

ORDINANCE NO. 91, 1992

AN ORDINANCE OF THE TOWNSHIP OF TILDEN, BERKS COUNTY, PENNSYLVANIA, AMENDING THE TOWNSHIP ZONING ORDINANCE TO PROVIDE FOR CERTAIN LIGHT INDUSTRIAL USES IN THE C-2 (HIGHWAY COMMERCIAL) DISTRICT AND TO CHANGE THE ZONING CLASSIFICATION OF THE AREA BOUNDED ON THE SOUTH BY INTERSTATE-78, ON THE WEST BY STATE ROUTE 61, ON THE NORTH BY T-744 (LOWLAND ROAD) AND ON THE EAST BY THE SCHUYLKILL RIVER FROM L-1 (LIGHT INDUSTRIAL) TO C-2 (HIGHWAY COMMERCIAL).

WHEREAS, it appears that the economic well-being of the Township would benefit by allowing a wider range of legitimate commercial and light industrial uses throughout the area in the vicinity of the intersection of Interstate-78 and State Route 61; and,

WHEREAS, the purposes of the Township Comprehensive Plan would be well-served by further utilizing this area of land for commercial and light industrial activities,

NOW, THEREFORE:

IT IS HEREBY ENACTED AND ORDAINED that Article VIII of the Tilden Township Zoning Ordinance of October 20, 1987, as amended, is hereby further amended in pertinent part as follows:

Section 800. Purposes

The C-2 highway commercial districts are hereby established as districts in which regulations are intended to make appropriate provisions for a wide range of highway-oriented retail, automotive, heavier service-type commercial and light industrial uses which generally require main highway locations and cater to transient as well as to local customers and suppliers. Among the purposes of this district are: (1) to encourage the sound and appropriate commercial and light-industrial development of compact segments of major highway frontage; (2) to provide locations for important highway-oriented type businesses; (3) to protect major highways as thoroughfares; (4) to allow for immediate major highway access for the delivery of supplies and distribution of goods and products.

Section 802: Use Regulations

A detached building may be erected or used and a lot may be used or occupied for any of the following purposes, and no other:

1. All uses permitted in C-1 commercial districts.

2. Drive-in, or automobile services establishment as follows. Motor vehicle service station, automobile sales agency and drive-in restaurant, or similar use, provided that all facilities are located and all services are conducted within the confines of the lot.

3. General service or contractor's shop including carpenter, cabinetmaking, furniture repair, light metalworking, tinsmith, plumbing, or similar shop, provided that the floor area devoted to such use shall in no case exceed 10,000 square feet.

4. Tourist, rooming or boarding house.

5. A laundry, dry cleaning or clothespressing establishment, provided that the equipment and materials used will not involve danger from fire or explosion.

6. The following uses when authorized as a special exception by the Zoning Hearing Board.

a. Outdoor place of amusement, recreation or assembly, such as a drive-in theater on a lot not less than 10 acres in area.

b. Trucking or hauling station.

c. Used car lot.

d. Carwash establishment.

e. Yard for storage of building materials, provided that the area used for such use is enclosed and suitably screened from the surrounding area by fence or other barrier not less than 6 feet in height.

f. Commercial greenhouse or nursery.

g. Wholesale dairy or bakery.

h. Shopping Center with retail stores, restaurants, offices, banks, providing the following area and height regulations are satisfied:

(1) Lot Area and Width. The lot area shall not be less than 10 acres.

(2) Building Area. Not more than 20 percent of the area of each lot may be occupied by buildings.

(3) Front Yard. There shall be a set back on each street on which a lot abuts which shall not be less than 100 feet in depth.

(4) Side yards. For any building or use there shall be two side yards not less than 75 feet in width.

(5) Rear Yard. There shall be a rear yard on each lot which shall be not less than 50 feet in width.

(6) Height. No building shall exceed two stories or 40 feet in height.

(7) Public Sewage Facilities are provided.

i. Motel or hotel when authorized by the Zoning Hearing Board as a special exception provided that: (a) such use shall be located on a lot of not less than five (5) acres and shall have continuous road frontage of at least 300 feet, (b) that no structure shall be located closer than 100 feet from the street line and at least thirty-five (35) feet from each side property line, c) that no motel shall be permitted unless provided with public sewer facilities or comparable system approved by the Township Supervisors and the Pennsylvania Department of Environmental Resources.

j. Adult bookstore, adult movie theater or cabaret; provided that no such store, theater or cabaret shall be established within one thousand (1,000) lineal feet of an existing adult bookstore, adult movie theater, cabaret, church, school, game room or institution for human care.

7. Industrial Park in accordance with Section 1415 of this Ordinance.

8. Agricultural, horticultural or farm use in accordance with Section 301-2 of this Ordinance.

9. Research, testing or experimental laboratory.

10. Executive or administrative office building.

11. Wholesale business establishment including wholesale dairy or bakery.

12. Warehouse or yard for storage, sale, and distribution of ice, coal, fuel oil, building materials, or products of manufacturing uses permitted in this district.

13. Manufacture of products from the following previously processed and prepared materials: Bone, ceramics, cork, feathers, felt, fur, glass, hair, horn leather, metal, paper, plaster,

plastics, precious and semi-precious stones, rubber, shells, textiles, and tobacco.

14. Manufacture of electrical appliances and supplies; small or hand tools; hardware; toys; jewelry; clocks and watches; musical, professional and scientific instruments; optical goods; machinery and machine tools; electric equipment; motors; iron and steel products, including fabrication and assembly.

15. Truck or hauling stations and public garage including the storage of refuse trucks provided the entire use is contained within a building.

16. Compounding of pharmaceutical products.

17. Dwelling quarters for watchman or caretaker employed on the premises.

18. Telephone office or utility substation when authorized as a special exception.

19. The following uses shall be permitted only when served with privately owned central sewage treatment system:

a. Milk or soft drink bottling establishment.

b. Packing, processing, and canning of meat, fish, and food products.

c. Manufacture of non-alcoholic beverages.

d. Laundry, dry cleaning, and dyeing plant.

e. Metal and metal products treatment and processing, such as: enameling, lacquering, galvanizing, electroplating, finishing, grinding, sharpening, polishing, cleaning, rustproofing, painting and heat treating.

20. Any industrial use of the same general character as any of the above permitted uses when authorized by the Zoning Hearing Board as a special exception except the following uses, or any use substantially similar thereto, which are specifically prohibited.

a. Abattoir or stock yard.

b. Chemical manufacture as follows: acetylene, aniline, dyes, ammonia; carbide, caustic soda; cellulose; chlorine; carbon black and bone black; cleaning and polishing preparations; creasote; exterminating agents; hydrogen and oxygen; industrial alcohol; nitrating of cotton or other materials; nitrates of an explosive nature; potash; plastic

materials and synthetic rosins; pyroxlin; rayon yarn; hydrochloric, picric, or sulphuric acids and derivatives.

c. Incineration or reduction of garbage, offal, and dead animals, except by municipal agencies on municipally owned lots, fat rendering.

d. Leather and fur tanning, curing, finishing, and dyeing.

e. Junk, salvage, or automobile wrecking yard.

f. Manufacture of asphalt; charcoal and lampblack; coal; coke and tar products; explosives; fertilizer; glue; size and gelatin; ink; linoleum and oilcloth; matches; paint, varnishes and turpentine; rubber, caoutchouc, gutta percha (including processing); soap; starch; shoddy and waste products.

g. The reduction, refining, smelting, and allying of metal and metal ores.

h. Refining of petroleum or petroleum products.

i. Distillation of wood or bones.

j. Reduction or processing of wood pulp or wood fibers.

21. Accessory use on the same lot with or customarily incidental to the above permitted uses, and including signs when erected and maintained in accordance with the provisions of Article XVI of this Ordinance.

Section 2.

It is hereby enacted and ordained that the Zoning Map, as referenced at Section 201 of the Zoning Ordinance and which is a part of said Zoning Ordinance, is hereby amended to change the zoning classification of that real estate bounded on the south by Interstate-78, on the west by State Route 61, on the north by T-744 (Lowland Road) and on the east by the Schuylkill River, from a classification of L-1 (Limited Industrial) to C-2 (Highway Commercial).

Section 3.

In all other respects, the Tilden Township Zoning Ordinance and Zoning Map, as previously amended, where not inconsistent herewith, are hereby ratified and confirmed.

Section 4.

All ordinances or parts of ordinances in conflict herewith, being the same, are hereby repealed.

Section 5.

The provisions of this Ordinance shall be severable, and if any provisions shall be held to be unconstitutional, invalid, or illegal by any court of competent jurisdiction, such decision shall not affect the validity of any of the remaining provisions of this Ordinance. It is hereby declared as legislative intent that this Ordinance would have been enacted if such unconstitutional, invalid or illegal provisions had not been included therein.

Section 6.

This Ordinance shall become effective in accordance with law.

DULY ENACTED AT A MEETING OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF TILDEN, HELD ON THE 1st DAY OF December, 1992.

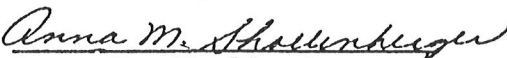
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Secretary