

## ARTICLE XIII

### I INDUSTRIAL DISTRICT AND U UTILITY DISTRICT

#### Section 1300. PURPOSE

The I, Industrial District is designed to provide for the full range of industrial uses that are a proper complement to other land uses in the Township and to encourage the development of larger tracts for industrial use in industrial park settings. Certain residential, office and commercial uses that are compatible with industrial uses shall also be permitted in the I District. All uses permitted by Right, Special Exception or as a Conditional Use shall comply with established performance standards to mitigate potential impacts on adjacent uses and districts.

The U, Utility district is designed to provide for Electric Utility Facilities that generate, produce, collect, supply, manufacture or deliver electricity to the Pennsylvania-Jersey-Maryland Power Grid, or other electric transmission operator, distributor, or reseller, and to encourage the development and redevelopment of areas zoned U for such use whether owned by a private entity or public utility. All uses permitted by right, Special Exception, or as a Conditional Use shall comply with established performance standards to mitigate potential impacts on adjacent uses and districts.

#### Section 1301. I DISTRICT USE REGULATIONS

1. Permitted Uses. A building may be erected, altered or used and a lot may be used or occupied for any one (1) or more of the following purposes and no other.
  - A. Research, Engineering or Testing Laboratory
  - B. Printing, Publishing, Binding and similar operation.
  - C. Wholesale and Distribution Center, Warehousing, Trucking Terminal
  - D. Manufacturing, Assembly, Cleaning, Testing or Repair of Materials, Goods, Foodstuffs or Products except for those manufacturing activities expressly permitted only by Special Exception in Section 1301.2, below.
  - E. Contractor's Establishment
  - F. Business or Professional Office
  - G. Passenger Station for Public Transportation
  - H. Trade or Industrial School or similar use.
  - I. "Big Box" Retail Establishments over forty thousand (40,000) square feet gross floor area.
  - J. Greenhouse

- K. Forestry in accordance with the provisions of Section 1823.
  - L. Township Municipal Use.
  - M. Uses customarily accessory to the above permitted uses, but not including retail sales.
  - N. Agriculture in accordance with Section 1809.
2. Uses by Special Exception. Any of the following uses shall be permitted when approved as a Special Exception by the Zoning Hearing Board, in accordance with the provisions of this Article and the standards and criteria of Section 2208.
- A. Above Ground Storage of Bottled Gas, Coal, or other dry fuels, in accordance with the provisions of Section 1704, and including the sale and distribution thereof.
  - B. Underground Storage of Fuels, including the sale and distribution thereof, but excluding automobile service stations and residential heating oil storage tanks, in accordance with the provisions of Section 1713.15.
  - C. Manufacturing, Processing or Above Ground Storage of Paint, Petroleum, Gas or other fuels.
  - D. Lime Kilns, Flour Mills, Manufacture of Lime or Cement
  - E. Foundries, Steel Mills, Manufacture or Processing of Rubber Products
  - F. Quarrying
  - G. Solid Waste Processing and/or Disposal Facility, in accordance with the provisions of Section 1306.6.
  - H. Helistop, in accordance with the provisions of Section 1812.
  - I. Adult Products Retail Establishment.
  - J. Wireless Communications Antenna(e) either not mounted on an existing structure or more than ten (10) feet higher than the structure on which it is mounted, in accordance with the provisions of Section 1307.
  - K. Any Use which, in the opinion of the Zoning Officer, may be in comparable degree to any of the foregoing uses, noxious or offensive by reason of odor, dust, fumes, smoke, gas, vibration, illumination or noise or which is or may be dangerous to the public health, welfare or safety or which constitutes or may constitute a public hazard whether by fire, explosion or otherwise.
  - L. Any use that, in the opinion of the Zoning Officer, is of the same general character as any of the uses specifically permitted in Section 1301.1.

Any applicant for a Special Exception for any of the above uses shall have the burden of proof in demonstrating to the Zoning Hearing Board's satisfaction that provision is made to reduce or

minimize adequately the noxious, offensive, dangerous or hazardous feature or features thereof, as the case may be, and that compliance with all county, state and federal regulations applicable to such uses is assured.

3. Conditional Uses. The following uses shall be permitted when approved as a Conditional Use by the Board of Supervisors, in accordance with the provisions of this Article and the standards and criteria of Section 2000.6.
  - A. Industrial Park and/or Office Campus comprised of multiple uses and housed in more than one (1) building on a single or on individual lots within a unified development, in accordance with the provisions of Section 1306.1.
  - B. Supplemental Retail or Service Commercial Establishment designed and intended to serve the needs of the occupants of a larger tract to which it is clearly supplemental, in accordance with the provisions of Section 1306.2.
  - C. Personal or Mini Storage Facility, including the indoor and outdoor storage of recreational vehicles, boats, trailers and similar equipment, in accordance with the provisions of Section 1306.3.
  - D. Multi-Storage Climate Controlled Facility, in accordance with the provisions of Section 1306.3.
  - E. Junkyard, in accordance with the provisions of Section 1306.4.
  - F. Tower-Based Wireless Communications Facilities, in accordance with Section 1821 of this Zoning Ordinance.
  - G. Day Care Center, in accordance with the provisions of Section 1813.
  - H. Any Other Use, not elsewhere permitted in this Ordinance subject to all applicable governmental standards and ordinances.
4. In addition to the foregoing all development shall comply with the provisions of Section 1825 (Agricultural Override).

Section 1302. I DISTRICT AREA AND BULK REGULATIONS

The following regulations shall apply in the I District:

1. Minimum Lot Area. A lot area of not less than two (2) acres shall be provided for every use.
2. Minimum Lot Width. Each lot shall have a width of not less than two hundred fifty (250) feet, measured at the building setback line and one hundred fifty (150) feet measured at the front lot line.
3. Minimum Front Yard. No building shall be situated less than seventy-five (75) feet from the front lot line.
4. Minimum Side Yard. No building may be situated less than fifty (50) feet from any side lot line.
5. Minimum Rear Yard. No building may be situated less than fifty (50) feet from the rear lot line.
6. Maximum Impervious Surface. No more than seventy percent (70%) of any lot shall be covered by impervious surfaces.
7. Minimum Separation from Residential Districts. Notwithstanding the requirements of Section 1302.4 and 1302.5, above, whenever a property containing an industrial, office or commercial use abuts a residentially-zoned and/or used property, any industrial, office or commercial structure or activity shall be located not less than one hundred and fifty (150) feet from the abutting residentially-zoned and/or used property line.
8. Minimum Vegetative Cover. Not less than twenty-five percent (25%) of any lot shall be planted and maintained with existing and/or installed vegetation.
9. Maximum Height. No building or other structure erected, altered or enlarged in the I District shall exceed a height of three (3) stories or forty (40) feet, whichever is less.

Section 1303. I DISTRICT DESIGN STANDARDS

The following Design Standards of this Ordinance shall, as applicable, apply to all uses in the I District:

1. Access, Highway Frontage and Interior Circulation as required by Section 1706.
2. The Off-Street Parking standards of Section 1707 shall be used as a guide in the determination of the required parking. The Applicant shall demonstrate that sufficient on-street and off-street parking will be available to accommodate the proposed use or uses.
3. Off-Street Loading as required by Section 1708.
4. Landscaping, Screening and Buffering as required by Section 1709.
5. Lighting as required by Section 1711.

6. Open Space, Recreation, Greenways and Trails as required by Section 1714.
7. Storage as required by Section 1815.
8. Signs as required by Article XIX.

Section 1304. I DISTRICT GENERAL PERFORMANCE STANDARDS

Any use of land in the I District shall be in compliance with the applicable performance standards in Article XVII.

Section 1305. I DISTRICT PLAN SUBMISSION REQUIREMENT

In order to demonstrate compliance with this Article, any applicant proposing a use authorized by Right or by Special Exception within the I District shall submit a plan (map and text) to the Township Zoning Officer describing specifically how each standard cited in Sections 1302, 1303, and 1304 shall be addressed. The plan shall also include a certification from the Chief of the appropriate Fire Company as to the adequacy of access for emergency vehicles. In addition to the requirements of this Article, the plan shall also demonstrate compliance with other applicable standards of the East Pikeland Township Subdivision and Land Development Ordinance.

Section 1306. I DISTRICT STANDARDS AND CRITERIA FOR CONDITIONAL USES

1. Any Conditional Use application for Industrial or Office Parks shall meet the following standards and criteria:
  - A. An industrial or office park or any lot or building therein may contain any of the uses listed in Section 1301, alone or in combination.
  - B. General Requirements
    - (1) Ownership. The tract of land to be developed shall be in single ownership or shall be the subject of an application filed jointly by the owners of the entire tract and shall be under unified control. If the ownership of the entire tract is held by more than one (1) person or entity, the application shall identify and be filed on behalf of all of the owners. Approval of the plan shall be conditioned upon agreement by the applicant or applicants that the tract shall be developed under single direction in accordance with the approved plan. No site preparation or construction shall be permitted other than in accordance with the approved plan. If ownership of all or any portion of the tract changes subsequent to plan approval, no site preparation or construction by such new owner or owners shall be permitted unless and until such new owner or owners shall review the terms and obligations of the approved plan and agree in writing to be bound thereby with respect to development of the tract.
    - (2) Development Plan. The application for development shall be accompanied by a unified comprehensive site plan for the entire tract regardless of any intended

phasing of development. The plan shall show in detail the proposed development use and non-development uses of the tract, including:

- a. Reserve areas for possible future expansion.
- b. Coordinated internal and external vehicular and pedestrian circulation.
- c. Well-related, convenient and efficient parking and loading areas.
- d. High quality design in terms of building relationships, façade treatment, signage, lighting, overall site landscaping of buffers, screens, parking and circulation areas as well as other natural and constructed amenities.

- (3) Covenants and Restrictions. The language, terms and conditions of any proposed covenants and restrictions shall be subject to the review and recommendation by the Township Solicitor.

C. Area and Bulk Requirements.

- (1) Minimum Gross Tract Area: 10 Acres
- (2) Minimum Lot Area: 2 Acres
- (3) Minimum Tract Frontage on an Existing Public Street: 300 Feet
- (4) Minimum Building Setback from Any Tract Property Line: 150 Feet
- (5) Minimum Side and Rear Yards: 75 Feet
- (6) Maximum Floor Area Ratio: 60%
- (7) Minimum Building Separation: 25 Feet
- (8) Maximum Impervious Cover (per lot): 70%
- (9) Minimum Vegetated Cover (per lot): 25%

- D. Landscaping, buffering and screening requirements for industrial or office parks shall be those in Sections 1708 and 1709.

2. Any Conditional Use application for Supplemental Retail or Service Commercial Facilities shall meet the following standards and criteria:

- A. Design and location of the facilities shall be integrated fully within the overall design of the larger site that such facilities are to serve. The preferred arrangement shall be to incorporate such facilities within a structure or structures devoted primarily to industrial or office use.

- B. Signage shall be designed primarily to meet interior circulation needs. One (1) ground sign or wall identification sign, under the provisions in Table "A" in Article XIX, shall be permitted for the road frontage or frontages of the industrial or office park tract.
  - C. The Board of Supervisors shall determine, to its own satisfaction and based upon the application, whether the amounts and types of uses can be considered supplemental to and primarily in support of the primary use of the tract.
3. Any Conditional Use application for a Personal or Mini-Storage Facility or Multi-Story Climate Controlled Storage Facilities shall meet the following standards and criteria:
- A. Except as noted below, the area and bulk regulations for a personal or mini-storage facility shall be those applicable to uses in the I District.
  - B. The following uses and activities shall be prohibited:
    - (1) Any business activity (other than rental of storage units) including miscellaneous or garage sales and transfer/storage businesses that utilize vehicles as part of such business.
    - (2) Servicing or repair of motor vehicles, boats, trailers, lawnmowers or any similar equipment.
  - C. All personal or mini-storage rental contracts shall include clauses prohibiting:
    - (1) The storage of flammable liquids, highly combustible or explosive materials or hazardous chemicals.
    - (2) The use of the property for other than dead storage.
  - D. The minimum front yard setback shall be fifty (50) feet. The minimum side and rear yard setbacks shall be forty (40) feet, except where such side or rear yards abut a residentially zoned district, in which case the minimum setback shall be fifty (50) feet.
  - E. Outdoor storage, including the storage of boats, trailers, campers and similar vehicles, but excluding mobile homes, shall be limited to fifteen percent (15%) of the total storage space permitted on the site and shall be screened to provide one hundred percent (100%) opacity from all surrounding residential uses, residentially-zoned lands and roads.
  - F. A solid (opaque) fence or wall, a minimum of six (6) feet in height, shall be installed along the side and rear property lines. Although not required, any fence to be installed in the front yard shall be constructed of decorative materials acceptable to the Board of Supervisors.
  - G. Landscaping and screening of the property shall be in accordance with the provisions of Sections 1708 and 1709 and acceptable to the Board of Supervisors. Screening and building location shall be such that overhead doors are not visible off-site.
  - H. Coverage of the property by buildings shall not exceed fifty percent (50%). Total impervious cover surfaces shall not exceed seventy-five percent (75%) of the property.

- I. The maximum height of buildings containing storage units shall not exceed eighteen (18) feet, except that multi-story climate controlled facilities shall not exceed a height of forty (40) feet.
  - J. A minimum of five (5) off-street parking spaces shall be provided on the property, situated in conjunction with an office or management structure for use by staff, service or delivery personnel or prospective tenants.
  - K. Interior driveway aisles shall have a minimum width of twenty-four (24) feet where storage units open onto only one (1) side of the aisle and twenty-eight (28) feet where storage units open onto both sides of the aisle.
  - L. Lighting shall be in accordance with the provisions of Section 1711.
  - M. Standards for signs shall be those in Article XIX, applicable to business uses in the I District.
  - N. The applicant for a personal or mini-storage facility shall submit a plan, as described in Section 1305, documenting compliance with the standards of this Section 1306.
4. Any Conditional Use application for a Junkyard shall meet the following criteria and standards:
- A. Every licensee hereunder shall at all times keep and maintain records of: the time of his purchase, acquisition, or receipt of junk; a full and complete description, including trade names, serial or manufacturer's numbers, if any, of every article or item of junk purchased, acquired, or received by him, the date and approximate hour of such purchase, acquisition, or receipt; and the name and address of the person from whom such articles or items of junk were purchased, acquired, or received. Such written records shall at all times be subject to the inspection of the Township. Such records shall be retained for a period of five (5) years.
  - B. Every licensee hereunder shall continuously maintain the licensed premises in the manner hereinafter prescribed:
    - (1) Such premises shall at all times be maintained so as not to constitute a nuisance, or a menace to the health and welfare of the community or to residents nearby, or a place for the breeding or rodents and vermin.
    - (2) No garbage, other organic waste, or hazardous waste shall be stored on such premises.
    - (3) The manner of storage and arrangement of junk and the drainage facilities of the premises shall be such as to prevent the accumulation of stagnant water upon the licensed land and to facilitate access for inspection purposes and fire fighting. All junk shall be arranged and maintained in a neat and orderly fashion. All junk shall be arranged in rows with a minimum of twenty (20) feet of clear space between each row; each row shall be no greater in width than forty (40) feet.
    - (4) Every structure erected upon the licensed premises and used in connection therewith shall be of fireproof construction, as deemed sufficient by the Township Engineer.

- (5) Gasoline, oil, air-conditioning refrigerant or any similar potentially hazardous substance shall be removed before any junk or other items are stored on the premises. Disposal or storage of such liquids shall be in a manner deemed acceptable by the Board upon advice of the Township Engineer and/or Fire Marshall; such liquids shall not be deposited on or into the ground.
  - (6) No junk or other material shall be burned on the premises.
- C. The minimum lot area and lot width requirements, and the maximum impervious surface limits, as stipulated in Sections 1302.1, 1302.2 and 1302.6, respectively, of this Article, shall apply to any junkyard use.
- D. No junk shall be stored or accumulated, nor shall any structure be erected, within one hundred (100) feet of the side and rear lines of the licensed premises. Nor shall any junk be stored or accumulated or any structure be erected that is used in connecting with said junkyard within one hundred fifty (150) feet of any street right-of-way line that the licensed premises abuts.
- E. No item of junk shall be stored, maintained, situated, placed, or otherwise located within any designated floodplain area or within one hundred (100) feet of any river, stream, run, creek, irrigation ditch, or any other natural water course. The more stringent of these two (2) standards shall govern in all cases.
- F. The premises shall be enclosed by a metal chain-link fence constructed of heavy duty steel and supported upon steel posts, or in lieu thereof, a solid masonry or metal wall of a uniform design, texture, and structure. Such fence or wall shall be located no closer than one hundred fifty (150) feet from the street right-of-way line, as stipulated in Section 1306.4.D, above. The land area between the fence or wall and any public street shall be landscaped in accordance with the terms of Sections 1708 and 1709. Such fence or wall shall not be less than six (6) feet in height. It is further provided that these fencing provisions shall be applicable only to that portion of the premises being used directly for the storage of junk and shall not be applicable to the balance of the property owned or used by the junkyard operator so long as said remaining portion of land is not being used for the storage of junk.
- G. By means of a fence or wall, as described immediately above, or vegetative material, or a combination thereof, any view of the junkyard from a public road or from an adjoining property shall be effectively screened.
- H. The maximum height of any outdoor, unenclosed accumulation of junk materials within a junkyard shall be eight (8) feet.
- I. An applicant for conditional use approval of a junkyard shall submit a plan (map and text) describing specifically how each standard in this Section 1306.4 shall be addressed.
- J. Licensing Procedures.
  - (1) No person shall establish or operate a junkyard in the Township of East Pikeland except as authorized by this Ordinance and without first having obtained a license therefore from the Township.

- (2) Application for such license shall be made in writing and in the form prescribed by the Board of Supervisors, and shall contain the name of the applicant, his address, the address of the premises upon which such junkyard is to be established or operated, and the name of the owner or owners of said property, if other than the applicant.
- (3) Upon any subsequent application for license renewal, a statement shall be required by the applicant that, during the preceding term of his license, he did comply with and did maintain his premises in full compliance with the provisions of this Ordinance.
- (4) Each initial application shall describe the premises upon which the junkyard is to be established or operated, specifying therein setback lines, structures erected thereon, dwellings erected upon premises adjacent to the premises proposed to be used, and any other applicable area, bulk, dimensional, and design requirements of this Ordinance.
- (5) Every applicant for a junkyard or for renewal of a junkyard permit shall pay an annual fee, the amount of which shall be established by resolution of the Board of Supervisors. All licenses shall be issued for a term of one (1) year, beginning January 1 and ending December 31 of each calendar year. All licenses must be renewed annually on or before the first day of each year.
- (6) Where the Board of Supervisors grants approval of an application for a junkyard license, the Township shall issue to the applicant a license, upon which said license shall be designated the name of the junk dealer and the address of the premises approved for use as a junkyard. Such license shall at all times be posted conspicuously upon the premises licensed thereunder. No such license issued by the Board shall be transferable or assignable by agreement, will, intestate or otherwise.

K. Inspections.

- (1) The Township shall, from time to time, inspect the premises of every license hereunder for the purpose of determining whether said licensee has established and maintained his premises in full compliance with the provisions of this Ordinance. The Township shall forthwith prosecute any discovered violation of this Ordinance.
  - (2) Any junkyard in the Township shall at all times be subject to inspection during reasonable hours of the day by authorized representatives of the Township without prior notice.
5. Any Conditional Use application for a Signal Transmitting, Receiving, or Relay Tower shall meet the following criteria and standards:
- A. Minimum Lot Area. A lot area of not less than twenty (20) acres shall be provided.
  - B. Minimum Lot Width. Each lot shall have a width of not less than 1.8 times the height of the tower. In no event may any tower be constructed or lines changed which would result in placing any lot line closer to the tower than a distance equal to seventy-five percent (75%) of the height of the tower, unless appropriate easements or deed restrictions are secured with undeveloped neighboring lands within said distance to assure a continuation of the undeveloped condition.

- C. Building Coverage. Not more than one percent (1%) of the area of any lot occupied by such tower may be occupied by buildings.
- D. The Board of Supervisors, when considering a request for such conditional use, shall require the following:
- (1) Proof of application of a permit and compliance with all applicable governmental laws and regulations including, but not limited to, those of the Federal Communications Commission and Pennsylvania Public Utility Commission.
  - (2) A study and report by recognized engineering or electronics firm establishing that construction and operation of the proposed tower shall not interfere with the present level of radio and television reception by resident(s) of the Township. If there is any interference, correction must be at the expense of the tower owner and/or the owner of the land on which the tower is located, either by changing the tower or associated equipment or that of the aggrieved resident(s).
  - (3) A review by the Township Engineer, or other appropriate person, of the detailed engineering plans and specifications of construction of the tower and approval by said Engineer of the structural integrity and safety of said plans and specifications.
  - (4) Compliance with all applicable provisions of the East Pikeland Township Subdivision and Land Development Ordinance and other applicable ordinances.
- E. No other use may be made of any lot to be used by such tower except agriculture, residence for caretaker, or passive recreation.
- F. The applicant shall provide the Township with appropriate proof of insurance protecting persons and property from any damage that could result from operation of the tower or a fall or collapse of the tower.
- G. In considering any application for conditional use, the Board of Supervisors shall, among other things:
- (1) Assure that the proposal is consistent with the spirit, purpose, and intent of the standards and criteria contained in Section 2000.6.
  - (2) Determine that the proposed use will not substantially injure or detract from the use of neighboring property or from the character of the neighborhood, and that the use of the property adjacent to the area included in the proposed plan is adequately safeguarded. The Board may stipulate the installation of fencing along the property line, or at appropriate locations within the property, in furtherance of its public safety objective.
  - (3) Impose such conditions, in addition to those required, as are necessary to assure that the general purpose and intent of this Chapter is complied with, which conditions may include, but are not limited to, harmonious design of towers and buildings; planting and its maintenance as a sight or sound screen; and the minimizing of noxious, offensive, or hazardous elements.

- H. No tower shall exceed three hundred seventy five (375) feet in height under any circumstances or twenty-four (24) inches in diagonal or comparable cross-sectional dimension above twenty-five (25) feet.
6. Any Conditional Use application for a Solid Waste Processing and/or Disposal Facility shall meet the following criteria and standards:
- A. With the exception of a recycling facility, any such facility shall be operated only by East Pikeland Township, the County of Chester, or a municipal authority of which East Pikeland Township is a member.
  - B. The service area of such a facility shall include all of East Pikeland Township and any solid waste generated therein, unless the Board of Supervisors shall designate a lesser area of the Township to be served.
  - C. Minimum lot size for a recycling facility shall be one (1) acre, except where such a facility is proposed to be operated as an accessory use on property owned or managed by a non-profit entity, in which case the Board may permit the facility to locate on a lot of less than one (1) acre in any zoning district within the Township. Minimum lot size for any other solid waste facility shall be ten (10) acres.
  - D. The proposed facility shall be located so that safe and adequate access is available over public roads at all times. The Board may require that any road providing access to the proposed facility have a minimum cartway width of forty (40) feet and be paved with surface and base course of sufficient depth to withstand traffic loads determined by the number and weight of trucks anticipated in the daily operation of the proposed facility. The Board may further require that the cost of improvement of roads to provide this standard of access be assessed against the applicant, either by requiring contribution of monies sufficient to pay for the improvement of the road or by assessing dumping fees on the operation of said facility sufficient to pay for the improvement and maintenance of access roads.
  - E. All trucks entering and leaving the facility shall be covered, and roads used for access to the facility shall be patrolled daily by an agent of the operator to pick up and dispose of scattered and blowing papers or other refuse. In addition, the facility operator shall maintain a plan, acceptable to the Board, for the control of dust on and generated by the site.
  - F. The Board may require that a traffic study, prepared by a traffic engineer deemed qualified and acceptable by the Board, be submitted which shows (1) the existing and projected traffic in the area of the proposed facility, including traffic that will result from development proposals currently pending approval or developments approved but not yet built and occupied, and (2) the projected traffic patterns once it is in full operation, including proposed access routes, roads and bridges (indicating their capacity), interior circulation plan, and types, sizes, and capacities of disposal vehicles. The criteria for conducting the traffic study shall be as further stipulated by the East Pikeland Township Subdivision and Land Development Ordinance.

- G. The view of the proposed facility from any public road, or from any adjoining property currently in residential use shall be effectively hidden by means of vegetative or architectural materials, or a combination thereof, which shall be in compliance with the terms of Section 1708.
- H. The requirements for erosion/sedimentation control and stormwater management, as stipulated in Chapter 22, Grading and Erosion and Sediment Control and Stormwater Management of the Code of Ordinances of East Pikeland shall be complied with.
- I. Where the facility is proposed to be a sanitary landfill, the following additional criteria and standards shall be applicable:
- (1) The sanitary landfill shall (a) contain a leachate collection, treatment, and disposal system to protect the surface and ground water; (b) be properly fenced, to prevent access at other than designated patrolled locations and so as to further prevent the dissemination of papers and other trash outside the site and any other nuisance on adjoining properties; and (c) have a plan for fire protection that has been reviewed and approved by the Fire Marshall.
  - (2) Final grading of the land shall be done in such manner that the land is left in a useful condition. A bond in the amount of fifteen percent (15%) of the construction costs, as determined by the Township Engineer, shall be posted to assure the Township that the property is left in such condition.
  - (3) Any subsequent use of the landfill site shall be only as permitted by the zoning district in which it is located, provided that the applicant demonstrates to the Board that the site has been, or can be, stabilized and otherwise made suitable and safe for the use proposed.
- J. Conditions of Operation.
- (1) Prior to the commencement of any activity to prepare or operate a site given conditional use approval as a solid waste management facility, the applicant and operator shall agree to conduct all such activities in strict accordance with the standards in Sections 1306.6.A through 1306.6.I, above, and with any other reasonable conditions that may be imposed by the Board at the time of conditional use approval. Such acknowledgment shall be in the form of a development agreement(s) with the Township, executed at the time of conditional use approval and recorded with the property deed at the Chester County Office of the Recorder of Deeds.
  - (2) As applicable, operation of a solid waste management facility as an approved conditional use shall be contingent upon the applicant conforming to the terms of a Solid Waste Management Permit from the Pennsylvania Department of Environmental Protection, and any applicable statutes and regulations. A copy of the DEP-approved application and permit shall be filed with the Township prior to commencing any site preparation activity.
  - (3) No hazardous waste shall be collected, transported, stored, treated, or disposed of at or in conjunction with the operation of such facility.

- K. Application. The following information shall be submitted by an applicant for conditional use approval for any solid waste management facility other than a recycling center, and shall be evaluated by the Board as part of its consideration of the conditional use proposal.
- (1) Maps of the proposed site, prepared by a registered engineer, to a scale of 1" = 50', showing the following:
    - a. Topography, including all areas of precautionary and prohibitive slope;
    - b. Geologic formations and soil types;
    - c. Proximity of the site to surface water and proposed use of such surface water;
    - d. Soils with seasonably high water table;
    - e. Floodplains;
    - f. Woodlands and other significant vegetation;
    - g. Existing uses of the property;
    - h. The names of the adjacent owners and the current land uses of their properties;
    - i. The public road network within the facility's proposed service area that is expected to carry traffic to and from the site.
  - (2) Anticipated types, amounts, and places of origin of solid waste to be collected, stored, and/or disposed of.
  - (3) A copy of the application to the Pennsylvania Department of Environmental Protection for a Solid Waste Management Permit.
  - (4) In the event the amount of site disturbance during construction shall exceed five (5) acres, a copy of:
    - a. An application to DEP for the Erosion and Sedimentation Control Permit, and,
    - b. The Erosion and Sedimentation Control Plan approval by the Chester County Conservation District.
  - (5) Evidence, which may take the form of a certification by the Chester County Board of Commissioners, that the application for a Solid Waste Management Permit, and the Conditional Use, is consistent with the Chester County Solid Waste Management Plan.
  - (6) Where the facility is proposed to be a sanitary landfill, the following additional information shall be submitted:
    - a. Proposals for leachate collection, treatment, and disposal, and for gas migration control.

- b. Proposed sources of cover material sufficient for the project.
- c. A statement indicating the expected useful life of the site as a sanitary landfill, anticipated condition of the site upon completion of operation, and plans for the restoration of the site upon termination of the landfill operation.

To the extent any of the above-required information already is contained in the applicant's application for a Solid Waste Management Permit, such information may be incorporated by reference in the application for conditional use. Further, the application for conditional use shall contain any such other information as may be requested by the Board in order to assist the Board in determining whether or not such application shall be granted.

- L. Violations and Penalties. In addition to the fines and penalties generally prescribed for violations of this Ordinance, the conditional use approval of a solid waste management facility shall be subject to suspension or termination in the event that:
  - (1) Such facility is operated in a manner other than that permitted by the conditional use approval.
  - (2) The operator should ever be enjoined from operating the facility.
  - (3) The Solid Waste Management Permit for the facility is suspended or revoked.

Section 1307.           STANDARDS AND CRITERIA FOR MUNICIPAL USES

A minimum lot area of one (1) acre shall be provided for every municipal use.

Section 1308.           ENVIRONMENTAL IMPACT ASSESSMENT

Any preliminary and final plan application for a proposed subdivision or land development in the I District shall include an environmental impact assessment report which shall be approved by the Board of Supervisors. Such environmental impact assessment report shall be prepared in accordance with the requirements for an environmental impact assessment provided in Section 1826.

Section 1309. U DISTRICT USE REGULATIONS

1. Permitted Uses. A building may be erected, altered or used and a lot may be used or occupied for any one (1) or more of the following purposes and no other.

Any use permitted in the I Industrial District.

2. Uses by Special Exception. Any of the following uses shall be permitted when approved as a Special Exception by the Zoning Hearing Board, in accordance with the provisions of this Article and the standards and criteria of Section 2008.

Any use permitted by Special Exception in the I Industrial District.

3. Conditional Uses. Any of the following uses shall be permitted when approved as a Conditional Use by the Board of Supervisors, in accordance with the provisions of this Article and the standards and criteria of Section 2000.6

A. Any use permitted as a Conditional Use in the I Industrial District.

B. Electric Utility Facility

4. In addition to the foregoing all development shall comply with the provisions of Section 1825 (Agricultural Override).

Section 1310. U DISTRICT AREA AND BULK REGULATIONS

The following regulations shall apply in the U District:

1. Minimum Lot Area. A lot area of not less than two (2) acres shall be provided for every use.
2. Minimum Lot Width. Each lot shall have a width of not less than two hundred and fifty (250) feet, measures at the building setback line and one hundred and fifty feet, measured at the front lot line.
3. Minimum Front Yard. No building shall be situated less than seventy-five (75) feet from the front lot line.
4. Minimum Side Yard. No building shall be situated less than fifty (50) feet from any side lot line.
5. Minimum Rear Yard. No building shall be situated less than fifty (50) feet from the rear lot line.
6. Maximum Impervious Surface. No more than seventy percent (70%) of any lot shall be covered by impervious surfaces.
7. Minimum Separation from Residential Districts. Notwithstanding the requirements above, whenever a property containing an industrial, office or commercial use abuts a residentially-zoned and/or used property, any industrial, office or commercial structure or activity shall be located not less than one hundred and fifty (150) feet from the abutting residentially-zoned and/or used property line.

8. Minimum Vegetative Cover. Not less than twenty-five percent (25%) of any lot shall be planted and maintained with existing and/or installed vegetation.
9. Maximum Height. No building or other structure erected, altered or enlarged in the U District shall exceed a height of three (3) stories or forty (40) feet.

Section 1311. U DISTRICT DESIGN STANDARDS

The following Design Standards shall, as applicable, apply to all uses in the U District:

1. Access, Highway Frontage and Interior Circulation, as required by Section 1706.
2. The Off-Street Parking standards of Section 1707 shall be used as a guide in the determination of the required parking. The Applicant shall demonstrate that sufficient on-street and off-street parking will be available to accommodate the proposed use or uses.
3. Off-Street Loading, as required by Section 1708.
4. Landscaping, Screening and Buffering as required by Section 1709.
5. Lighting as required by Section 1711.
6. Open Space, Greenways and Trails as required by Section 1714.
7. Storage as required by Section 1815.
8. Signs as required by Article XIX.

Section 1312. U DISTRICT GENERAL PERFORMANCE STANDARDS

Any use in the U District shall be in compliance with the general performance standards set forth in the I District.

Section 1313. U DISTRICT PLAN SUBMISSION REQUIREMENT

In order to demonstrate compliance with this Article, any Applicant proposing a use authorized by Right, by Special Exception or by Conditional Use within the U District shall submit a plan (map and text) to the Township describing specifically how each standard cited in Sections 1309, 1310 and 1311 shall be addressed. The plan shall also include a certification from the Chief of the appropriate Fire Company as to the adequacy of access for emergency vehicles. In addition to the requirements of this Article, the plan shall also demonstrate compliance with other applicable standards and requirements of the East Pikeland Township Subdivision and Land Development Ordinance.

Section 1314. U DISTRICT STANDARDS AND CRITERIA FOR CONDITIONAL USES

1. All Conditional Use applications for industrial uses permitted as a Conditional Use in the U District shall meet the standards and criteria in Section 1306.
2. All Conditional Use applications for electric utility facility uses shall meet the following standards and criteria, in addition to all other applicable criteria:
  - A. Area, Bulk and Dimensional Requirements
    - (1) Minimum Gross Tract Area: 80 Acres
    - (2) Minimum Road Frontage:

Frontage on One Road (measured at the building setback line): 600 Feet

Frontage on Multiple Roads (measured at the street line): 300 Feet (each road)
    - (3) Minimum Building Setback from Roads (measured from ultimate right-of-way):

Adjacent to a Residential or Institutional District or  
Land used for Residential or Institutional Purposes: 300 Feet

The three hundred (300) foot setback may be decreased to two hundred (200) feet for a length of no more than four hundred (400) feet when approved by the Board of Supervisors where the Applicant demonstrates that the Enhanced Visual Impact requirements of Section 1314.2.B (6) can be achieved.

Adjacent to Any Other District or Use: 100 Feet
    - (4) Minimum Front, Side and Rear Yard Setback: There shall be provided a front yard, two (2) side yards and a rear yard meeting the following dimensional requirements:

Adjacent to a Commercial or Industrial District: 25 Feet

Adjacent to a Residential or Institutional District: 300 Feet
    - (5) The building setback requirements of paragraphs b, c and d, above, shall apply to all principal structures and accessory structures, including cooling equipment structures and similar equipment and fixtures. The building setback requirements of paragraphs b, c and d, above, shall also apply to driveways and parking and loading areas except as required for normal ingress and egress.
    - (6) Maximum Impervious Surface: 35%
    - (7) Minimum Vegetative Cover: 40%
    - (8) Minimum Open Space, Subject to the Provisions of Section 1306.8.C(6): 65%

- (9) **Maximum Building Height:** No building or other structure, including but not limited to air-cooled condensers, cranes and other appurtenances to a building, but not including chimneys and stacks, erected, altered or enlarged, shall exceed a height of one hundred and fifteen (115) feet from preconstruction mean level of the natural grade adjacent to a building to the highest point of the building, or appurtenances. All chimneys and stacks shall not exceed a maximum height of two hundred and thirty (230) feet from pre-construction mean level of the natural grade adjacent to a building to the highest point of the chimney or stack, and not more than three hundred and ninety (390) feet above mean sea level. The impact of such height of structures shall be mitigated by application of landscaping, site design, screening and buffering standards and the Enhanced Visual Impact requirements of Sections 1314.2.B (4), 1314.2.B (5) and 1314.2.B (6).
- (10) **Maximum Separation Distances:** Where the tract adjoins existing electric utility generation facilities, the following maximum separation distances shall apply in order to achieve a harmonious grouping of buildings and structures:
- a. The most distant point of the generation building of electric utility facility uses shall be no further than sixteen hundred and fifty (1,650) feet from the generation building of an existing facility, unless specifically approved by the Board of Supervisors.
  - b. The most distant point of the generation building of an electric utility facility use shall be no further than sixteen hundred and fifty (1,650) feet from existing overhead electric transmission line serving the facility, unless specifically approved by the Board of Supervisors.
  - c. The highest point of the highest structure or stacks of an electric utility facility use as measured above mean sea level from the natural grade shall be no further than sixteen hundred and fifty (1,650) feet from the highest point of the highest structure or stacks of an existing facility as measured above mean sea level from the natural grade, unless specifically approved by the Board of Supervisors.

**B. Design Standards:**

- (1) **Signage:** Electric utility facility uses shall meet the design standards for signage as otherwise established for industrial uses pursuant to Article XIX of this Ordinance.
- (2) **Parking:** One (1) off-street parking space shall be required for each employee on the shift of greatest employment. Parking space calculations shall be based upon projected maximum employees on duty on the premises at any one time, which would include any overlap of employees at a change of shift. A parking reserve area shall be established for an additional number of parking spaces equal to ten percent of the number of parking spaces required above, with any fraction rounded up. The parking reserve area shall be constructed only at the direction of the Board of Supervisors, and shall otherwise meet the requirements of Sections 1706.7 B through F of this Ordinance. Except as to Section 1706.5 of this Ordinance, the requirements of Section 1706 of this Ordinance shall otherwise apply.

In addition to the above post-construction parking requirements, temporary off-street parking facilities shall be provided during construction. The temporary off-street parking facilities shall have a stabilized stone surface and shall meet the criteria for access and traffic control, screening and buffering and Enhanced Visual Impact Mitigation requirements set forth in Section 1313.2.B (6) of this Ordinance. When construction is completed, any temporary parking facilities are to be returned to similar condition as originally existing, unless agreed to otherwise by the Board of Supervisors

(3) Access and Traffic Control:

Except as to Subsections 1 and 2 of Section 1705 of Article XVII of this Ordinance, electric utility facility uses shall meet the design standards for access and traffic control applicable under Section 1705 and the Applicant shall submit a plan for access and traffic control during the construction period. During the Land Development Plan review process, an Applicant shall submit a traffic study and traffic improvement plan prepared by a reputable traffic-engineering consultant, detailing needed improvements. The traffic study and improvement plan shall be subject to the review and approval of the Board of Supervisors, and the approved plan shall be implemented by the Applicant. Electric utility facility uses shall access public roads at existing intersections, not directly adjacent to existing residential uses, during construction.

(4) Landscaping and Site Design: Electric utility facility uses shall meet the design standards for landscaping and site design pursuant to Article XVII, Section 1709 of this Ordinance, except to the extent that variations from said standards are required to comply with the additional requirements set forth in Section 1314.2.B (6) of this Ordinance. Subject to any and all applicable state or federal environmental or other applicable regulatory standards or permits, an Applicant shall, during the Land Development Plan review process, demonstrate that the location of the electric utility facility uses on the site mitigates visual impact in conjunction with the criteria set forth in Section 1314.2.B (6).

(5) Screening and Buffering: Electric utility facility uses shall meet the design standards for buffering and screening of visual impacts otherwise established for construction of public utility facilities and structures in excess of 4,000 square feet in ground coverage pursuant to Article XVII, Section 1708.1.C (1) of this Ordinance, except to the extent that variations from said standards are required to comply with the additional requirements set forth in Section 1314.2.B (6) of this Ordinance. During the land development plan review process, the applicant shall prepare and submit for the Township's review and approval, a detailed screening and buffering phasing plan that proposes the implementation schedule for the landscaping and screening and buffering measures required by Sections 1314.2.B (4), (5) and (6) of this Ordinance, to be installed prior to the commencement of construction and prior to commencement of the various construction phases, to ensure that the visual impact of all phases of construction activity is mitigated to the satisfaction of the Township Board of Supervisors. All screening and buffering measures shall be installed in place prior to commencement of commercial operation.

(6) Enhanced Visual Impact Mitigation:

Notwithstanding the specific standards referenced in Sections 1314.2.B (4) and (5) of this Ordinance, and subject to any and all applicable state or federal environmental or other applicable regulatory standards or permits, an applicant shall, during the land development review process, employ any combination of berming, grading, landscaping or planting, which is necessary to provide for a visual screen that effectively mitigates the offsite visual impact of the Electric utility facility uses on adjacent residential uses, and which integrates with the natural features of the site. At a minimum, the visual impact mitigation plan shall incorporate landscape berms of at least thirty (30) feet in height to screen the impact of an electric utility facility use. The berms shall be designed with a tree-planting plan to provide additional year-round buffering. The height of the berms, in whole or in part, may be reduced to no less than Twenty (20) feet with the approval of the Township Board of Supervisors, where the Applicant proposes a foot-for-foot reduction in the height of the buildings and structures by lowering the elevation of the buildings and structures below the natural grade, or where the Township Board of Supervisors finds that construction of the berms, in whole or in part, is not feasible. Should the Township Board of Supervisors find that the berming, in whole or in part, will not adequately mitigate the visual impact, or in any case where a berm of less than thirty (30) feet is proposed, the Applicant shall also propose and submit a detailed viewshed analysis of the impact of an electric utility facility use from such vantage points as may be determined by the Township to require further mitigation, accompanied by a detailed mitigation plan for each identified viewshed, demonstrating that following implementation of the enhanced viewshed impact mitigation plan, no greater than thirty percent (30%) of the relevant elevation of an electric utility facility use shall be visible from the said vantage point. The enhanced visual impact mitigation plan shall be designed by a certified landscape architect, and shall be subject to the review and approval of the Township.

- (7) Storage: Electric utility facility uses shall meet the design standards for storage set forth in Section 1815 of this Ordinance and, in addition, shall meet the following design standards:
- a. A design shall be provided for the safe, convenient and effective collection and storage of waste generated by any use upon the property, and such design shall be in conformance with applicable federal and state law or regulation.
  - b. All outdoor storage of waste shall be fully enclosed by an approved fence with a self-closing and self-locking gate. All storage of materials or chemicals that are flammable shall be stored in enclosed containers adequate to eliminate such hazards. In addition to a fence, bulk storage tanks shall be enclosed by a containment device such as a moat or berm, to contain potential spillage, in conformance with applicable federal and state law or regulation.
  - c. Storage of waste shall conform to the laws and regulations set forth in applicable federal and state law or regulation.

- d. Flammable and combustible liquids, solids or gases shall be stored in accordance with the Township fire code, as well as applicable federal and state law or regulation.
- (8) Interior Circulation: Electric utility facility uses shall meet the design standards for interior circulation otherwise established pursuant to Section 1705 of this Ordinance.
- (9) Lighting: Electric utility facility uses shall meet the design standards for lighting established herein in order to prevent dangerous or objectionable hazards or conditions that would be adverse to the health, safety and welfare of the residential uses. The design of lighting fixtures shall conform to the following standards:
- a. Lighting shall be effectively shielded and shall be arranged in size to protect the street and neighboring properties from direct glare or light radiation which may cause a safety problem or nuisance. In no event shall the ambient lighting from all sources exceed one-tenth (0.1) foot-candle at the property line of off-site residential properties that are residential in use. Said standards shall not apply as to any off-site properties that are not residential in use.
  - b. Lighting facilities shall be indicated on all plans and provide a minimum illumination level within the following range of values:
    - Minimum range: 0.5 - 1.2 foot candles
    - Maximum level: 5.0 foot candles

All outdoor lighting fixtures shall meet IESNA full cutoff criteria and be aimed at 0 degrees from vertical, unless otherwise specifically approved by the Township based upon the application and adequate control of direct glare as viewed from off-site.
  - c. Sign lighting shall be arranged so that the source of light is not visible from any point off the lot and that only the sign is directly illuminated.
  - d. Free-standing light fixtures shall not produce more than one-tenth (0.1) foot candle of incidental light or glare at the boundary of adjacent properties that are residential in use. Said standards shall not apply as to any adjacent properties that are not residential in use.
  - e. No outdoor light fixtures shall be mounted at an elevation in excess twenty-five (25) feet in height above finished grade unless specifically approved by the Township Board of Supervisors.
  - f. Lighting shall otherwise conform to all other applicable provisions of Section 1711 of this Ordinance.
  - g. During the preliminary Land Development Plan review process, the Applicant shall demonstrate to the satisfaction of the Township Board of Supervisors that vertical glare from the electric utility facility uses will not substantially alter the

pre-development glow of the night sky at the horizon from adjacent properties. During the Preliminary Land Development review process, the Applicant shall submit for review and approval by the Township Board of Supervisors, a pre-development baseline analysis documenting the pre-development vertical glare, and proposing criteria for assessing post-development compliance with this standard.

- h. The Land Development Plans shall define the hours of operation for the outdoor lighting fixtures and provide for a post construction inspection of lighting by the Township for the purpose of identifying compliance with the lighting requirements and the requirement to correct any deficiencies.
- (10) Loading: Electric utility facility uses shall meet the design standards for off-street loading pursuant to Section 1707 of this Ordinance.
- (11) Erosion/Sedimentation Control & Stormwater Management: Electric utility facility uses shall meet the design standards for erosion/sedimentation control and stormwater management requirements as established by Chapter 22, Grading Erosion and Sediment Control and Stormwater Management, of the Code of Ordinances of East Pikeland Township.

C. Specific Performance Standards.

- (1) Emission Standards: Electric utility facility uses shall meet the following standards for emissions:
- a. Emissions from any stack or other emission source on the lot shall be in compliance with any and all applicable state or federal environmental or other regulatory standards or permits.
  - b. Prior to Land Development Plan approval, the applicant shall present evidence of purchase of all Emission Reduction Credits (ERC) needed for state or federal approvals.
  - c. During the preliminary land development review process, the applicant shall submit for review and approval by the Township Board of Supervisors, a Local Air Quality Enhancement Plan (LAQEP) that details the applicant's plan to promote the improvement of local air quality through enhancement and development of clean air technology, programs and infrastructure. The LAQEP shall include a detailed implementation schedule, subject to the review and approval of the Township Board of Supervisors.
  - d. Electric utility facility uses shall provide the facility's continuous air emissions monitoring directly to the Township.
  - e. Electric utility facility uses shall install an air quality monitoring station at the facility acceptable to the Township Board of Supervisors, and provide continuous monitoring information directly to the Township.

- (2) Noise Control: All electric utility facility uses shall not exceed the following sound levels, as measured at the relevant lot line:
- a. At all lot lines adjacent to a residential use or district: A sound level of sixty (60) dBA between the hours of 7:00 a.m. and 10:00 p.m., and a sound] [level of fifty-five (55) dBA between the hours of 10:00 p.m. and 7:00 a.m.
  - b. At all lot lines adjacent to a commercial use: A sound level of sixty-five (65) dBA between the hours of 7:00 a.m. and 10:00 p.m., and a sound level of sixty (60) dBA between the hours of 10:00 p.m. and 7:00 a.m.
  - c. At all lot lines adjacent to an industrial use: A sound level of seventy (70) dBA between the hours of 7:00 a.m. and 10:00 p.m., and a sound level of sixty-five (65) dBA between the hours of 10:00 p.m. and 7:00 a.m.

Sound levels shall be measured using a sound level meter meeting ANSI Standard S1.4 set on "A" weighting and slow meter response, with the plant under normal operating condition and in the absence of other identifiable intrusive noises.

- (3) Vibration:

Except for vibrations produced as a result of construction activities upon the lot, no electric utility facility use shall cause earth vibrations or concussions detectable beyond its lot lines without the aid of electronic instruments. During the preliminary land development review process, the applicant shall submit for review and approval by the Township Board of Supervisors, a pre-construction vibration and seismic analysis documenting the pre-development vibration and seismic condition of the site to use a baseline for assessing compliance with this criterion.

- (4) Gas and Electric Transmission Lines: Electric utility facility uses shall provide a design for safe and efficient connection with existing underground gas transmission lines and existing overhead high voltage electric transmission lines.
- (5) Water and Sewer: Electric utility facility uses shall meet the design standards for water supply and sewage disposal as follows:
- a. As to sanitary sewage disposal, a public sewage disposal system shall be provided for safe and efficient collection, treatment and disposal of sanitary sewage generated within the lot.
  - b. As to potable water supply standards, a design shall be provided for safe and efficient permanent surface water supply (after treatment if necessary) capable of furnishing adequate, safe and potable water on the lot. No on-site groundwater source shall be permitted.
  - c. To the extent water is supplied or treated relative to industrial cooling or other use related to the generation, production, collection, supply or delivery of electricity, said water supply, use, treatment, and discharge shall conform with all applicable state and federal standards.

- (6) Open Space: Electric utility facility uses, in order to mitigate the impact of the use in the community, shall provide, during the land development review process, where feasible, municipal, public service, open space and/or recreational uses upon areas of the lot which are appropriate for such uses. Except as otherwise provided herein, the open space shall comply with Section 1314.2.A (8) of this Ordinance and shall be one contiguous open parcel, with no areas less than Three Hundred (300) feet in width calculated as part of the required open space. The required open space area shall be separate from the immediate vicinity of the buildings, structures and parking facilities of the electric utility facility uses. To the extent such on-site municipal, public service, open space or recreational uses are not feasible in the Township's view given development constraints on the site, an electric utility facility uses shall otherwise address the need to ameliorate this impact in Section 1314.2.C (8) of this Ordinance.
- (7) Traffic Impact Analysis

Electric utility facility uses shall provide, during Land Development Plan review process, a traffic impact analysis addressing all aspects of traffic safety and provide a description of improvements necessitated by the traffic generation of the facility. The traffic impact study shall comply with the requirements of Section 306.D.4 of the Township Subdivision and Land Development Ordinance.
- (8) Community Impact Analysis: Electric utility facility uses shall provide, during the Land Development Plan review process, a community impact analysis addressing impact to community resources from the proposed use, including, but not limited to, consideration of the impacts of the use relative to emergency services, other Township services, and if not otherwise provided for under Section 1314.2.C (6) of this Ordinance, the need for provision of municipal, public service, open space and/or recreational uses as mitigation measures, or the need for the provision by the applicant of fees in lieu of such uses. The Township shall review the methodology, assumptions, findings and recommendations of the analysis. The Board of Supervisors may impose upon the applicant additional requirements deemed necessary to accommodate the impacts of the development.
- (9) Fiscal Impact Analysis: Electric utility facility uses shall provide, during the Land Development Plan review process, a fiscal impact analysis which enumerates the fiscal benefits and costs to the community associated with the use, including but not limited to, fiscal impacts relative to factors enumerated in Section 1314.2.C (6) through (8) of this Ordinance. The fiscal impact study shall comply with the requirements of Section 306.D.4.c of the Township Subdivision and Land Development Ordinance. In particular, to the extent that on-site municipal, public service, open space or recreational uses are not feasible in the Township's view, the fiscal impact analysis shall address appropriate fees to be paid by the applicant in lieu of providing such on-site municipal, public service, open space and/or recreational uses.

- (10) Other Impact Studies: Nothing set forth herein shall relieve electric utility facility uses from providing such other impact studies otherwise required by Section 306.D of the Township Subdivision and Land Development Ordinance during the land development review process.

D. General Performance Standards

- (1) Electromagnetic Radiation and Radioactive Emissions: Electromagnetic radiation or radioactive emissions shall not be of an intensity that interferes with the use of any other property.
- (2) Industrial and Sanitary Wastes: Industrial and Sanitary Waste Disposal shall conform to applicable regulations of the Pennsylvania Department of Environmental Protection and the Chester County Health Department regarding the treatment and disposal of industrial or sanitary wastes from plant operations.
- (3) Non-hazardous Waste: Non-hazardous waste material, as defined by the Pennsylvania Solid Waste Management Act of 1980, Act 97, shall not be stored on the site for any period beyond thirty (30) days.
- (4) Hazardous Waste: The production, treatment, or storage of toxic or hazardous waste, as defined by the Solid Waste Management Act, shall not be conducted on the site.
- (5) Perimeter and Internal Roads: Existing and proposed perimeter and internal roads must meet specifications determined by the Township Engineer as adequate for the U District in general and the proposed use in particular, and such road specifications may exceed those set forth in the East Pikeland Township Subdivision and Land Development Ordinance.

Section 1315. ENVIRONMENTAL IMPACT ASSESSMENT

Any preliminary and final plan application for a proposed subdivision or land development in the U District shall include an environmental impact assessment report which shall be approved by the Board of Supervisors. Such environmental impact assessment report shall be prepared in accordance with the requirements for an environmental impact assessment provided in Section 1826. Where other impact assessments, that may duplicate the provisions of this Section, are required by this Article, the more rigorous assessment requirements shall apply.