located within a building as a principal use and/or distribution of products or materials, including transportation depot and truck terminals.
 - (5) Recycling facilities, limited to collection, separation, storage, baling and shipping.
 - (6) Accessory uses customarily incidental to the uses listed above.
- B. Offices, services and other nonindustrial businesses.
- (1) Corporate headquarters, administrative offices and buildings.
 - (2) Business, professional, medical and/or dental offices.
 - (3) Veterinary hospitals and adjunct facilities, including kennels.
 - (4) Training facilities, technical schools.
 - (5) Nursery school, preschool or day-care centers.
 - (6) Emergency services (fire, ambulance and police).
 - (7) Self-service storage facilities in compliance with § **500-835** of this chapter.
[Amended 9-13-2005 by Ord. No. 2005-10]
 - (8) Radio or television studios and transmission facilities.
 - (9) Electric, telephone or gas distribution facilities and/or transmission lines.
 - (10) Wireless telecommunications facilities in compliance with § **500-833** of this chapter.
 - (11) Public or private sewer and/or water utilities, including treatment facilities.
 - (12) Large-scale indoor commercial recreation facilities, such as bowling alleys, tennis and racket clubs, skating rinks, fitness centers, and/or outdoor nonmotorized sports facilities.
 - (13) Small-scale electrical-power-generating facilities, maximum 100 megawatts, by conditional use in compliance with § **500-1806** herein.
 - (14) Accessory uses customarily incidental to the uses listed above.
- C. Other uses.
- (1) Agriculture.
 - (2) Institutional uses, in compliance with Article **XXVI**, Institutional Use Regulations, of this chapter.
 - (3) Recreational uses, in compliance with Article **XXVII**, Open Space and Outdoor Recreation Regulations, of this chapter.

(4) Accessory uses customarily incidental to the uses listed above.

- D. Uses of similar character. Uses of similar character to those listed in Subsections **A**, **B** and **C** may be permitted by conditional use only when evidence is provided to the Board of Supervisors sufficient to prove that the proposed operations, magnitude of development, and effects on the environment and vehicular traffic will be essentially the same as those of uses specifically identified above.

§ 500-1802. Dimensional standards.

The following dimensional standards shall apply to all subdivision and/or land development proposals and other construction and uses classified herein:

- A. Conventional subdivision. For tracts proposed for standard or conventional subdivision, or for development without subdivision, the standards of the table below shall apply.
- B. Planned industrial/office parks. For tracts proposed as integrated or planned industrial and/or office parks or centers, the standards of the table below shall apply. Development proposed under this category shall satisfy the standards for planned industrial/office park of the table below, whether done as part of the original proposal or at a later date.

Table of Standards

	Conventional Subdivision	Planned Industrial/Office Park
Minimum lot area	2 acres	1 acre; with an average of 1.5 acres
Minimum lot width at the building line:		
On roads internal to a subdivision	225 feet	150 feet
On roads external to a subdivision	350 feet	Not permitted
Minimum building setbacks measured from:		
Ultimate right-of-way line	65 feet	50 feet
An abutting residential or institutional district boundary line or a property line of such a use	100 feet	75 feet
An abutting commercial or industrial use property line or district boundary line	50 feet	30 feet
Minimum parking, driveway and/or loading setbacks measured from:		
Ultimate right-of-way line	65 feet	50 feet
An abutting residential or institutional district boundary line or a property line of such a use	100 feet	100 feet
An abutting commercial or industrial use property line or district boundary line	25 feet	25 feet
Maximum building coverage per lot	35%	45%
Maximum impervious coverage per lot	50%	65%

- C. Building height. The maximum height of any building or other structure erected or used in

this district shall be 40 feet.

- (1) The height of any such building or structure may be increased to a maximum of 65 feet or such increased height as may be warranted when approved by the Board of Supervisors as a conditional use for such structures as silos, water towers, chimneys, stacks, radio and/or television transmission towers or for those parts of a building not regularly occupied by people.
- (2) For buildings and/or structures in excess of 40 feet, the minimum setback from property lines and the ultimate right-of-way shall be at least equal to the total height of the structure.

§ 500-1803. Other development regulations.

All development and utilization of property and improvements thereon in the LI District shall comply with all other relevant development regulations in this chapter found in Article **VIII**, General Regulations; Article **IX**, Off-Street Parking; Article **X**, Signs; Article **XXVIII**, Noise Control; and the following standards:

- A. Performance standards. All development proposed and/or utilized in the LI Light Industrial District shall conform to the performance standards contained in § **500-817** of this chapter.
- B. Parking and loading areas.
 - (1) No parking or loading areas shall be permitted to be located between a building permitted by this district and a property line of a lot used for residential or institutional purposes.
 - (2) No loading areas shall be permitted to be located between a building permitted by this district and an ultimate right-of-way of a street except for local access streets when both sides of the local access street are zoned LI Light Industrial District.
 - (3) When parking is located closer to a road ultimate right-of-way than the front, side or rear of the building, the parking shall occupy no more than 50% of the lot area between the building and the ultimate right-of-way.
- C. Electrical power. Every use shall be so designed and operated so that the service lines, substations, etc. shall conform to the most acceptable safety requirements recognized by the Pennsylvania Bureau of Labor and Industry; shall be so constructed, installed, etc. as to be an integral part of the architectural features of the plant; or if visible from abutting residential properties, shall be concealed in accordance with the landscaping requirements in Chapter **425**, Subdivision and Land Development.
- D. Public water service. Industrial uses shall be served by public water where available. Water shall be supplied from on-lot wells only after an approved or accepted geologic study furnished by the applicant, and certified by a professional geologist, that the underground water supply and levels will not be appreciably altered in such a way as to endanger the water level and supply for other properties. All water resources shall be approved by the Pennsylvania Department of Environmental Protection and may be subject to review and approval by the Delaware River Basin Authority (DRBA).
- E. Landscaped buffers and screens. Landscaped buffers and/or screens shall be installed and maintained within a strip a minimum of 50 feet wide when a light industrial use abuts

a residential or institutional use or district and 25 feet wide when abutting a nonresidential use or district. Landscaped buffers and screens shall comply with standards of Chapter **425**, Subdivision and Land Development.

- F. Reservation of trail corridors. When an LI District property contains or abuts a watercourse or utility transmission line, a minimum fifty-foot-wide corridor shall be reserved to permit a potential trail interconnection with other existing or proposed trails in the area consistent with the recommendations of the Upper Hanover Township Open Space and Environmental Resource Protection Plan Update (2006), or any successor plan thereto, and the Upper Perkiomen Valley Regional Comprehensive Plan. The fifty-foot width may include the area comprising the watercourse or utility easement. At the time of preliminary plan approval, the applicant shall show a specific location or add a note regarding a generalized easement on the applicant's plans, subject to approval by the Board of Supervisors.

[Amended 2-13-2007 by Ord. No. 2007-01]

§ 500-1804. Design criteria for planned industrial/office parks.

Subdivision and development of planned office and/or industrial parks shall comply with the following:

- A. External access. The tract must have direct access to an arterial or major collector street, or the applicant shall upgrade the connecting local street to meet major collector street standards.
- B. Internal access. All building lots shall have direct access to interior roads rather than to exterior streets, although emergency access to exterior streets may be permitted where no other alternatives are feasible.
- C. Land development plan required. A land development plan shall be submitted for Township review for each lot that is proposed for development.
- D. Unified standards. The development shall be designed with unified standards for landscaping, lighting and access to interior roads. These standards shall be submitted in the form of restrictive covenants that shall be binding upon developers of individual lots.
- E. Development agreement. A development agreement shall be executed between the applicant and the Township for development of the entire park, including, but not limited to, the following:
- (1) Generalized internal road layout and access points to surrounding roads, on-site and off-site road improvements.
 - (2) Stormwater management facilities.
 - (3) Existing landscape material and other natural amenities to be protected.
 - (4) Standards for landscaping, lighting and access to interior roads.
- F. Reduction of setback requirements. In order to permit more efficient use of lot areas and improvements built thereon, side yard and rear yard setback requirements may be reduced by the Board of Supervisors by conditional use under the following conditions:

- (1) Where the side or rear lot lines involved are new lot lines totally within the tract being subdivided; this does not apply to the perimeter of a tract being subdivided.
- (2) Where the result is shared parking and/or loading areas and/or attachment of buildings on abutting lots by means of a party wall(s).
- (3) Where the owners of the abutting lots agree in writing to the reduction and provide cross-easements, where appropriate.
- (4) On any lot, only one side yard and/or the rear yard requirements may be reduced, and then only in correspondence with the immediately abutting side and/or rear yard of an abutting lot.
- (5) Access to all sides of buildings so attached must be provided for emergency vehicles, in compliance with applicable Township requirements.

§ 500-1805. Plan submission and review.

Plans for subdivision and/or land development in the LI Light Industrial District shall be submitted for review in compliance with Article III of Chapter **425**, Subdivision and Land Development. This shall include submittal of sketch plans for expansion of existing development to determine the level of review required. In addition to the SALDO requirements such plans shall include the following:

- A. Architectural plans and elevations for any proposed buildings.
- B. A description of existing and proposed equipment, processes and products, with engineering and architectural plans in sufficient detail to describe the production and control of effects regulated by the standards of this chapter.
- C. Engineering and architectural plans, including completed DEP planning modules, for the treatment and disposal of sewage and industrial waste.
- D. Designation of any fuels or potentially toxic or hazardous matter to be utilized and measures proposed to control access to, combustion of, and emissions from those materials.
- E. The proposed number of shifts to be worked, and the maximum number of employees on each shift.
- F. An environmental assessment statement in accordance with the provisions of § **500-820** of this chapter, unless deemed unnecessary by the Board of Supervisors and/or Township Planning Commission.
- G. Environmental Protection plans and narrative as required in § **500-819** of this chapter (§ **500-819B**).
- H. Letters or certificates of approval showing compliance with applicable state and/or federal and other legal requirements.
- I. Any other pertinent data or evidence that the Planning Commission may require.

§ 500-1806. Conditional use standards and criteria for

small-scale electrical generation.

The following standards and criteria shall be satisfied to allow a small-scale electrical-power-generating facility to be developed by conditional use within the LI Light Industrial District.

- A. Minimum lot area: 108,900 square feet (2.5 acres).
- B. Minimum lot width and depth: 250 feet each.
- C. Minimum setback for buildings or other structures: 50 feet from all property lines.
- D. Maximum impervious coverage: 65% when needed to allow water storage tanks sufficient to serve both the electrical-generating needs and the public water supplier.
- E. Locational criteria.
 - (1) Minimum distance between the buildings, structures and/or equipment used for electrical generation and any dwelling located on a parcel used exclusively or zoned for residential purposes: 500 feet.
 - (2) Small-scale electrical-generating facilities shall be located in close proximity to an existing electrical substation where convenient access is available to a natural gas supply pipeline.
- F. Operational criteria.
 - (1) Maximum generating capacity: 100 megawatts.
 - (2) Type of facility: Peak-time or peaking generation facility, generally operated only during periods of excess demand for electrical power or under emergency circumstances.
 - (3) Processing water. A public water supply must be used, designed with the capability of providing storage capacity for the public water supplier.

§ 500-1807. Prohibited uses.

The following uses are specifically prohibited in the LI Light Industrial District and, by reference, prohibited in the LIC Light Industrial and Limited Commercial Districts 1 and 2:

- A. Outdoor storage businesses as defined in § **500-1902B(3)**. Outdoor storage associated with self-service storage facilities as regulated in this chapter is not included.
[Amended 9-13-2005 by Ord. No. 2005-10]
- B. Solid waste disposal facilities (except recycling facilities limited to collection, separation, storage, baling and shipping).
- C. Adult uses.
- D. Any use of similar character to permitted uses that cannot be made to conform to the dimensional standards of this district; performance standards of § **500-817** of this chapter; and/or the noise control standards of Article **XXVIII** of this chapter.

E. Any other use which is or may be noxious or offensive by reason of odor, dust, fumes, smoke, gas, vibration, illumination or noise or harmful radiation, or which is or may be dangerous to the public health, safety or welfare, or which otherwise constitutes a public hazard.

F. The following uses:

Abattoirs

Acetylene gas manufacture

Acid manufacture

Ammonia, bleaching powder or chlorine manufacture

Arsenal

Asphalt manufacture or refining

Blast or reverberatory foundry

Breweries

Celluloid manufacture

Cement manufacture, including cement or concrete mixing plant, lime, gypsum, plaster, or plaster of paris manufacture

Coke ovens

Cork manufacture

Creosote treatment or manufacture

Dead animal and offal reduction

Disinfectant manufacture

Emery cloth and sandpaper manufacture

Fat rendering; manufacturing of vegetable, animal or mineral fats and oils

Fertilizer manufacture

Fireworks or explosive manufacture or storage

Fish smoking or curing

Flour mill

Foundry, forge plant

Glue, size, or gelatin manufacture

Oil or rubbed goods manufacture

Ore reduction

Paint, shellac, varnish, lacquer manufacture

Plating works

Potash works

Power forge (riveting, hammering, punching, chipping, drawing, rolling, or tumbling of iron, steel, brass or copper, except as a necessary and minor incident to other manufacture, and which are conducted without objectionable noise or vibration)

Pyroxylin manufacture

Quarrying or removal of soil or mineral deposits in any form, including blasting operations

Rubber, caoutchouc or gutta-percha manufacture or treatment, tire recapping or vulcanizing

Sauerkraut manufacture

Shoeblacking manufacture

Smelters

Soap and detergent manufacture

Soda and compound manufacture

Steel furnace, blooming or rolling mill

Stockyards

Tallow, grease or lard manufacture or refining

Tanning, curing or storage of leather, rawhides or skins

Tar distillation or manufacture

Vinegar manufacture

Wool pulling or scouring

