

TOWNSHIP OF MIDDLESEX
CUMBERLAND COUNTY, PENNSYLVANIA

ORDINANCE NO. 8-98

AN ORDINANCE AMENDING ARTICLE II (DEFINITIONS),
ARTICLE X (CH - COMMERCIAL HIGHWAY DISTRICTS),
ARTICLE XI (LI - LIGHT INDUSTRIAL DISTRICTS) AND
ARTICLE XII (IG - INDUSTRIAL GENERAL DISTRICTS) OF
THE MIDDLESEX TOWNSHIP ZONING ORDINANCE.

BE IT HEREBY ENACTED AND ORDAINED and it is hereby enacted
by the Board of Township Supervisors in and for the Township of
Middlesex, Cumberland County, Pennsylvania:

Section 1: Article II, Section 2.03 of the Middlesex Township
Zoning Ordinance is hereby amended to include the following
additional and/or amended definitions:

Combination: Two or more vehicles physically interconnected
in tandem.

Distribution Center: A structure used for the receipt,
storage and distribution of goods, products, cargo and
materials, characterized by the breakdown of large orders
from a single source into smaller orders or components
and/or the consolidation of several orders or components
into a larger order or component for distribution to one or
more recipients.

Industrial Use: Light Industrial Use: Uses which are
characterized by use of large sites, attractive buildings
and inoffensive processes, and which are compatible with
neighboring residential uses.

Truck: A motor vehicle or a combination of vehicles having
a gross vehicle weight rating or gross combination weight
rating in excess of 26,000 pounds primarily designed to
carry cargo, freight, goods or material. For purposes of
this definition, the gross vehicle weight rating shall be
the value specified on the Federal weight certification
label by the manufacturer as the loaded weight of a single
vehicle and the gross combination weight rating shall be the
value specified by the manufacturer as the load weight of a
combination.

Truck Repair And Service Facility: A structure utilized for
purposes of providing repair, service, rental, leasing,
inspection and/or washing of trucks. Such a use may
include, but need not include as an accessory use, the sale
of lubricants, tires, batteries, motor fuel and other
petroleum products, truck accessories and equipment.

Truck Terminal: An area or structure where trucks load and unload goods, products, cargo, materials and/or freight and where the same may be broken down or aggregated into smaller or larger loads for transfer to other motor vehicles or modes of transportation or to other points or junctions.

Warehouse: A structure used for the storage of goods.

Warehousing: The use of a structure for the storage of goods. Such a use specifically excludes distribution center and truck terminal uses and activities.

Wholesaling: A use characterized by the sale of merchandise to retailers, to industrial, commercial, institutional or professional business uses or to other wholesalers. Such a use includes the agents or brokers buying merchandise or selling merchandise to such individuals or companies.

Section 2: Article X (CH - COMMERCIAL HIGHWAY DISTRICTS), Section 10.03.E. and 10.03.H. of the Middlesex Township Zoning Ordinance are hereby amended to provide as follows:

- E. Vehicle sales and services, such as service stations, repair garages, new and used car dealers, and automotive supplies, subject to the requirements of Section 14.46. Vehicle Sales and Services specifically excludes truck repair and service facilities.
- H. Motor vehicle, mobile home, trailer, camping, boat, construction or farm equipment sales and services, but specifically excluding truck repair and service facilities.

Section 3: Article XI (LI - LIGHT INDUSTRIAL DISTRICTS) of the Middlesex Township Zoning Ordinance is hereby amended to provide in its entirety as follows:

ARTICLE XI

LI - LIGHT INDUSTRIAL DISTRICTS

SECTION 11.01 - INTENDED PURPOSE. The LI Light Industrial District is designed to permit and encourage appropriate sites to be used for limited industry. Such limited industries are characterized by uses of large sites, attractive buildings and inoffensive processes. Such districts are further intended to encourage the harmonious and appropriate physical development of the Township by providing gradual transitions between adjacent land uses. To these ends, the light industrial districts are

intended to discourage and minimize air and water pollution, noise, glare, heat, vibration, fire and safety hazards and other detriments to the environment.

All uses in the LI District shall comply with the following regulations:

SECTION 11.02 - USE STANDARDS. Uses permitted in the (LI) Light Industrial District shall be subject to the following conditions:

- A. All access roads or driveways shall be located not less than one hundred (100) feet from the intersection of any street right-of-way lines, and shall be designed in a manner conducive to safe ingress and egress.
- B. Parking, loading, or service areas used by motor vehicles shall be physically separated from all streets by a suitable barrier against unchanneled motor vehicle access or egress. The roads, driveways, parking areas and walks shall be paved and maintained in good condition. No parking area shall be located within 35 feet of the front lot line or within 20 feet of a side or rear lot line.
- C. Illumination. Any illumination or floodlighting shall be arranged so there will be no direct or indirect glare on any lot zoned for residential use or used for residential purposes.
- D. All permitted uses and all storage accessory thereto except parking and loading areas and public utility structures, shall be conducted within completely enclosed buildings.
- E. Along each property line which faces a residential district or lot in residential use, the owner shall be required to maintain a buffer strip ten (10) feet wide upon which shall be planted a hedge, evergreen shrubbery or suitable vegetation to provide appropriate screening against, among other things, noise, glare, fumes, dust, and other harmful effects.
- F. Landscaping. The entire lot shall be suitably landscaped (except for those areas which are covered by buildings or surfaced as parking or service areas). All landscaping shall be properly maintained through the life of any use on any lot.
- G. Additional conditions and safeguards as the Supervisors may impose in order to protect and promote the health and safety and general welfare of the community and the character of the neighborhood in which the proposed use is to be erected.
- H. No use in the Light Industrial District shall:

1. Cause dust, smoke, fumes, gas or offensive odors to be disseminated beyond the boundaries of the lot.
2. Cause vibration beyond the boundaries of the lot.
3. Cause noise exceeding that of street traffic at the front lot line.

SECTION 11.03 - PERMITTED USES. In a (LI) Light Industrial District, no building or premises shall be used and no building shall be erected, which is arranged, intended or designed to be used in whole or in part, for any purpose except those listed below, and all such uses listed below shall be subject to Land Development Plan approval process in accordance with the Middlesex Township Subdivision and Land Development Ordinance and those regulations specified elsewhere in this Ordinance.

1. Agricultural, food and kindred products, but not including rendering, slaughtering or tanning plants.
2. Furniture and fixtures.
3. Printing, publishing and allied industries.
4. Pharmaceutical, medicinal, drug and biological products.
5. Textile mill and apparel products.
6. Professional, scientific and controlling instruments; photographic and optical goods.
7. Canvas products made of purchased canvas.
8. Fabricated metal products and metal working.
9. Woodworking, cabinets and handicraft products.
10. Electronics and small parts assembly.
11. Self-storage units for public rental.
12. Laundries, laundry services and cleaning plants.
13. Municipal and public utility buildings, structures and yards, treatment plants and pump stations, heating and electric power generation plants.

SECTION 11.04 - ACCESSORY USES.

The following customary accessory uses and buildings incidental to any permitted uses shall be permitted:

- A. Uses and structures which are customarily associated with the permitted uses such as storage buildings, yards, gardens, play areas and parking areas.
- B. Signs, as provided in Article XIV of this Ordinance.

SECTION 11.05 - SPECIAL EXCEPTION USES. The following uses and activities may be permitted by Special exception upon approval of the Zoning Hearing Board after a public hearing and recommendation by the Planning Commission. Uses by Special Exception shall be subject to the requirements specified in Articles XIV and XVIII and elsewhere in this Ordinance.

- A. Uses which, as determined by the Zoning Hearing Board, are of the same general character as those listed as permitted uses and which will not be detrimental to the intended purposes of these districts.
- B. Dwellings accessory and incidental to the principal use only for occupancy of bona fide caretakers or watchmen and their families.

SECTION 11.06 - PROHIBITED USES. The following uses are expressly prohibited in the (LI) Light Industrial District:

- A. Residences, except as set forth in Section 11.05.B. above.
- B. All uses that do not meet the requirements of the Performance Standards in Article XIV.
- C. Uses of an industrial nature such as those that are permitted in the IG Industrial District, which are not enumerated permitted uses in the LI Light Industrial District.

SECTION 11.07 - LOT AREA, BUILDING HEIGHT AND YARD REQUIREMENTS.

- A. Lot Requirements. Lot width, lot area, yard and building setback of not less than the dimensions shown on the following table shall be provided for every dwelling unit and/or principal non-residential building or structure hereafter erected or altered for any use permitted in this district.

USE	LOT REQUIREMENTS			YARD REQUIREMENTS				HEIGHT RQMNTS.
	MIN. LOT AREA (SQ. FT.)	MIN. LOT WIDTH	MAX. LOT COVERAGE %	FRONT	ONE SIDE*	TOTAL SIDES	REAR	MAX. (FT.)
<u>ON-LOT WATER & SEWER</u>								
All Permitted Uses	3 acres**	200'	50	35'	20'*	40'	35'	45
Uses by Special Exception	SEE ARTICLE XIV							
<u>PUBLIC WATER OR SEWER</u>								
All Permitted Uses	1 acre**	120'	50	35'	20'*	40'	35'	45
Uses by Special Exception	SEE ARTICLE XIV							
<u>PUBLIC WATER & SEWER</u>								
All Permitted Uses	1 acre	100'	50	35'	20'*	40'	35'	45
Uses by Special Exception	SEE ARTICLE XIV							

* Side yard requirement when abutting residential district is 100 feet

** Lot size subject to PalDEP approval for on-lot sewage disposal systems

B. Impervious Area. The maximum impervious area permitted on any lot is sixty percent (60%) of the total lot area.

C. Corner Lots. On the street side, corner lots shall have a side yard dimension of not less than the front yard requirement.

SECTION 11.08 - MINIMUM OFF-STREET PARKING REQUIREMENTS. Off-street parking shall be provided for in accordance with Section 14.10 of this Ordinance.

SECTION 11.09 - MINIMUM OFF-STREET LOADING AND UNLOADING REQUIREMENTS. Off-street loading and unloading facilities shall be provided for in accordance with Section 14.11 of this Ordinance.

SECTION 4: ARTICLE XII (IG - INDUSTRIAL GENERAL DISTRICTS) of the Middlesex Township Zoning Ordinance is hereby amended to provide in its entirety as follows:

ARTICLE XII

IG - INDUSTRIAL GENERAL DISTRICTS

SECTION 12.01 - INTENDED PURPOSE. The IG Industrial General District is designed to permit and encourage general industrial development that will be so located and designed so as to constitute harmonious and appropriate development; to identify and consolidate locations of industrially-related land uses which, because of their shipping, storage and other requirements, exert special demands on the Township; to provide for general industrial and manufacturing uses that are not offensive in terms of excessive dust, smoke, fumes, glare, noise or other nuisances beyond the normal processing, fabricating or assembling of products; and to contribute to the soundness of the economic base of the Township. These regulations are designed to stabilize and protect the essential characteristics of the district by excluding uses which would have a detrimental effect upon the orderly development and function of the district.

All uses in the IG District shall comply with the following regulations:

SECTION 12.02 - USE STANDARDS. Uses permitted in the (IG) Industrial General District shall be subject to the following conditions:

- A. All access roads or driveways shall be located not less than one hundred (100) feet from the intersection of any street right-of-way lines, and shall be designed in a manner conducive to safe ingress and egress.
- B. Parking, loading, or service areas used by motor vehicles shall be physically separated from all streets by a suitable barrier against unchanneled motor vehicle access or egress. The roads, driveways, parking areas, storage areas and walks shall be paved and maintained in good condition. No parking area shall be located within 35 feet of the front lot line or within 20 feet of a side or rear lot line.
- C. Illumination. Any illumination or floodlighting shall be arranged so there will be no direct or indirect glare on any lot zoned for residential use or used for residential purposes.
- D. All permitted uses and all storage accessory thereto except parking and loading areas, public utility structures and accessory storage customarily conducted outdoors shall be conducted within completely enclosed buildings.

- E. Along each property line which faces a residential district or lot in residential use, the owner shall be required to maintain a buffer strip ten (10) feet wide upon which shall be planted a hedge, evergreen shrubbery or suitable vegetation to provide appropriate screening against, among other things, noise, glare, fumes, dust, and other harmful effects.
- F. Landscaping. The entire lot shall be suitably landscaped (except for those areas which are covered by buildings or surfaced as parking or service areas). All landscaping shall be properly maintained through the life of any use on any lot.
- G. Additional conditions and safeguards as the Supervisors may impose in order to protect and promote the health and safety and general welfare of the community and the character of the neighborhood in which the proposed use is to be erected.
- H. No use in the Industrial General District shall:
 - 1. Cause dust, smoke, fumes, gas or offensive odors to be disseminated beyond the boundaries of the lot.
 - 2. Cause vibration beyond the boundaries of the lot.
 - 3. Cause noise exceeding that of street traffic at the front lot line.

SECTION 12.03 - PERMITTED USES. In the (IG) Industrial General District, no building or premises shall be used and no building shall be erected, which is arranged, intended or designed to be used in whole or in part, for any purpose except those listed below, and all such uses listed below shall be subject to Land Development Plan approval process in accordance with the Middlesex Township Subdivision and Land Development Ordinance and those regulations specified elsewhere in this Ordinance.

- 1. Agricultural, food and kindred products, but not including rendering, slaughtering or tanning plants.
- 2. Furniture and fixtures.
- 3. Printing, publishing and allied industries.
- 4. Pharmaceutical, medicinal, drug and biological products.

5. Textile mill and apparel products.
6. Professional, scientific and controlling instruments; photographic and optical goods.
7. Canvas products made of purchased canvas.
8. Fabricated metal products and metal working.
9. Woodworking, cabinets and handicraft products.
10. Electronics and small parts assembly.
11. Truck terminals.
12. Warehousing and wholesaling.
13. Laundries, laundry services and cleaning plants.
14. Public utility buildings, structures and yards, treatment plants and pump stations, heating and electric power generation plants.
15. Research, design and development laboratories.
16. Truck repair and service facilities.
17. Distribution centers.

SECTION 12.04 - ACCESSORY USES.

The following customary accessory uses and buildings incidental to any permitted uses shall be permitted:

- A. Uses and structures which are customarily associated with the permitted uses such as storage buildings, outdoor storage areas, yards, gardens, play areas and parking areas.
- B. Signs, as provided in Article XIV of this Ordinance.

SECTION 12.05 - SPECIAL EXCEPTION USES. The following uses and activities may be permitted by Special Exception upon approval of the Zoning Hearing Board after a public hearing and recommendation by the Planning Commission. Uses by Special Exception shall be subject to the requirements specified in Articles XIV and XVIII and elsewhere in this Ordinance.

- A. Uses which, as determined by the Zoning Hearing Board, are of the same general character as those listed as permitted uses and which will not be detrimental to the intended purposes of these districts.
- B. Junk yards used for storage, wrecking and converting used or discarded materials, provided that such use is completely enclosed within a wall or fence of not less than eight (8) feet in height.
- C. Dwellings accessory and incidental to the principal use only for occupancy of bona fide caretakers or watchmen and their families.
- D. Adult Book Stores and Adult Theaters (See Section 14.50).

SECTION 12.06 - PROHIBITED USES. The following uses are expressly prohibited in the (IG) Industrial General District:

- A. Residences, except as set forth in Section 12.05.C. above.
- B. All uses that do not meet the requirements of the Performance Standards in Section 14.18.
- C. Uses of a heavy industrial nature which constitute a fire or explosion hazard.

SECTION 12.07 - LOT AREA, BUILDING HEIGHT AND YARD REQUIREMENTS.

- A. Lot Requirements. Lot width, lot area, yard and building setback of not less than the dimensions shown on the following table shall be provided for every dwelling unit and/or principal non-residential building or structure hereafter erected or altered for any use permitted in this

district:

USE	LOT REQUIREMENTS			YARD REQUIREMENTS				HEIGHT RQMNTS.
	MIN. LOT AREA (SQ.FT.)	MIN. LOT WIDTH	MAX. LOT COVERAGE %	FRONT	ONE SIDE*	TOTAL SIDES	REAR	MAX. (FT.)
<u>ON-LOT WATER & SEWER</u>								
Truck Terminals	5 acres**	400'	50	50'	35'	70'	50'	45
All Other Uses	3 acres**	200'	50	35'	20'*	40'	35'	45
Uses by Special Exception	SEE ARTICLE XIV							
<u>PUBLIC WATER OR SEWER</u>								
Truck Terminals	5 acres**	400'	50	50'	35'	70'	50'	45
All Other Uses	1 acre	120'	50	35'	20'*	40'	35'	45
Uses by Special Exception	SEE ARTICLE XIV							
<u>PUBLIC WATER & SEWER</u>								
Truck Terminals	5 acres**	400'	50	50'	35'	70'	50'	45
All Other Uses	1 acre	100'	50	35'	20'*	40'	35'	45
Uses by Special Exception	SEE ARTICLE XIV							

* Side yard requirement when abutting residential district is 100 feet

** Lot size subject to PaDEP approval for on-lot sewage disposal systems

B. Impervious Area. The maximum impervious area permitted on any lot is sixty percent (60%) of the total lot area.

C. Corner Lots. On the street side, corner lots shall have a side yard dimension of not less than the front yard requirement.

SECTION 12.08 - MINIMUM OFF-STREET PARKING REQUIREMENTS. Off-street parking shall be provided for in accordance with Section 14.10 of this Ordinance.

SECTION 12.09 - MINIMUM OFF-STREET LOADING AND UNLOADING REQUIREMENTS. Off-street loading and unloading facilities shall be provided for in accordance with Section 14.11 of this Ordinance.

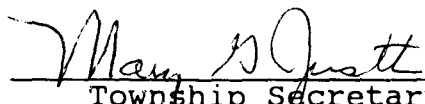
SECTION 5: If any section, sub-section, provision, regulation, limitation, restriction, sentence, clause, phrase or word in this Ordinance is declared by any reason to be illegal, unconstitutional or invalid by any Court of competent jurisdiction, such decision shall not affect or impair the validity of this or the Middlesex Township Zoning Ordinance as a whole, or any other section, sub-section, provision, regulation, limitation, restriction, sentence, clause, phrase, word or remaining portion of this or the Middlesex Township Zoning Ordinance. The Board of Township Supervisors hereby declares that it would have adopted this Ordinance and each section, sub-section, provision, regulation, limitation, restriction, sentence, clause, phrase and word thereof, irrespective of the fact that any one or more of the sections, sub-sections, provisions, regulations, limitations, restrictions, sentences, clauses, phrases or words may be declared illegal, unconstitutional or invalid.

SECTION 6: This Ordinance shall become effective in accordance with applicable law.

ORDAINED AND ENACTED this 6th day of May, 1998.

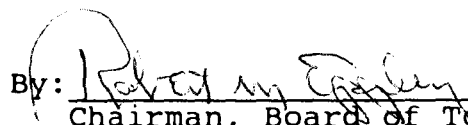
ATTEST:

TOWNSHIP OF MIDDLESEX



Township Secretary

(Seal)

By: 

Chairman, Board of Township
Supervisors