

- **23-22 - OI-1 Office and industrial district.**

(a) Purpose. The purpose of the OI-1 Office and Industrial District is to encourage industrial development in areas accessible to rail and highway transportation, and to provide areas for manufacturing or assembly operations, and other industrially-related establishments, which can be a good neighbor without creating pollution or overloading the utility or street system. Further, it is the intent of this article to provide performance standards, setbacks and buffering requirements to ensure that the type and magnitude of office and industrial development will cause minimal negative impact on the surrounding residential neighborhoods and on the sensibilities of local residents.

(b)

Uses Permitted by Right. A building or group of buildings may be erected, altered or used and a lot may be used or occupied for any of the following uses and no other.

(1)

Automotive services, including but not limited to car/truck repair garages, and automotive and recreational vehicle sales facilities.

(2)

Business offices, bank, financial services, medical office buildings, professional office, veterinary office, and professional/administrative services.

(3)

Limited industrial uses, including the assembly of previously prepared component parts, fabrication of light metals, processing and dyeing of yarns and fabrics, and other limited industrial processes which do not generate heat, light, noise or dust beyond the confines of the structure in which they occur, subject to the further environmental requirements of article V of this chapter.

(4)

Manufacturing uses including, but not limited to: metal fabrication and millwork and other wood production facilities.

(5)

Mini Warehouse.

(6)

Offices, corporate headquarters and administrative buildings or centers.

(7)

Printing, publishing, lithographic and similar processes.

(8)

Public utility facility, including government services and facilities.

(9)

Scientific or industrial research, engineering, testing or experimental laboratory or similar establishment for research, training or product development, provided that there is no commercial production of any commodity or substance.

(10)

Wholesale, including food processing, lumber yard or building supply, fuel oil delivery depots, and other uses based on truck delivery and redistribution of materials.

(11)

Warehouse;

(12)

Fire Station;

(13)

Craft brewery;

(14)

Microbrewery;

(15)

Regional brewery;

(16)

Open-air restaurant;

(17)

Conference center;

(18)

Makerspace;

(19)

Distillery;

(20)

Retail sales;

(21)

Cultural center;

(22)

Restaurant.

(23) Mixed Use building with Residential multiple housing units on other than the ground floor

(24) LIVE/WORK UNIT. A dwelling unit or sleeping unit in which a significant portion (60%) of the space includes a nonresidential use that is operated by the tenant. Notice this is a singular unit ---mixed use is multiple units

(25) The retail sale of dry goods, variety and general merchandise, clothing, food, flowers, beverages, drugs, household goods, supplies or furnishings, and the sale and repair of jewelry, watches, clocks, optical goods, radios and televisions, or musical, professional, or scientific instruments are permitted by right,

(c)

Special Exception Uses. Each of the following principal uses and their accessory uses may be permitted in the OI-1 Office and Industrial District by the zoning hearing board in accordance with the standards contained in [section 23-29](#) of this chapter:

(1)

Bed and breakfast inn;

(2)

Commercial radio/television transmitter/tele-communication tower;

(3)

Criminal treatment center;

(4)

Planned development;

(5)

Public or private heliport or helistop;

(6)

Mineral extraction;

(7)

Recycling collection facility.

(8) Hotel per 23-29 (18)

(d)

Conditional Uses. Each of the following principal uses and their accessory uses may be permitted in the OI-1 Office and Industrial District by borough council in accordance with the standards contained in article V, Environmental Protection.

(1)

A medical and/or dental clinic for the treatment of humans.

(2)

A nursery or day-care center.

(3)

A passenger station for public transportation.

(4)

A gasoline service station, provided that not less than thirty thousand square feet of lot area shall be devoted to this use and provided that an attendant is on duty during operating hours.

(5)

A recreational facility.

(6)

A conference center.

Each of the following principal uses and their accessory uses may be permitted in the OI-1 District accordance with the standards contained in article V, Environmental Protection.

(A)

Chemical products industry;

(B)

Hazardous uses.

(9)

Cluster Development Option, as detailed in [Section 23-14](#).

(e)

Accessory Uses.

(1)

Each accessory use in the OI-1 Office and Industrial District shall comply with the minimum yard requirements contained in subsection (h) of this section.

(2)

Each of the following accessory uses shall be permitted, in conjunction with primarily non-residential uses, in the OI-1 Office and Industrial District only if such use complies with the relevant standards contained in [section 23-30](#) of this chapter:

(A)

Accessory structure or use;

(B)

Bus shelter;

(C)

Fence and wall;

(D)

Nursery or greenhouse;

(E)

Off-street parking, in accordance with article VII of this chapter;

(F)

Radio/television transmitter or receiver;

(G)

Recreational vehicle;

(H)

Satellite earth stations;

(I)

Signs, in accordance with article VI;

(J)

Temporary structure or use;

(K)

Other accessory uses and structures which are clearly customary and incidental to the principal use;

(L)

Open-air seating area;

(M)

Tap room;

(N)

Tasting room.

(f)

The following accessory use is prohibited in the OI-1 Office and Industrial District:

(1)

Any use which violates a provision of article IV or V of this chapter.

(g)

Lot area, width, building coverage, impervious surface coverage and height regulations. Each of the following dimensional requirements shall apply to each use in the OI-1 Office and Industrial District, except as specifically provided for in this chapter:

**TABLE 14 - DIMENSIONAL REQUIREMENTS - OI-1 DISTRICT**

	Minimum Lot Area*	Minimum Lot Width	Max. Building Coverage	Max. Building Height	Max. Impervious Surface Coverage
All Uses	9,000	50	50	45	80
Residential uses	See cluster option	See cluster option	See cluster option	See cluster option	See cluster option

\* Measured at the minimum front yard listed in subsection (h) of this section for the particular use.

(h)

Minimum Yard Requirements. Each of the following minimum yard requirements shall apply to each use in the OI-1 Office and Industrial District, except as specifically provided for in this chapter:

**TABLE 15 - MINIMUM YARD REQUIREMENTS - OI-1 DISTRICT**

	Minimum Front Yard (feet)*	Minimum Side Yards		Minimum Rear Yard (feet)
		One (feet)	Total (feet)	
All Uses	30	10	25	50
Residential uses	See cluster option	See cluster option	See cluster option	See cluster option

\* The depth at which the minimum lot width shall be measured.

(i)

Performance Standards. Notwithstanding the applicable laws and regulations of the United States Environmental Protection Agency and the Pennsylvania Department of Environmental Protection, Regional Office, the following performance standards shall be used by the borough council, planning commission and borough engineer in reviewing the suitability and possible hazardous impacts of a proposed use within the OI-1 Office and Industrial District:

(1)

In determining whether a proposed use is or may become noxious, hazardous or offensive, the following standards shall apply. The proposed use may not:

(A)

Constitute a nuisance or damage to health or any property by reason of dissemination of noxious, toxic or corrosive fumes, smoke, odor or dust in the immediately surrounding area or, in the case of an OI-1 Office and Industrial District, beyond the district boundary line.

(B)

Result in noise or vibration clearly exceeding the average intensity of noise or vibration occurring from other causes at the property line or, in the case of an OI-1 Office and Industrial District, beyond the district boundary line.

(C)

Endanger surrounding areas by reason of radiation, fire or explosion.

(D)

Produce objectionable heat or glare beyond the property line or, in the case of an OI-1 Office and Industrial District, beyond the district boundary line.

(E)

Result in electrical disturbance in nearby residences or adversely affect the operation of equipment other than on the property on which the disturbance is located.

(F)

Discharge any untreated sewage or industrial waste into any stream or otherwise contribute to the pollution of surface or underground waters.

(G)

Endanger the underground water level or supply for other properties.

(H)

Create an objectionable traffic condition on the highway or in an adjacent area or generate a nuisance to surrounding property by reason of truck traffic.

(I)

Create any other objectionable condition in an adjoining area which will endanger public health and safety or be detrimental to the environmental quality of the surrounding area.

(2)

The applicant shall demonstrate to the borough engineer that:

(A)

The proposed use(s) will comply with the standards contained in subsection (1) above.

(B)

Adequate provisions will be made to reduce and minimize any objectionable elements to the degree necessary to ensure that the proposed use(s) will not be noxious, hazardous or offensive as defined in subsection (1) above.

(C)

The borough engineer may require, in order to determine that adequate safeguards are provided, that:

(i)

The applicant shall submit necessary information, impartial expert judgment and written assurances.

(ii)

The applicant shall obtain the advice of appropriate local, state and federal agencies and of private consultants.

(iii)

The applicant's proposed use(s) comply with such tests or provide such safeguards as are deemed necessary by the borough council, upon the advice of the borough engineer.

(3)

Special exception approval shall be required for freestanding signs.

(A)

Advertising or signage for a use that is not conducted or goods not sold on the premises shall not be permitted.

(4)

Each use shall meet its required off-street parking per 23-65

(5)

Outdoor storage areas shall be adequately screened by an attractive fence or natural planted screen, which complies with the requirements of [section 23-34\(d\)\(3\)\(B\)](#).

(j)

General Regulations. The following general regulations shall apply for any development or redevelopment proposal within the OI-1 Office and Industrial District:

(1)

Ownership. The tract of land to be developed shall be in one ownership or shall be the subject of an application filed jointly by the owners of the entire tract. The tract will be developed under single direction in accordance with an approved plan.

(2)

Sewer and Water Facilities. The tract of land shall be served by public sewer facilities and water facilities deemed acceptable by the borough, upon recommendation of the borough engineer or borough public works director.

(3)

Development/Redevelopment Plan. The application for development shall be accompanied by a plan or plans showing the detailed use of the entire tract. The plan or plans shall comply with all requirements of [chapter 18](#), subdivisions, and other applicable ordinances. The plan shall clearly designate the proposed use(s) of each building, structure, and area of the tract.

(4)

Development/redevelopment Stages and Permits. The development of a tract carried out in either a single or two or more phases shall be constructed and improved in accordance with a development agreement among the borough, landowner, and developer, to be recorded concurrently with the approved final land development plan in the office of the Chester County Recorder of Deeds. The terms of the agreement shall be binding on the landowner, its successors, and assigns.

(k)

The following additional development regulations shall apply for any development proposed in the OI-1 Office and Industrial District:

(1)

Utilities. All utility lines (electrical, telephone, etc.) shall be placed underground.

(2)

Reserved.

(3)

Access. Provision shall be made for safe and efficient ingress and egress to and from public streets and highways serving the OI-1 Office and Industrial District development without causing undue confusion or interference with the normal traffic flow. The borough planning commission, with the advice of the borough engineer, shall satisfy itself as to the adequacy of the thoroughfares and access points intended to accommodate the traffic generated by the proposed OI-1 Office and Industrial District development, as well as to the street frontage of the proposed development.

(4)

Lighting Facilities. Lighting facilities shall be provided as needed and arranged in a manner which will protect the highway and neighboring properties from unreasonable glare or hazardous



interference of any kind and shall be installed in accordance with the provisions of [Chapter 18](#), Subdivisions.

(5)

Trash and Refuse Areas. Provision shall be made for the storage of trash, refuse and garbage either inside the building(s) or within a walled area outside the building(s). The walls of such trash and refuse areas must shield the trash and refuse from the direct view of any adjacent property and must be at least six feet in height.

(6)

Landscaped Planting and screening Areas. Along a side or rear property line which is adjacent to a residential or institutional district, the owner shall place and maintain a planting area fifteen feet in width, containing hedges, evergreens, shrubbery or suitable vegetation of sufficient planted density to produce a total visual screening consistent with the topography. Wherever possible, the owner shall make every effort to retain existing natural screening such as vegetation and topography.

(A)

All evergreen vegetation to be installed shall not be less than five feet in height at the time of planting and shall be of such species that the expected height at maturity shall not be less than fifteen feet.

(B)

All deciduous material to be installed shall not be less than eight feet in height or two-inch caliper.

(7)

Off-Street Parking and Loading Facilities. All off-street parking facilities serving a proposed OI-1 Office and Industrial District development shall comply with the pertinent requirements of article VII, Off-Street Parking and Loading, hereof.

(8)

Minimum distance between buildings. The minimum distance between a building and group of buildings shall be twenty-five feet, except that all structures connected by common roof lines or covered walkways shall be considered as one building.