

Part 12

Industrial District (I)

§27-1201. Purpose and Specific Intent.

The I District is intended to accommodate intensive agricultural uses, light industrial and wholesale and warehousing uses, contractor establishments and their respective accessory uses. These activities have certain characteristics in common, such as a requirement for good roads capable of accommodating truck traffic, and an independence from surrounding uses. These uses may have additional impacts upon surrounding uses beyond the traffic generated and aesthetics.

§27-1202. Uses Permitted by Right.

1. A building or group of buildings may be erected, altered or used and the land itself may be used for any one or combination of the following uses and no other:

A. Extensive and/or intensive agriculture, in accordance with the standards in the Agricultural Preservation (AP) District, except intensive agriculture is not permitted in the Ground Water Protection District.

B. London Grove Township municipal use.

C. Contractor establishments.

D. Industrial parks and research laboratories.

E. Outdoor recreation use.

F. Storage (mini and bulk).

G. Wholesale sales.

H. Light Industry manufacturing, except this use is not permitted in the Ground Water Protection District.

I. Automobile and truck sales and service.

J. Offices

K. Laundromats

L. Limited winery, where the primary agricultural use is viticulture, and subject to the area and bulk design standards stated in the Agricultural Preservation (AP) District (relating to extensive agriculture), and after obtaining all necessary health, fire safety and building permits and/or licenses (where applicable). A limited winery may engage in the following activities:

- (1) Wine tasting.
- (2) Winery tours.
- (3) Wholesale and retail sales of wine and grape products.
- (4) Picnic area(s) for winery related activities.
- (5) Food preparation facility for catering on premises indoor or outdoor functions.
- (6) Agricultural related museums.
- (7) Gift display for the retail sale of winery-related promotional items, gift items, and/or pre-packaged foods and/or art galleries with sales and framing, not to exceed a total of 500 square feet in interior footprint area.
- (8) Outdoor amplified sound systems until 9 p.m.
- (9) Winery-related events or activities subject to the following limitations:
 - (a) Events or activities involving fewer than 60 persons on the property at a time may be conducted at any time.
 - (b) Events or activities involving more than 60 persons and not more than 125 persons on the property at a time may be conducted on no more than 3 days in a single week.

(c) Events or activities involving more than 125 persons and not more than 350 persons on the property at a time may be conducted on no more than 12 days in a calendar year and on no more than 4 days in a single calendar month.

(d) Events or activities which exceed any of the limits set forth in sub-clauses (a) through (c) above shall be allowed, provided that a zoning permit application is filed and approved in accordance with all applicable provisions of this Chapter. In lieu of the requirements applicable to residential districts and applicable to commercial, industrial, special use, and flood hazard districts, any zoning permit application required by this subsection shall include a written description of the event that includes, but is not limited to, the number of people, the hours of the event, activities, entertainment and lighting. The applicant must be able to demonstrate to the Zoning Officer compliance with the following:

1) Sanitary sewage facilities will be sufficient to accommodate the number of attendees and participants at the event.

2) Parking facilities will be sufficient to accommodate the number of attendees and participants at the event.

3) Adequate traffic control measures will be provided.

4) Adequate plan of trash collection, removal and recycling, including the removal of all trash and signs from public rights of way, property of others and the subject tract.

(10) Bed and breakfast establishment, as defined herein.

M. Residential units above any use provided by right so long as the square footage per unit shall be no less than 750 square feet.

§27-1203. Uses Permitted by Condition

1. A building or group of buildings may be erected, altered or used and the land itself may be used for any one or combination of the following uses upon the grant of a conditional use approval by the Board of Supervisors, although none of these uses are permitted under any circumstances within the Ground Water Protection District.

A. Heliports

B. Truck parking areas and/or maintenance areas and facilities.

C. Automobile body repair and short term (maximum 30 days) exterior storage for registered and inspected vehicles under contract for repair.

D. Heavy Industry Manufacturing, including:

(1) Private and utility power generation facilities in excess of 500KW capacity.

E. Commercial Composting Processing Operations and Agricultural Composting Processing Operations in accordance with the provisions in Part 18.

F. Freight terminal, utility equipment and materials storage areas and freight transfer stations, excluding solid waste treatment, storage, distribution or transport facilities.

G. Communication Towers.

H. Medical Marijuana Facilities.

§27-1204. Uses Permitted by Special Exception

1. A building or combination of buildings may be erected, altered or used and the land itself may be used for any of the following uses upon the grant of a special exception by the Zoning Hearing Board, although none of these uses are permitted under any circumstances within the Ground Water Protection District.

- A. Fuel service station or storage facility limited in size to a cumulative total of no more than 50,000 gallons of fuel storage.
- B. Adult Uses (This use must also adhere to all regulations and standards of this Section and Section 27-1834.)

§27-1205. Accessory Uses

1. A building or combination of buildings may be erected, altered or used and the land itself may be used for any one or more of the following uses as accessory uses:

A. Apartments or residences to be used and occupied only by guards or other persons who are required by both the nature of their work and the policy of the owner or operator of the facility to reside upon the premises, and their respective families.

B. Retail sales when accessory to wholesale or manufacturing uses on the same lot.

C. Other accessory uses to the uses permitted in subsection 1, 2 or 3 above, including but not limited to, structures and/or services provided exclusively to the employees of the facility and their families such as cafeterias and day care centers.

D. Offices, provided that they shall be exclusively utilized in support of the principal use.

E. Agricultural employee housing.

§27-1206. Area and Bulk Regulations: General, All Uses

1. Minimum lot size for any use shall be computed as follows:

A. It is the intent of this Chapter that lot sizes shall conform to the reasonable needs of the use proposed. In the determination of minimum lot size, potential expansion and growth is an integral part of the reasonable needs. Furthermore, a use may change and, thus, change the parking area requirements. Therefore, to compute minimum lot size for any use, the building footprint, specific parking requirements, driveway and circulation requirements, accessory use areas, setbacks, sanitary sewage facilities, wells

and storm sewer water detention basin requirements, plus 50 percent for reasonable growth, change and expansion combine to determine minimum lot size. In no event shall a lot being created be less than 2 acres.

B. In no event shall the minimum lot size be less than 10 acres for storing sewage waste, or 2 acres for all other uses except Commercial Composting Processing Operations and Agricultural Composting Operations which shall be governed by the provisions in Part 18.

2. Perimeter setbacks shall conform to the following standards:

A. *General.* Unless exempted under subparagraph B below, there shall be a perimeter setback from the following uses of:

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| Residential uses | 100 feet |
| Commercial uses | 25 feet |
| Industrial and other uses | 25 feet |

Except for entrance and exit driveways, no building or other above-ground structure, other than lighting and other utility standards, curbs and approved signs, shall be installed within the perimeter setback. No parking facilities or areas shall be constructed within the perimeter setback with the exception of interconnecting parking facilities serving an adjacent property.

B. *Exemptions.* The Zoning Hearing Board may, by special exception, reduce perimeter setbacks to an amount not less than 25 percent of the required perimeter setback along all or part of the mandated rear or side lot lines (but not along any street line) where the applicant affirmatively proves to the satisfaction of the Board all of the following factors:

(1) That the adjacent uses are compatible and not adversely affected by the proposed use.

(2) Adequate screening is provided to protect adjacent uses.

(3) All adequate parking, stormwater management and expansion requirements can still be met.

(4) All appropriate design and performance standards of this Chapter will be met.

(5) The owners of affected properties have been notified by certified mail, return receipt requested, of the application requested, no later than 30 days preceding any hearing.

(6) The applicant will comply with all of the requirements and has proven all of the elements set forth in this Chapter.

3. Lot width at the building line for standard street frontage building lots, the normal building setback shall apply:

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| From the street line | 75 feet |
| Lot width at building line | not less than 150 feet |
| Lot width at street line | not less than 100 feet |

Flag lots:

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| Minimum width of access | 50 feet |
| Building setback | 50 feet, measured from the point where the access strip meets the bulk of the lot. |

4. Other yard area requirements are as follows:

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| Building setback | not less than 75 feet from the right-of-ways. |
| Parking setback | not less than 50 feet from the right-of-ways. |

5. Lot coverage shall conform to the following standards:

Impervious area coverage maximum 65 percent
The Supervisors may grant an increase to 75 percent based on increased performance standards for stormwater control, as determined by the Board.

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| Landscaped area minimum | 25 percent |
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6. Maximum building height shall not exceed the following standards:

A. No building or structure shall exceed 50 feet in height except as provided in paragraphs B and C hereof.

B. The height limitation set forth in paragraph A hereof shall not apply to communication or power transmission towers or antennas, water towers, fire observation platforms or silos for the storage of grains or other materials. Height of such facilities shall be determined by the Board of Supervisors, based upon location, anticipated impact, and the neighborhood in which the intended use is proposed.

C. The Board of Supervisors may authorize, as a conditional use, buildings and/or structures not included in paragraph B above to a height not exceeding 60 feet, provided the applicant demonstrates conformity to all applicable standards set forth in this Chapter and also establishes by presentation of suitable evidence acceptable to the Board (which shall include, but need not be limited to, a certificate of the Chief of the fire company having first call jurisdiction over the subject premises, certifying such).

7. The applicant shall demonstrate compliance with the applicable provisions of this Chapter relating to design standards including, but not limited to, access, parking, signs, sight triangles at points of entrance and exit, as well as exterior lighting and parking lot construction.

8. The separation between buildings shall be sufficient to permit subdivision without violation of perimeter setback regulations as provided in subsection 2 hereof.

9. The applicant shall, for all uses authorized under the Industrial District (I) hereof, demonstrate compliance with each and every specific performance standard set forth in the “General Design and Performance Standards.”

§27-1207. Design Regulations for Medical Marijuana Facilities

1. Medical Marijuana may only be grown in an indoor, enclosed and secure building which includes electronic systems, electronic surveillance and other features required by the Medical Marijuana Act.

2. There shall be no emission of dust, fumes, vapors, odors or waste into the environment from any facility where medical marijuana growing, processing or testing occurs.
3. Marijuana remnants and byproducts shall be secured and properly disposed of in accordance with the Medical Marijuana Act policy and shall not be placed within any unsecure exterior refuse or recycle containers.
4. The grower/processor shall not operate any closer than 1000 feet from a day care facility or a public, private, parochial, school college or university, or 250 feet from a recreation center or playground. Such distance shall be measured in a straight line from the closest exterior wall of the building or portion of thereof in which the grower/processor application is located, to the closest property line of the protected district or use, regardless of the municipality in which it is located.
5. A visual buffer planting screen is required where a medical marijuana grower/processor operation adjoins a residential use.
6. Loading and off-loading areas shall be conducted within the building to the greatest extent possible.
7. Medical marijuana dispensaries shall not:
 1. Have outdoor seating or waiting areas.
 2. Conduct sales or business transactions outside of the building.
 3. Display the word "Marijuana" on the outdoor signage.
 4. Allow the administering of, or the consumption of medical marijuana on the premises.