

ARTICLE XIII

(I) Industrial District

Section 1300 Purpose

Consistent with the general purposes of this Ordinance, the specific purpose of this Article is:

1. To encourage the construction on and continued use of the land for industrial purposes.
2. To prohibit any use which would substantially interfere with the development, continuation or expansion of industrial uses in the District.
3. To establish reasonable standards for buildings and other structures, the area and dimensions of yards and other open spaces, and to provide for facilities and operation of industries to minimize air pollution, noise, glare, heat, vibration, fire, safety hazards, etc.

Section 1301 Permitted Uses

1. Any of the permitted uses for the (C) Commercial District listed in Article XII.
2. Vehicles and mobilehomes manufacturing, and assembling, auto body shops, vehicle painting, upholstery, reconditioning, repair or overhauling, tire retreading or recapping, welding shops, and the like.
3. Bottling works and bookbinding.
4. Building materials storage, lumber yards, and lumber mills.
5. Blacksmith and machine shops, excluding punch presses over twenty (20) tons capacity, and drop hammers.
6. Carpentry, cabinet making, furniture repair and upholstery, electrician, metal working, tinsmith, plumbing, gas, steam, or hot water fitting shops.
7. Contractor's equipment, sales, service, and storage.
8. Electric and telephone public utility transmission and distribution facilities, including substations, water pumping stations, and reservoirs.
9. Laboratories.
10. Laundries, cleaning, dying, carpet and rug cleaning.
11. Distribution plants, parcel delivery, and service industries.

12. Photographics or film processing.
13. The manufacture, compounding, assembling or treatment of articles of merchandise from the following previously prepared materials: bone, cellophane, canvas, cloth, cork, feathers, felt, film, fur, glass, hair, leather, paper, plastics, precious or semi-precious metals, or stones, shell, textiles, tobacco, wood, yarns, and paint not employing a boiling process.
14. The manufacture, processing, or packaging of dairy and food products, excluding the rendering of hides and bones.
15. The manufacturing of pottery and figurines or other similar ceramic products, using only clay, and fired only by electricity or gas.
16. Printing, newspaper publishing, and lithography.
17. Salvage yards on tracts of land in excess of twenty-five (25) acres in size in accordance with the Hamiltonban Township Junk Yard Ordinance.
18. Light metal fabrication and assembly, and processing which shall include finishing, grinding, sharpening, polishing, cleaning, rust-proofing and painting.
19. Accessory uses and buildings customarily incidental to the above uses including dwellings for bona fide caretakers or watchmen only.
20. Wholesale and retail sales of products manufactured, produced or distributed pursuant to a permitted use in whole or part on the lot in question.
21. Wholesaling, storing and warehousing.
22. Other principal uses similar to the above provided that they meet the performance standards found in this Ordinance. Prior to any application for a land development plan, or a building permit, if a land development plan is not required, documentation shall be presented for the intended use establishing compatibility with other uses permitted in this District in terms of the performance standards enumerated in this Ordinance. Documentation shall be required in the event of a change of any use of any structure in this District. This documentation shall be subject to review and comment by the Planning Commission, and to a classification procedure establishing the basis for the intended use to be permitted or to be prohibited in a report to the Board of Supervisors. The Board of Supervisors shall act upon the proposed, intended use, within 30 days of receipt of said Planning Commission Report.

Documentation Required:

To determine whether or not the proposed use is permitted, if not specifically listed, a detailed site plan with accompanying documentation shall be submitted to the Hamiltonban Township Zoning Officer, who will distribute them to all the applicable review agencies, including the Planning Commission. Based upon their remarks and recommendations, the Board of Supervisors shall make an objective determination. This decision shall be furnished, in writing, not later than ten (10) days after the decision is rendered, to the person, persons or corporation requesting certification of the permitted use in this District. Once this is done, an official application for subdivision and land development plan approval or a building permit whichever is applicable, can be completed and processed. For the certification process to arrive at the proposed use being permitted or not, the information required shall be as follows:

- a. Sketch plan showing all property dimensions, existing locations of all buildings, structures, rights-of-way, easements, driveways, off-street parking facilities; utility lines, poles and appurtenances; entrances and exits on the site, and within 100 feet of the property; proposed locations and dimensions of proposed buildings, structures, walkways, buffer zones, parking areas, loading areas, storage areas, signs, sanitary sewer facilities, stormwater management facilities, water supply, waste disposal provisions, curbs, landscaping, exterior lighting; existing and proposed physical features such as water bodies, water courses, grades, woods, trees, soils, rock outcrops, subsurface formations, ecological habitats, vistas; all adjoining properties and uses within 200 feet of the site to include their historical, architectural and archaeological significance.
- b. Statement explaining the suitability of the site for development, and its compatibility and demand for the intended use of the type proposed in the particular location proposed; furthermore, its accessibility and availability of community facilities and services should be included as well as the proposed project's impact on the Hamiltonban Township Comprehensive Plan, planned capital improvements or proposed development regulations.
- c. Description of existing and proposed machinery, processes and products.
- d. Specifications for the mechanisms and techniques used or to be used in restricting emission of any dangerous and objectionable elements, and in measurement of the potential emission if any is anticipated.
- e. Inventory and analysis of water quantity requirements and water yields and quality; traffic counts, road capacities, circulation patterns and considerations; and, any other data that may be required.
- f. Designation of applicable local, Commonwealth, and Federal approvals and permits required, and compliance with same.

Section 1302 Conditional Uses

1. Any of the conditional uses for the (C) Commercial District listed in Article XII.

2. Surface Mining:

All new surface mining operations as defined in Section 404 of this Ordinance shall be permitted as a conditional use in the Industrial District. Proposed surface mining facilities permitted by the Pennsylvania Department of Environmental Protection following the date of adoption of this Ordinance, but with a pending application filed prior to said adoption, shall conform in all respects with the requirements of this Section. Said operation shall be located with vehicular access over a roadway with paving, a minimum of three (3") inches thick and at least twenty (20') feet in width connecting said operation to a roadway classified in the Township Comprehensive Plan as an Arterial roadway, and subject to the following conditions and performance standards:

- a. Surface mining operations shall include sandpits, gravel pits, removal of topsoil or rock, or the removal of any natural resource or mineral from the land or ground.
- b. Any person, corporation or otherwise, engaged in, or proposing to engage in, surface mining operation as defined herein, shall be properly licensed by Pennsylvania Department of Environmental Protection to engage in such operations.
- c. Surface mining operations including production, processing, excavation, extraction, reclamation, sedimentation ponds, stockpiling and related structures shall not be conducted or erected closer than 100 feet to any property line or outside line of right-of-way of any public highway and not closer than 300 feet to any occupied dwelling house, public building or commercial or industrial building, unless released by the owner thereof.
- d. Vegetative screening shall be provided by the Owner along all of the property and street boundary lines separating the operation from adjacent uses. Said vegetative screening is exempt from the setback restrictions of Section 1202.2.c. The screening is to be in the form of vegetation and the following standards shall apply:
 - (1) A minimum of 3 rows of trees, shrubs, or other vegetation not less than fifty (50%) percent evergreen material shall be planted to produce the effective visual barricade.
 - (2) At least 2 different species of trees, shrubs or other vegetation shall be utilized. Selected species shall exhibit different tolerances to insect and disease.

- (3) Species selected must be capable of producing the effective visual barrier, ten (10') feet in height, within 5 years of planting.
 - (4) Prompt replacement of any dead species, shall be required.
 - (5) Earthen mounds may also be used as a form of screening but in no case shall be located closer than 50 feet from a property line or outside line of right-of-way of any public highway.
- e. The following security measures shall be provided:
- (1) Prior to the commencement of surface mining operations, a physical barricade shall be constructed enclosing the area actively being excavated in accordance with the following standards: Fencing shall be at least six (6') feet high and constructed of wire mesh fabric and barbed wire across the top. Alternative varieties of fencing may be used upon approval by the Township Board of Supervisors.
 - (2) All access openings shall be provided with gates that can be locked to prevent unauthorized entry during periods of non-operation.
 - (3) Warning signs stating the nature of the operation shall be conspicuously posted around the perimeter of the operation.
- f. A site plan of the entire property, clearly and legibly drawn at a scale of 1" = 100' or less, shall be provided and include the following items.
- (1) North arrow, scale and date.
 - (2) Topographic contour lines.
 - (3) All property lines including a metes and bounds description and the size of the property expressed in acres or square feet.
 - (4) The location of all existing buildings, structures, cemeteries, streets, wells and streams within 500 feet of the property proposed for surface mining operation.
 - (5) The location of the proposed surface mining operation and the staging of operations if applicable.
 - (6) The location of proposed stockpiles, sedimentation ponds, access road and buildings associated with the proposed operation.
 - (7) The location of security fences, gates, and signs.

- (8) The location and description of required screening.
- (9) The location and description of all erosion and sedimentation control measures.
- g. A traffic circulation plan drawn at a suitable scale shall be provided indicating the following:
 - (1) The location of the proposed operation with respect to major traffic arteries.
 - (2) The proposed vehicular routing both to and from the proposed operation.
- h. An operation plan shall be provided for all surface mining operations and shall include the following:
 - (1) Procedures to be followed for compliance with Section 102, Chapter 77 of the Department of Environmental Protection Rules and Regulations.
 - (2) A schedule of operational hours provided that all required blasting shall be confined to the hours between 8:00 a.m. and 5:00 p.m. prevailing time.
 - (3) Procedures for the removal of mud or debris on any public road resulting from the ingress or egress of vehicular traffic from the operation. Said mud or debris shall be removed at the end of each working day, or more frequently if needed during the working day.
 - (4) Procedures for dust control shall include the following:
 - (a) Access roads shall be maintained with a dustless surface from the connecting public roadway to a point within 100 feet of any loading area.
 - (b) Stockpiling of any materials shall be in such a manner as to prevent dust from blowing onto adjacent properties.
 - (5) Procedures for controlling erosion and sedimentation resulting from the proposed operation as required by the Department of Environmental Protection and consistent with erosion and sedimentation control measures included in this Ordinance.
 - (6) Procedures for the ultimate closing and reclamation of the proposed operation as required by the Department of Environmental Protection.
- i. A maintenance bond not exceeding fifty (50%) percent of the full cost of repaving the Township roads servicing the operation, from the entry to the operation to the first utilized arterial roadway, as classified by the Township Comprehensive Plan, under

such conditions, in form and with surety as shall be approved by the Township Board of Supervisors, shall be provided by the operator. In lieu of a bond, the operator may deposit cash or securities with the Township to secure said repaving under an escrow agreement approved by the Township Solicitor and Board of Supervisors.

The amount of the bond or other guarantee shall be equal to fifty (50%) percent of the cost of the required repaving as estimated by the Township Engineer. The amount of financial security may be increased by up to an additional ten (10%) percent for each one-year period beyond the first anniversary date from posting of financial security. Said financial security amount shall be reviewed annually by the Township in an attempt to determine any appropriate adjustments.

Section 1303 Performance Standards

All proposed Industrial uses, with the exception of surface mining, shall meet or exceed all of the following requirements. Surface mining operations shall be governed by the prevailing applicable performance standard requirements of the Pennsylvania Department of Environmental Protection and the requirements of Section 1202 of this Ordinance.

1. Buffer Zones

- a. The buffer zone shall be measured from the district Boundary Line or right-of-way line, if not co-existent with the District Boundary Line.
- b. A minimum buffer zone of 50 feet in width shall be provided along any common property line with a residential use or district.
- c. The buffer zone shall be maintained and kept clean of debris, rubbish, weeds, and other unsightly features.
- d. No building, structure, or physical improvement shall be permitted in the buffer zone except for stormwater management facilities and any required form of screening.
- e. No less than the exterior half of the buffer area shall be planted and maintained with grass or ground cover, massed evergreens, and deciduous trees and shrubs of such species and size as will produce, within two (2) growing seasons, a screen at least eight (8') feet in height and of such density as will obscure, throughout the full course of the year, all of the glare of automobile headlights emitted from the premises. The preservation of all natural wooded tracts, rock outcroppings or topographic features shall be an integral part of all said plans regardless of their proximity to required buffer zones.
 - (1) Massed evergreens used in screen planting shall be at least six (6') feet in height when planted and produce a complete visual screen year-round.

- (2) The screen planting shall be maintained permanently and any plant material which does not live shall be replaced within one (1) year.
- (3) The screen planting shall be so placed that at maturity it will be no closer than three (3) feet from any street or property line.
- (4) A clear sight triangle shall be maintained at all street intersections and at all points where private accessways intersect public streets.
- (5) The screen planting shall be broken only at points of vehicular and pedestrian ingress and egress.

f. No screen planting shall be required along street frontages.

2. Drainage

No stormwater or natural drainage which originates on the property or water generated by the activity, e.g., air conditioners, swimming pools, shall be diverted across property lines unless transported in an approved or existing drainage system.

3. Electricity

Electric or electronic equipment shall be shielded so there is no interference with any radio or television reception at the lot line or beyond as the result of the operation of such equipment.

4. Glare

No use shall produce a strong dazzling light or a reflection of a strong dazzling light or glare beyond its lot lines. Exterior lighting shall be shielded, buffered, and directed so that glare will not become a nuisance to adjoining properties, adjoining districts, or streets.

5. Radioactivity

Any proposed activity in this District shall not emit any dangerous radioactivity at any point on the site.

6. Vibration

There shall be no vibration which is discernible to the human sense of feeling beyond the immediate site on which such use is conducted.

7. Fire and Explosion Hazard

All activities shall be carried out in buildings, structures and improvements which conform to the standards of the National Board of Fire Underwriters. Furthermore, protection against fire and explosion shall be upon the advice of the Adams County Fire Marshal and the local fire company serving the area of the site.

8. Traffic Control

All design traffic volumes shall be determined by accepted procedures of the Pennsylvania Department of Transportation. The design hourly volume and the average annual daily traffic count data shall be used as a basis of computation. Geometric design features shall be consistent with the design speeds and capacities of streets serving the site. Minimum stopping, turning and passing sight distances shall be determined. Grades, alignments, lanes, slopes, clearance, other street standards shall be consistent with the Hamiltonban Township Subdivision and Land Development Ordinance. Traffic control devices (signs, signals, pavement markings, etc.) shall be consistent with the Manual on Uniform Traffic Control Devices, American Association of State Highway Officials in cooperation with the Pennsylvania Department of Transportation. Anticipated traffic generation shall not exceed the design volume of the street or streets serving the site and surrounding area, unless appropriate provisions to upgrade and to construct necessary street provisions consistent with Hamiltonban Township street specifications.

9. Storage of Explosives or Flammable Substances and Waste Disposal

- a. No highly flammable or explosive liquids, solids or gases shall be stored in bulk above the ground except in structures according to Commonwealth and Federal Specifications.
- b. All outdoor storage facilities for fuel shall be enclosed by an approved safety fence to prevent access thereto by unauthorized individuals.
- c. All materials or wastes which might cause fumes, constitute a fire hazard, or attract rodents or insects may only be stored in enclosed buildings or containers which are adequate to eliminate such hazards.
- d. No materials, fuels, wastes, or flammable substances may be deposited or stored on a lot in such a manner as to allow them to be transferred off the lot by natural causes or forces. No substances, including but not limited to gasoline, alcohol, oil, waste oil, and chemicals which can contaminate a stream or water source unusable or

undesirable as a source of water supply, recreation or which will destroy or damage aquatic life shall be stored in such a location so that it could be introduced into the said stream or water course by natural causes or forces, or by rupture or storage containers or accidental discharge.

10. Noise Control

The sound level of any use within this District shall not exceed, at any point along the boundary of the lot on which the use is to be undertaken, Federal standards of recommended decibel levels in the designated octave bands, except for emergency alarm system. Sound levels shall be projected in accordance with similar or identical operations or uses and shall be measured with a sound level meter and associated octave band analyzer manufactured according to standards prescribed by the American Standards Association. Measurements shall be made using the same measuring system which may now or hereafter be utilized by the United States Government for the purpose.

11. Odor Control

There shall be no emission of odorous gases or other odorous material of any nature in such quantities as to be offensive to the average individual at any point on or beyond the lot boundary line within which the industrial operation is situated. Identical operations or processes may be compared to determine compliance with this subsection. This subsection shall not apply to the storage or application of manure by agricultural operations in this District.

12. Dust, Fumes, Vapor, and Gas Control

The emission of dust, dirt, flyash, fumes, vapors, or gases which can cause any damage to human health, to animals or to vegetation or other forms of property, or which can cause soiling or staining of persons or property at any point beyond the lot line of the use creating such emission is hereby prohibited. No emission of liquid or solid particulate from any chimney or stack or otherwise shall exceed .03 grains per cubic foot of the covering gas at any point beyond the lot line of the use creating the emission. Identical processes or facilities may be compared to determine compliance with this subsection. For measurement for the amount of particles discharge as set forth above, measurement procedures shall follow those then employed by the Pennsylvania Department of Environmental Protection for similar or identical measurements.

13. Smoke Control

No smoke shall be emitted from any chimney or from any other source which has a visible gray opacity greater than number one (1) on the Ringelmann Smoke Chart as published by the U.S. Bureau of Mines, as amended to the time of the application for Building Permit. Identical operations or processes may be compared to determine compliance with this subsection.

14. Liquid and Solid Wastes

No operation shall discharge wastes of any kind into a surface water or a groundwater source. All methods of waste disposal shall be approved by the Pennsylvania Department of Environmental Protection. Evidence of such approval shall be provided.

Section 1304 Minimum Area and Density Requirements

1. All buildings including accessory buildings shall not cover more than fifty (50%) percent of the area of the lot. No less than ten (10%) percent of the lot area shall be covered with lawns and landscaping.
2. Minimum required for all uses not otherwise listed:

Minimum Required	Industrial
Lot Size *	2 acres
Lot Width	300 feet
Lot Depth	250 feet
Front Yard	50 feet
Side Yard **	50 feet
Rear Yard **	50 feet
Building Height (maximum)	40 feet

* When on-lot sewer facilities are to be utilized, the minimum lot size may be increased by the Township Enforcement Officer or Department of Environmental Protection for factors to health and sanitation.

** When mutual agreement is provided in writing by the adjoining property owners, no side yard or rear yard shall be required where two or more commercial uses or a commercial and industrial use adjoin side to side or back to back. In case of a series of adjoining structures abutting and paralleling a public right-of-way, an open and unobstructed passage of at least twenty (20) feet in width shall be provided at grade level at intervals of not more than four hundred (400') feet apart.