

**BOROUGH OF MARCUS HOOK  
DELAWARE COUNTY, PA  
ORDINANCE O-21-3**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MARCUS HOOK, CHAPTER 196, ENTITLED ZONING, AND THE OFFICIAL ZONING MAP, TO REZONE CERTAIN PARCELS OF LAND IDENTIFIED AS DELAWARE COUNTY TAX MAP IDENTIFICATION NUMBERS, 24-00-638-00, 24-00-638-08, 24-00-00638-09, 24-00-00638-13, 24-00-00638-14, 24-00-00638-15, 24-00-00638-17, 24-00-00638-12, 24-00-00638-18, 24-00-00638-19, 24-00-00638-20, 24-00-00638-22, 24-00-00638-28, 24-05-688:007, 24-00-00638-23, 24-00-00638-21, 24-00-00638-24, 24-00-00638-26, 24-00-00638-25, AND 24-00638-11 TO BE REZONED TO THE INDUSTRIAL TRANSITION-2 (IT-2) ZONING DISTRICT AND TO INCLUDE REGULATIONS FOR THE USES PERMITTED IN THE INDUSTRIAL TRANSITION-2 DISTRICT**

**BE IT ORDAINED AND ENACTED** by the Council of the Borough of Marcus Hook, Delaware County, as follows:

**SECTION 1: ZONING MAP AMENDMENT.**

- A. Those parcels located along 10<sup>th</sup> Street and Penn Avenue identified as Delaware County Tax Identification Numbers 24-00-638-00, 24-00-00638-08, 24-00-00638-09, 24-00-00638-13, 24-00-00638-14, 24-00-00638-15, 24-00-00638-17, 24-00-00638-12, 24-00-00638-18, 24-00-00638-19, 24-00-00638-20, 24-00-00638-22, 24-00-638-28, 24-05-688:007, 24-00-00638-23, 24-00-00638-21, 24-00-00638-24, 24-00-00638-26, 24-00-00638-25, and 24-00-00638-11 shall be rezoned to an Industrial Transition-2 District. A map identifying the properties rezoned to be included within the Industrial Transition-2 District identified as Exhibit "A" along with a legal description identified as Exhibit "B", are on file in the Borough offices.

**SECTION 2: ZONING TEXT AMENDMENT.**

The Zoning Ordinance of the Borough of Marcus Hook is hereby amended to add the following Sections:

Article XIII-A  
**Industrial Transition District – 2**

**§196-76-A. Purpose**

The purposes of the IT-2 district are:

- A. To provide for and regulate a variety of industrial uses in order to establish an additional area of transitional industrial uses between the IT District, the high impact petroleum-related structures and residential neighborhoods.
- B. To incentivize lot assembly and consolidation toward the more efficient and cost-effective use of land.
- C. To provide effective regulations regarding buffering, screening, access, landscaping, parking, loading and floodproofing to minimize adverse impacts on proposed uses as well as adjacent residential neighborhoods.
- D. To enhance pedestrian and vehicular safety through the provision of features such as sidewalks, lighting, and the consolidation of driveways.
- E. To enhance the architectural design of buildings and the aesthetics of the site.
- F. To assure sound development, and to create a more graceful appearance along existing streetscapes.

- G. To focus the parking and traffic elements of IT-2 District uses, in order to more effectively address vehicular circulation.
- H. To assure effective screening, buffering, and landscaping to soften the appearance of large scale buildings.
- I. To discourage hazardous and noxious uses or activities.

**§196-77-A. Uses permitted by right.**

Land, buildings, or premises shall be used by right for one or more of the following uses:

- A. All uses permitted in the Planned Business Park District.
- B. Manufacturing, fabricating, processing, packaging, assembly, and repair of materials and products where these operations will not create adverse impacts on residential neighborhoods.
- C. Warehouse or similar storage facility including, but not limited to, e-commerce fulfillment/delivery center.
- D. Distribution facility.

**§196-78-A. Conditional uses.**

The following uses shall be permitted as conditional uses only, subject to the applicable provisions of Article XVIII, Procedure and Standards for Conditional Uses:

- A. Retail sales at a warehouse facility.

**§196-79-A. Accessory uses and structures.**

- A. Office/storage trailers, subject to Article II, Definitions, and §196-126-A. and C.
- B. Guardhouse/Security Building.
- C. Above ground vessels or tanks – for fire protection with pump house and tanks used in support of building utility operations (such as propane and natural gas.) subject to the provisions in §196-80-A.C.(3) and F.(3).

**§196-80-A. Area and bulk regulations.**

Unless stated otherwise, the following shall be minimum requirements:

- A. Tract area: 20 acres.
- B. Tract width: 600 feet.
- C. Setbacks:
  - (1) For Buildings: 125 feet on front, side, and rear yards, increased to 150 feet abutting residential districts unless abutting a railroad right-of-way in which case the setback shall be 120 feet.
  - (2) For accessory buildings: 12 feet.
  - (3) For accessory above ground vessels or tank structures: 50 feet for fire protection, and 100 feet for propane and natural gas.
- D. Distance between principal buildings: 100 feet.
- E. Impervious surface coverage: 75% maximum.

F. Height:

- (1) For principal buildings: 60 feet, maximum.
- (2) For accessory buildings: 30 feet, maximum.
- (3) For above ground vessel or tank structures: 30 feet, maximum for fire protection:, and 10 feet maximum for propane and natural gas.

**§196-81-A. Special development regulations.**

**A. Lighting regulations.**

- (1) All spaces between buildings and all parking, loading, and unloading spaces and service areas shall be adequately illuminated at night. Such lighting, including sign lighting, shall be provided for security and arranged to protect the surrounding streets and properties from direct glare or hazardous interference of any kind in accordance with commonly accepted standards of the IES – Illumination Engineering Society.

**B. Flood Control regulations.**

- (1) All proposed buildings shall have their first floor elevations at least 18 inches above the highest Floodway elevation established by FEMA, for Marcus Hook Creek.

**C. Parking and Loading regulations.**

- (1) All parking shall comply with Article XV, except that warehouse and distribution facilities shall have one (1) parking space per 2,000 square feet of gross floor area.
- (2) Parking shall be permitted in a front yard, provided it is setback at least 50 feet from the street right-of-way line abutting and adjacent to residential districts, and at least 15 feet from the street right-of-way line of any other yard. When parking is proposed within the front yard along the 10<sup>th</sup> Street frontage, then a pier-fence-hedge combination shall be installed and maintained near the sidewalk in the 10<sup>th</sup> Street front yard portion of a lot, in order to screen the view of off-street parking. Stone/masonry piers shall be 36" to 42" in height, at least 24" x 24" in dimension, located on 16 to 20 foot centers, and include a flagstone or masonry cap. The piers shall be connected by black aluminum fencing of 30" to 36" in height. The pier-fence-hedge combination shall be located in a planting bed with low evergreen shrubs planted on 3 foot centers on the streetscape side of the piers and fence. The Borough Council may approve, at its sole discretion and after review of sufficient design related documents, alternate design standards to the pier-fence-hedge combination specified above if the alternate design provides similar or better results.
- (3) A Parking Study shall be prepared and submitted to address the following items to be evaluated by the Borough:
  - (a) The required parking for the individual uses as set forth in the Marcus Hook Borough Zoning Ordinance.
  - (b) The parking demand for the uses over the course of the day including weekends and holidays.
  - (c) The proximity of the parking field to the entrances of the various uses.

- (d) A circulation plan for the safe and efficient distribution of vehicles through the site including delivery and special service vehicles, and the loading and unloading of products.
- (e) A pedestrian plan showing a safe network of sidewalks, pathways, and crosswalks for visitors to the site in the context of parking lots.
- (f) A determination of the minimum number of parking spaces that would be required for the safe and efficient operation of proposed facilities.
- (g) The parking study shall be prepared by a Professional Engineer licensed in Pennsylvania, and shall include statistics from the publication titled "Parking Generation" of the ITE-Institute for Transportation Engineers, most recent edition.

(4) Loading berths shall be permitted in the front yard of a building. However, when a loading berth is along the 10<sup>th</sup> Street frontage, then a pier-fence-hedge combination per §196-81-A.C.(2) shall be installed and maintained near the sidewalk in the 10<sup>th</sup> Street front yard portion of a lot, in order to screen the view of the loading berths.

**D. Traffic regulations.** For all uses permitted in the Industrial Transition – 2 District, the following traffic regulations shall apply.

- (1) The applicant shall prepare and submit a traffic study to include the following items to be evaluated by the Borough.
  - (a) Ingress and egress to and from the site with a study of turning movements of different sized vehicles.
  - (b) Should a traffic signalized intersection be warranted, the applicant shall cover the cost of securing the appropriate Pennsylvania Department of Transportation permit and pay for the installation as part of the overall project development.
  - (c) The parking study shall be prepared by a Professional Engineer licensed in Pennsylvania.
- (2) The Pennsylvania Department of Transportation shall be solely responsible for determining if traffic signals are warranted, in cooperation with the Borough.

**E. Architectural Design regulations.** These regulations are intended to ensure that the size, proportions, and design of new or substantially improved buildings create a pedestrian-friendly environment. The visual mass of all buildings shall be de-emphasized through the use of architectural elements including buildings form, architectural features, materials and colors, in order to reduce their bulk and volume, to enhance their visual quality, and to contribute to human scale development.

- (1) Buildings shall provide articulation of the exterior of any wall surface in order to provide architectural interest and variety to the massing of a building and to relieve the effect of a single, long monotonous building wall and roof. Blank facades facing a street or adjacent to residential zoning districts, without windows or architectural elements to create interest, shall be prohibited.
- (2) Exterior walls of buildings shall contain architectural features, materials and colors that are consistent throughout the building and façade. The street facing building walls along the front yard of a lot shall have windows

or panels that emulate windows. Those portions of the walls without windows shall consist of architectural elements that help to add diversity to the appearance of the building wall. These elements shall consist of: lighting, projections or recesses, decorative brick or tile, piers or pilasters or other articulation. The design shall provide for architectural details that provide visual interest to the building facades that face streets.

- (3) Principal Buildings shall have a vertical bay structure, whereby pilasters, painted facades in lieu of pilasters, or panels, shall be installed and maintained, at a minimum of 60 foot intervals, in order to reduce the horizontality of large warehouse type buildings and to emulate the proportion of traditional non-residential buildings in Marcus Hook Borough.
- (4) Variations in building and roof lines shall be achieved with parapet walls, crenelation, or other like type roof line variations.
- (5) No building shall be white in color. Siding materials shall be tan, beige, sand, light grey, light brown, or like type color, so as not to reflect light and cause glare.
- (6) Rooftop HVAC units shall be screened where buildings with rooftop HVAC units abut residential districts. Such screening shall be achieved with fencing, parapet walls, and the like.
- (7) Architectural Elevations shall be submitted with all applications for approval of any proposed use(s) and building(s). The elevations shall demonstrate compliance with the above regulations.
  - (a) The Borough Council may approve, at its sole discretion and after review of sufficient design related documents, variations, and/or alternate design standards from the Architectural Standards contained in this Section 196-81-A.E and in §196-81-A.C(2) and C(4) when the variations provide similar or better results in consideration of existing site conditions, or innovations in technology.

#### **F. Site Design regulations.**

- (1) Overall Site Coordination: The site shall be designed as a unified development, with a coordinated site design that shall include such features as sidewalks (along one side of a street), crosswalks, landscaping, signage, wayfinding, lighting, site amenities, paving, and other integrated elements.
- (2) Location of parking: the site shall be designed to minimize the view of parking lots from abutting streets and residential neighborhoods.
- (3) Pedestrian Circulation: Safe pedestrian access shall be provided from sidewalks to the building entrance and exits.
- (4) Accessibility: An accessible route shall be provided for persons with disabilities in accordance with applicable federal, state, and local requirements.
- (5) Safe access shall be provided for pedestrians arriving on foot to the principal building facing 10<sup>th</sup> Street, and shall be well articulated and visible from 10<sup>th</sup> Street.
- (6) In addition to the pier-fence-hedge combination per §196-81-A.C.(2) and as shown in Exhibit A, a planting area within a space of not less than 50 feet in depth shall be provided along each property line or right-of-way that is opposite or adjacent to a residential zoning district unless abutting a

railroad right-of-way in which case the planting area shall be not less than 25 feet in depth. Such plantings area shall have berms, and evergreen plantings to screen the proposed buildings. Where topography does not allow incorporation of a berm (generally in areas of less than 25 feet in width from property line/right-of-way line to curb line, an alternative planting scheme shall be incorporated to achieve the required buffering.

- (7) In addition to the required landscaping described in §196-81-A.F.(6) above, berms and evergreen plantings shall be installed and maintained within side yards of a lot, in order to screen proposed buildings.
- (8) A Land Development Plan, Landscape Plan, and Lighting Plan shall be submitted with all applications for approval of any proposed use(s) and building(s). The Plans shall demonstrate compliance with the above regulations.

**G. Other regulations.**

- (1) Nothing herein shall prohibit the continuation of any lawful nonconforming uses existing at the time of adoption of these regulations, subject to the provisions of Article XIX, Nonconforming Uses, Structures and Lots.

**SECTION 3: APPLICABILITY.** The provisions hereof shall supersede any ordinance or parts of ordinances which are inconsistent herewith.

**SECTION 4: SEVERABILITY.** If any provision, sentence, clause, section or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not effect or impair any of the remaining provisions, sentences, clauses, sections or parts hereof. It is hereby declared as the intent of Borough Council that this Ordinance would have been adopted had such unconstitutional, illegal or invalid provision, sentence, clause, section or part thereof not be included herein.

**SECTION 5:** This Ordinance shall take effect immediately following its enactment by the Borough Council of the Borough of Marcus Hook.

**ENACTED AND ORDAINED** this \_\_\_th day of \_\_\_\_\_, 2021.

**BOROUGH OF MARCUS HOOK**

**ATTEST:** \_\_\_\_\_  
Andrew Weldon  
Borough Secretary

\_\_\_\_\_  
Josephine M. Laird  
Council President

**APPROVED** this \_\_\_th day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Gene Taylor  
Mayor