

TOWNSHIP OF NESHANNOCK
ZONING ORDINANCE
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TOWNSHIP OF NESHANNOCK

ORDINANCE NO. 2013-2

**REENACTING AND AMENDING ORDINANCE NO. 1956-3, AS AMENDED BY
ORDINANCE NO. 1999-1, ORDINANCE NO. 2003-3, ORDINANCE NO. 2004-2,
ORDINANCE NO. 2007-3, ORDINANCE NO. 2007-4 AND ORDINANCE NO. 2009-1,
THE CODIFIED ZONING ORDINANCE.**

ARTICLE I - GENERAL PROVISIONS

SECTION 101 TITLE

The official title of this Ordinance shall be the "Neshannock Township Zoning Ordinance."

SECTION 102 EFFECTIVE DATE

This Ordinance shall take effect five (5) days from the date of enactment.

SECTION 103 PURPOSE AND AUTHORITY

This Ordinance is adopted by virtue of the authority vested in the Township under Article VI of the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended. The provisions of this Ordinance are designed to:

- (a) promote, protect and facilitate one or more of the following: the public health, safety, morals, and general welfare; coordinated and practical community development; proper density of population; civil defense and disaster evacuation; provisions for adequate light, solar access and air; police protection; vehicle parking and loading space; transportation; water, sewage, schools, public grounds and other public requirements;
- (b) prevent one or more of the following: overcrowding of land; blight; danger and congestion in travel and transportation; loss of health, life or property from fire, flood, panic or other dangers; and
- (c) preserve prime agriculture and farm land, considering topography, soil type and classification and present use.

This Ordinance is being drafted as part of an overall program and with consideration for the character of the Township, its various parts and the suitability of the various parts for particular uses and structures.

SECTION 104 COMMUNITY DEVELOPMENT OBJECTIVES

The Comprehensive Plan for Neshannock Township was updated in 1969 and set forth therein are the Community Development Objectives. The 1969 update of the Neshannock Township Comprehensive Plan is reaffirmed and adopted herein as the official plan of the Township. Based on the objectives of the 1969 Plan and current conditions, the Community Development Objectives upon which this Ordinance is based are:

- (a) To achieve the highest and best use of land;
- (b) To protect transportation corridors;
- (c) To set forth realistic population density controls;
- (d) To provide adequate areas for business, industrial and residential uses and to maintain a separation of incompatible uses which is necessary to protect the neighborhood environment;
- (e) To guide development in order to provide adequate and economical community facilities and utilities;
- (f) To permit the economical installation of sanitary sewers and treatment facilities;
- (g) To encourage stormwater management;
- (h) To effectuate the Future Land Use Plan contained in the Township's Comprehensive Plan, including the preservation of natural amenities and resources;
- (i) To encourage reduction of air and water pollution;
- (j) To protect solar access for individual properties;
- (k) To protect and preserve prime farmland; and
- (l) To enhance the development of the Route 18 corridor in a manner consistent with the growth policies of the Township.

SECTION 105 COMPLIANCE

No structure shall be located, erected, constructed, reconstructed, structurally altered, converted, or enlarged, nor shall any structure or land be used or occupied, except in full compliance with all the provisions of this Ordinance, and after the lawful issuance of all permits and certifications required by this Ordinance. Any use not specifically listed in a Zoning District is not permitted in that District, unless authorized as a use by special exception under Sections 401-C-1(e), 901-C-1(g), 1001-C-1(g), 1101-C-1(e), 1201-C-1(d), 1301-C-1(d), 1401-C-1(c) and 1501-C-1(d).

SECTION 106 ILLUSTRATIONS AND ADDENDA

Illustrations contained in Appendices I, II, V and VI referenced throughout the text of this Ordinance are incorporated herein by reference for the purpose of providing graphic representation of certain requirements and definitions. Summary charts contained in Appendices III and IV are provided to assist in comparing regulations, but are not complete in every detail and must be used together with the detailed district and supplementary regulations contained in Articles IV through XVI of this Ordinance. If there is a conflict between the information shown in Appendices III and IV and the District regulations contained in Articles IV through XVI, Articles IV through XVI supersede Appendices III and IV.

SECTION 107 SEVERABILITY

If any provision of this Ordinance, or the application of any provision to particular circumstances, is held invalid, the remainder of this Ordinance, or the application of such provision to other circumstances shall not be affected.

SECTION 108 REPEAL

Any resolution or ordinance, or any part of any resolution or ordinance conflicting with the provisions of this Ordinance is hereby repealed to the extent of such conflict.

SECTION 109 MUNICIPAL LIABILITY

The granting of a Building Permit or Certificate of Occupancy for the erection and/or use of a structure or lot shall not constitute a representation, guarantee or warranty of any kind or nature by the Township or an official or employee thereof, of the safety of any structure, use or proposed development from any cause whatsoever and shall create no liability upon, or a course of action against the Township or such public officials or employees for any damage, expenses or loss that may result pursuant thereto.

SECTION 110 OTHER MUNICIPAL ORDINANCES

Property owners, developers, builders and others subject to this Ordinance are also specifically referred to the Township's Subdivision Regulations, Airport Zoning, Floodplain, Building Permit, Junkyard, Rodent Control and other ordinances and regulations which may be applicable to their property or their proposed development or construction plans.

SECTION 111 INTERPRETATION

In the event of conflicts between the provisions of this Ordinance and any other ordinance or regulation, the more restrictive provision shall apply.

In their interpretation and application, the provisions of this Ordinance shall be considered minimum requirements adopted for the promotion of the health, safety, morals and general welfare of the public.

ARTICLE II
DEFINITIONS

SECTION 200 MEANINGS

All words used in this Ordinance shall carry their customary meanings except where specifically defined herein. Words used in the present tense shall include the future. The singular numbers shall include the plural, and the plural shall include the singular. The word "shall" is always mandatory, and not permissive; the word "may" is permissive. The words "used" or "occupied" as applied to any land or structures, shall be construed to include the words "intended, arranged, designed to be used or occupied." The word "person" shall include an individual, corporation, partnership, incorporated association or any other entity.

SECTION 201 DEFINITIONS

The following words and phrases shall have the particular meaning specified for the purpose of this Ordinance.

ACCESSORY BUILDING: A building which is on the same lot with, but detached from, the principal building and which is customarily incidental and subordinate to the principal building, including, but not limited to, private garages, storage sheds and the like.

ACCESSORY USE: See USE, ACCESSORY.

ADULT ARCADE: Any place where the public is permitted or invited wherein coin-operated or electronically, electrically or mechanically controlled still or motion picture machines, projectors or other image producing devices are maintained to show images to five (5) or fewer persons per machine at any one time and where the images displayed are distinguished or characterized by the depicting or describing of nudity or sexual conduct, as defined herein.

ADULT BOOKSTORE: An establishment having a substantial or significant portion of its stock in trade, including, but not limited to, video cassettes, movies, books, magazines and other periodicals which are distinguished or characterized by their emphasis on matters depicting or relating to nudity or sexual conduct, as defined herein, or an establishment with a segment or section devoted to the display of such material.

ADULT BUSINESS: An adult arcade, adult bookstore, adult cabaret, adult live theater, adult mini-motion picture theater, adult motion picture theater, adult motel, adult newsrack, bath house, body painting studio, massage parlor or out call service or any other business featuring adult entertainment, as defined herein.

ADULT CABARET: An establishment devoted to adult entertainment either with or without a liquor license.

ADULT ENTERTAINMENT: Movies which are unrated or are rated "X" by the Motion Picture Coding Association, videos, still or motion pictures, photographs, slides, films or other visual representations, books, magazines or other printed material or live dramatic, musical or dance performances which depict nudity or sexual conduct, as defined herein.

ADULT LIVE THEATER: Any commercial establishment which features live shows for public viewing in which all or some, of the performers are displaying nudity or engaging in sexual conduct, as defined herein.

ADULT MINI-MOTION PICTURE THEATER: An enclosed building with a capacity for accommodating less than fifty (50) persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to nudity or sexual conduct, as described herein.

ADULT MOTION PICTURE THEATER: An enclosed building with a capacity for accommodating fifty (50) or more persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to nudity or sexual conduct, as defined herein.

ADULT MOTEL: A hotel or motel presenting adult entertainment by means of closed circuit television.

ADULT NEWSRACK: Any coin-operated machine or device which dispenses material substantially devoted to the depiction of nudity or sexual conduct, as defined herein.

ADVERTISING PANEL: That portion of a sign structure upon which the message or graphic display is presented, excluding any framework, ornamentation or supporting members.

AGRICULTURE: Growing or producing for use on the lot or for sale: domestic livestock, farm grains, feeds or hay, fruits, nursery stock, vegetables, dairy products, poultry, eggs or other crops or produce typical of farm activity in the County of Lawrence and related use of equipment and structures necessary for the foregoing purposes.

ALTERATION, STRUCTURAL: See STRUCTURAL ALTERATION.

ANCILLARY COMMERCIAL: Supporting retail, personal or business services for the convenience of the employees and visitors to a business park, including, but not limited to, a newsstand, travel agency, florist shop, card and gift shop, restaurant or delicatessen, sale of office supplies, copy service and similar facilities.

APARTMENT, CONVERSION: See CONVERSION APARTMENT.

ART STUDIO: See MUSIC AND ART STUDIO.

ARTERIAL STREET: See STREET, ARTERIAL.

AUTOMOTIVE SALES, RENTAL AND SERVICE: The retail sales, rental and service of automobiles, motorcycles and trucks under 26,000 GVW, but not including any heavy equipment or any other vehicle which is not classified as a “motor vehicle” under the Pennsylvania Motor Vehicle Code, and which may include the servicing and repair of customers’ vehicles, as an accessory use.

BAKERY: A retail store which sells baked goods to businesses and the general public which may involve onsite processing of the goods offered for sale on the premises, and which may include onsite processing of goods for delivery to other retail or wholesale outlets, as an accessory use.

BANK: A bank, savings and loan association or similar institution that lends money or is engaged in a finance-related business.

BASEMENT: A story having more than fifty percent (50%) of its wall area below the grade of the surrounding ground.

BATH HOUSE: An establishment which provides baths of all kinds, including all methods of hydrotherapy during which nudity or sexual conduct is displayed, not including hydrotherapy treatment practiced by or under the supervision of a medical practitioner, such as a medical doctor, physician, chiropractor or similar professional licensed by the Commonwealth of Pennsylvania.

BED AND BREAKFAST: A dwelling which is the principal residence of the operator where no more than four (4) sleeping rooms are offered to transient overnight guests for compensation and where the only meal served and included with the overnight accommodations is breakfast.

BILLBOARD: Any off-premises sign with a changeable advertising face which advertises an establishment, person, activity, product or service which is unrelated to or not available on the premises on which the sign is located.

BOARD: The Zoning Hearing Board of Neshannock Township, Lawrence County, Pennsylvania.

BODY PAINTING STUDIO: Any establishment which provides the service of applying paint or other substance, whether transparent or nontransparent, to or on the human body in a state of nudity, as defined herein.

BUFFER AREA: A landscaped area of a certain depth specified by this Ordinance which shall be planted and maintained in trees, grass, ground cover, shrubs, bushes or other natural landscaping material and shall consist of a mix of types and sizes of plant material which within three (3) years of planting meets the standards of providing a compact, year-round visual screen at least six (6) feet in height or an existing natural or

constructed physical barrier which duplicates the effect of the required buffer area. Trees utilized shall be of a size not less than two inch (2") caliper and the following trees shall not be planted: all varieties of poplar, willow, and aspen; common black locust; white or silver maple.

BUILDER'S SUPPLY: A retail store which sells lumber and other building materials and supplies, including hardware, to the general public and to construction contractors.

BUILDING: A roofed structure, whether or not enclosed by walls, to be used for shelter, enclosure or protection of persons, goods, materials or animals.

BUILDING, ACCESSORY: See ACCESSORY BUILDING.

BUILDING, FRONT LINE OF: The line of that face of the building nearest the front line of the lot. This face includes sun parlors, covered porches and covered patios, whether enclosed or unenclosed but does not include steps.

BUILDING HEIGHT: See HEIGHT OF PRINCIPAL BUILDING and HEIGHT OF ACCESSORY BUILDING.

BUILDING LINE (SETBACK): A line parallel to, or concentric with the centerline of the abutting road right-of-way which is at a distance from the centerline the measurement of which is the front yard depth, except on Route 18 where the front yard is measured from the centerline of the cartway.

BUILDING PERMIT: A permit issued by the Zoning Officer under the terms of this Ordinance prior to the enlargement, structural alteration, construction, reconstruction, removal or relocation of any structure.

BUILDING, PRINCIPAL: See PRINCIPAL BUILDING.

BUSINESS: Any premises operated for an authorized use by a single legal entity separate and independent from any other legal entity, including separate franchises operating the same or similar uses.

CAR WASH: Any facility, including self-service facilities, whether, automatic, semi-automatic or manual, for washing and polishing vehicles.

CARTWAY: The paved portion of the street right-of-way that is surfaced for vehicular travel, excluding curbs and shoulders.

CEMETERY: Property used for interring of dead persons or domestic pets, including mausoleums and columbariums, but not including crematoriums or family plots.

CHANGE IN USE OR OCCUPANCY: Any change from one use to another or from one owner to another of any building, structure or use of land.

CHURCH: A building, other than a dwelling, used primarily as a place of worship for a recognized religious denomination which may also include accessory uses rooms for religious education, social and recreational activities and administrative offices.

CLEAR SIGHT TRIANGLE: A triangular area of unobstructed vision at the intersection of two (2) streets or of a driveway and a street defined by lines of sight between points at a given distance from the intersection of the edges of the cartways, as defined herein, of the two (2) streets or from the intersection of the edge of the cartway, as defined herein, of the street and the edge of paving of the driveway. (See illustration in Appendix V.)

CLINIC: Any establishment, including mobile diagnostic units, where human patients receive medical, dental, chiropractic, psychological and surgical diagnosis, treatment and counseling under the care of a group of licensed medical doctors and/or dentists or other licensed medical practitioners and their supporting staff, where said patients are not provided with board or room or kept overnight on the premises.

CLINIC, METHADONE: See METHADONE CLINIC.

CLINIC, VETERINARY: See VETERINARY CLINIC.

CLUB: Any establishment, other than a hunting or fishing club, operated by an organization for social, recreational, educational, fraternal or sororal purposes, but open only to members and their guests, and not to the general public.

COLLECTOR STREET: See STREET, COLLECTOR.

COMMERCIAL AMUSEMENT: An enterprise operated for profit by other than a public entity completely within an enclosed structure for the pursuit of sports, recreation and entertainment activities, including, but not limited to, such establishments as theaters, dance halls, bowling alleys, fitness centers, indoor racquet clubs and the like.

COMMISSION, PLANNING: See PLANNING COMMISSION.

COMMONWEALTH: The Commonwealth of Pennsylvania.

COMMUNICATIONS ANTENNA: Any structure designed for transmitting or receiving wireless communications of video, voice, data or similar transmission, including, but not limited to, omnidirectional or whip antennas, directional or panel antennas, and satellite or microwave dish antennas which may be mounted to an existing building, an existing public utility storage or transmission structure or an existing communications tower, but not including transmission and receiving devices licensed by the Federal Communications Commission (FCC) exclusively for private use by citizens or any satellite dish antenna for private use by citizens which is less than twenty-four (24) inches in diameter.

COMMUNICATIONS EQUIPMENT BUILDING: A manned or unmanned structure which contains the equipment necessary to maintain and operate communications antennas and which covers an area on the ground in excess of two hundred (200) square feet.

COMMUNICATIONS EQUIPMENT CABINET: An unmanned structure which contains the equipment necessary to maintain and operate communications antennas and which covers an area on the ground of no more than two hundred (200) square feet.

COMMUNICATIONS TOWER: Any structure, whether freestanding or attached to a building, designed to support multiple communications antennas, including monopole, self-supporting and guyed towers and one (1) or more of the following mounts for antennas: rotatable platform, fixed platform, multi-point or side arm mounts and pipe mounts for microwave dish antennas.

COMPREHENSIVE REZONING: The process of evaluating the Township's Zoning District Map during which all areas of the Township are included in the evaluation and proposals are made throughout the Township for revisions to property classifications, as opposed to consideration of one (1) or more properties in a single area of the Township for rezoning. Comprehensive rezoning is usually, but not necessarily, undertaken to implement a comprehensive plan.

COMPRESSOR: A device used alone or in series to raise the pressure of natural gas and/or by-products to create a pressure differential to move or compress a liquid, vapor or gas.

COMPRESSOR STATION: See NATURAL GAS COMPRESSOR STATION.

CONDITIONAL USE: See USE, CONDITIONAL.

CONFECTIONERY: A retail store which sells candy, nuts, popcorn and similar sweets.

CONTRACTOR'S YARD: An establishment which may or may not include administrative offices for a business that provides landscaping, construction, remodeling, home improvement, land development and related services on a contractual basis, but which involves the storage, either indoors or outdoors, of materials, equipment and vehicles used in the business.

CONVERSION APARTMENT: A single family dwelling which has been modified internally without substantial modifications to the exterior of the building to accommodate two (2) or more families in separate dwelling units, each of which has independent cooking and sanitary facilities.

CORNER LOT: See LOT, CORNER.

CORPORATE OFFICES: The administrative offices of a business or corporation used primarily for accounting, corresponding, research, editing or other administrative functions, not including any warehousing, wholesale or retail sales or manufacturing.

COVERAGE: That portion of the lot area covered by the footprint on the ground of all principal and accessory structures expressed as a percentage of the total lot area.

DAY CARE CENTER: A facility, licensed by the Commonwealth, located within a building which is not used as a dwelling unit, for the care during part of a twenty-four (24) hour day of children under the age of sixteen (16) or handicapped or elderly persons.

DAY CARE HOME: A facility, licensed by the Commonwealth, located within a dwelling, for the care on a regular basis during part of a twenty-four (24) hour day of not more than six (6) children under sixteen (16) years of age, excluding care provided to children who are relatives of the provider. Such use shall be secondary to the use of the dwelling for living purposes and persons who do not reside in the dwelling shall not be employed.

DENSITY: The number of dwelling units on a lot, or group of lots divided by the area in acres of the lot, or group of lots, computed exclusive of any portion of the right-of-way of any public road.

DENTAL LAB: An establishment engaged primarily in the making to order of dentures, artificial teeth and orthodontic appliances for the dental profession.

DETACHED DWELLING: See DWELLING, DETACHED.

DOMESTIC PETS: Animals, fish or fowl customarily found in a dwelling and kept for company or pleasure, including dogs and cats, provided there is not a sufficient number to constitute a kennel, as defined herein; hamsters, gerbils; parakeets or canaries; and similar small animals and birds, but not including any exotic animals such as lions, tigers, bears, ocelots or other feral cats, large or poisonous snakes, alligators, monkeys or other animals found in a zoo; nor any horses, pigs, chickens or other fowl or livestock normally found on a farm.

DOMICILIARY CARE: Care provided in the provider's dwelling unit to no more than three (3) persons aged eighteen (18) years or older who need assistance with daily activities and are unable to live alone, where the provider and the dwelling unit are certified by the Area Agency on Aging.

DRILLING: The drilling or re-drilling of a well or the deepening of an existing well.

DRILLING EQUIPMENT: The derrick, all parts and appurtenances to such structure and every piece of apparatus, machinery or equipment used, erected or maintained in connection with oil and gas operations, as defined herein.

DRIVEWAY: A private vehicular access route serving one (1) or more parcels or lots, maintained individually by the owner of a single lot or parcel or in common by the owners of several lots or parcels, which provides direct access to a public street.

DRUG AND/OR ALCOHOL COUNSELING CENTER: A clinic, other than a methadone clinic, that provides social and rehabilitative services to persons recovering from substance abuse.

DWELLING: Any building designed or used as a permanent living quarters for one or more families, not including hotels, motels or lodging or boarding houses.

DWELLING, DETACHED: A dwelling which is surrounded on all sides by open space and which is not attached to any other dwelling by a common vertical wall or any other means.

DWELLING: MULTIFAMILY: A residential building or portion thereof containing three (3) or more dwelling units.

DWELLING, SINGLE FAMILY ATTACHED: A residential building containing one (1) dwelling unit which has a minimum habitable floor area of nine hundred (900) square feet and which is attached by unpierced vertical walls to only one (1) other single family dwelling unit where each unit is either located on a separate recorded lot having a property line along the common wall or on property shared in common with other single family attached dwellings.

DWELLING, SINGLE FAMILY DETACHED: A residential building containing one (1) dwelling unit which has a minimum habitable floor area of nine hundred (900) square feet and which is the only principal building on the lot.

DWELLING, TWO FAMILY: A residential building containing two (2) independent dwelling units, each having separate entrance, and which is the only principal building on the lot.

DWELLING UNIT: One (1) or more rooms which are used as quarters for one (1) family and having permanent facilities for sleeping, cooking and eating, as well as sanitary facilities.

EMERGENCY SERVICES: Facilities owned and operated by a public or non-profit agency which provide services related to the protection of public safety and welfare, including emergency medical services, emergency management services, police protection and similar facilities. (See FIRE DEPARTMENT which is separately defined and regulated.)

ESSENTIAL SERVICES: The erection, construction, alteration or maintenance by public utilities, or municipal, or other government agencies of underground or overhead gas, electrical, steam or water distribution systems, including poles, wires, mains,

drains, sewers, pipes, conduit, fire alarm boxes, traffic signals, hydrants and other similar equipment and accessories in connection therewith, reasonably necessary for the furnishing of adequate services by such public utilities or municipal or governmental agencies or for the public health and safety or general welfare, but not including buildings.

FAMILY: One (1) or more persons related by blood, marriage or adoption, including not more than two (2) boarders, roomers or lodgers and any domestic servants or a group of not more than four (4) unrelated persons living together in a dwelling unit and maintaining a common household.

FARM: Any lot or group of contiguous lots under single ownership used for agriculture, as defined by this Ordinance.

FAST SERVICE RESTAURANT: See RESTAURANT, FAST SERVICE.

FIRE DEPARTMENT: An establishment owned and maintained by a public agency or a private non-profit organization which is engaged in firefighting and other related fire protection services.

FITNESS CENTER: See HEALTH CLUB OR FITNESS CENTER.

FLOOR AREA OF A BUILDING: The sum of the gross horizontal area of the several floors of a principal building on the same lot. All dimensions shall be measured between exterior faces of walls.

FLOOR AREA, GROSS: The sum of the horizontal areas of the several floors of a principal building or buildings on a lot, measured between exterior faces of the walls.

FLOOR AREA, HABITABLE: The aggregate of the horizontal areas of all rooms used for habitation, such as living room, dining room, kitchen, bedroom and family room, but not including hallways, stairways, cellars, attics, service rooms, utility rooms, bathrooms, closets or unheated areas such as enclosed porches.

FLOOR AREA, NET: The total floor area of a principal building or buildings designed for tenant occupancy, excluding halls, corridors, stairwells, elevator shafts, equipment rooms, restrooms, lunchrooms, file rooms, storage rooms, interior vehicular parking and loading areas and other areas used in common by tenants of the building and/or not accessible to the general public, expressed in square feet and measured from the centerline of joint partitions and the exterior face of the outside walls.

FOOD SHOP: A retail store, other than a restaurant, which sells groceries and ready to eat food products such as cooked meats and prepared salads primarily for consumption off the premises, but which may provide a few tables or a counter as an accessory use for on-premises consumption and which may include off-premises catering.

FORESTRY: The management of forests and timberlands, when practiced in accordance with accepted silvacultural principles, through developing, cultivating, harvesting, transporting and selling trees for commercial purposes, which does not involve any land development.

FRONT LINE OF BUILDING: See BUILDING, FRONT LINE OF.

FRONT LOT LINE: See LOT LINE, FRONT

FRONT YARD: See YARD, FRONT.

FRONT YARD, MINIMUM REQUIRED: See YARD, FRONT, MINIMUM REQUIRED.

FULL SERVICE RESTAURANT: See RESTAURANT, FULL SERVICE.

FUNERAL HOME: An establishment engaging in preparing the dead for burial, conducting funerals and cremating the dead.

GARAGE, PRIVATE: An accessory building or part of a principal building used only for the storage of private motor vehicles and other personal effects of the occupants of the principal structure.

GARAGE, PUBLIC: Any garage, other than a private garage, available to the general public which is used for storage, parking or rental of motor vehicles, but which is not used for the repair or maintenance of motor vehicles.

GARAGE, REPAIR: A building, or part thereof, where the principal use is the servicing and repairing of motor vehicles, including engine overhaul, body work and recapping/retreading of tires. All storage of parts and dismantled vehicles and all repair work is conducted entirely inside an enclosed building.

GOLF COURSE OR COUNTRY CLUB: A recreational facility which has a course for playing golf as its principal use and which may have a clubhouse, locker rooms, restaurant, swimming pool, pro shop, practice facilities, facilities for racquet sports, maintenance facilities and similar facilities as accessory uses.

GROSS FLOOR AREA: See FLOOR AREA, GROSS.

GROUP HOME: A dwelling unit that houses at least three (3), but no more than eight (8) residents who maintain a common household and practice on a permanent or long-term basis, a joint economic, social and cultural life where support services including, supervision, personal care, social or counseling services and transportation to persons who need such assistance because of physical disability, old age, mental retardation or other "handicap" or "disability" as defined by the Fair Housing Amendments Act or the Americans with Disabilities Act; but shall not involve the housing of persons on a transient basis, nor shall it involve the housing or treatment of

persons who are criminal offenders, juvenile offenders or delinquents or any persons who have been found by any governmental tribunal, court or agency to be a danger to society or who are on release or are under the jurisdiction of the criminal justice system, a governmental bureau of corrections or similar institution.

HABITABLE FLOOR AREA: See FLOOR AREA, HABITABLE.

HEALTH CLUB OR FITNESS CENTER: A commercial recreational enterprise or private club that has as a principal use a gymnasium, swimming pool or other sports facility and that may offer massages, whirlpool baths, steam rooms, saunas and/or medical facilities as accessory uses to the principal use.

HEAVY MANUFACTURING: See MANUFACTURING, HEAVY.

HEIGHT OF ACCESSORY BUILDING: The vertical distance measured from the average elevation of the finished grade at the front of the building to the highest point of the roof.

HEIGHT OF PRINCIPAL BUILDING: The vertical distance measured from the average elevation of the finished grade at the front of the building to the highest point of the roof for flat roofs, to the deck lines of mansard roofs, and to the mean height between eaves and ridge for gable, hip and gambrel roofs.

HEIGHT OF STRUCTURE: The vertical distance from the average elevation of the finished grade at the front of the structure (that side of the structure that faces the front lot line) to the highest point on the structure.

HEIGHT OF THE WIND ENERGY SYSTEM: See WIND ENERGY SYSTEM, HEIGHT OF THE.

HOBBY FARM: A farm, as defined herein, located on a tract which has less than the ten (10) acres required by this Ordinance for a farm, but which meets the minimum acreage requirements for a Hobby Farm, which is accessory to a single family dwelling and which is for the personal use and enjoyment of the residents and does not constitute the principal economic activity of the residents.

HOME GARDENING: The growing of flowers, plants or vegetables for consumption by the persons residing on the premises and not for sale, including backyard composting for personal use and noncommercial greenhouses not exceeding one hundred fifty (150) square feet in gross floor area.

HOME OCCUPATION: Any use of a dwelling, other than a no impact home-based business, of a service character conducted entirely within the dwelling by the residents thereof, which is clearly secondary to the use of the dwelling for living purposes and which does not change the character thereof, as regulated by Section 1612.

HOSPITAL: An establishment (including sanitariums) for the short-term care of patients suffering from physical or mental illnesses, but not including narcotics addiction or those found to be criminally insane, and which may or may not include facilities for major surgery and which may be publicly or privately operated.

HOTEL: See MOTEL/HOTEL.

HUNTING OR FISHING CLUB: A legally chartered organization for the pursuit of hunting, fishing, marksmanship and related activities that may or may not include a clubhouse and that has a roster of membership and a regular calendar of activities limited to members and their guests.

HYDRAULIC FRACTURING (FRACKING): The process of injecting water, customized fracking fluid, steam, or gas into an oil or gas well under pressure to break apart rock layers in order to release gas and improve recovery of gas.

IMPOUNDMENT: An open, earthen receptacle used to store fresh water, waste water or other fluids produced by or used exclusively for oil and gas operations at one (1) or more well sites.

INDIVIDUAL WIND ENERGY SYSTEM: See WIND ENERGY SYSTEM, INDIVIDUAL.

INTERNET CAFÉ: A business establishment that provides access to computers for a fee to be used by the general public for communication and entertainment, including sweepstakes gaming, and which provides food and beverages as an accessory use.

JUNK VEHICLE: A vehicle which is inoperative or unable to meet the vehicle registration and inspection standards under Part IV (Section 4101 et. seq.) of the Pennsylvania Motor Vehicle Code. The term does not include a vehicle which would qualify as an antique or classic vehicle except for its lack of restoration or maintenance.

JUNK YARD: Land or structure used for the collection, storage, processing and/or sale of scrap metal, scrapped, abandoned, or junked motor vehicles, machinery, equipment, waste paper, glass, rags, containers and other discarded materials. Under this Ordinance, two (2) or more scrapped, abandoned or junked motor vehicles shall constitute a junk yard. Refuse or garbage kept in a proper container for prompt disposal shall not be regarded as a junk yard.

KENNEL: An establishment where more than three (3) dogs or more than six (6) cats who are more than six (6) months old are bred, trained and/or boarded.

LANDFILL: Any site licensed by the Pennsylvania Department of Environmental Protection (DEP) for the disposal of solid waste, other than hazardous waste, as defined and regulated by Federal Statute.

LIBRARY: Public or non-profit establishments engaged in the provision and circulation of books and other printed and electronically produced materials for reading, study, research and reference.

LIGHT MANUFACTURING: See MANUFACTURING, LIGHT.

LOADING SPACE: A portion of a lot used for the standing, loading or unloading of motor vehicles.

LOT: A tract or parcel of land or several contiguous tracts or parcels under common ownership described in deeds or other instruments pursuant to the laws of the Commonwealth and which are used or proposed to be used or developed as a single entity under the terms of this Ordinance.

LOT AREA: That area measured on a horizontal plane bounded by the front, rear and side lot lines, exclusive of any area within a street right-of-way.

LOT, CORNER: A lot at the intersection of, and fronting on, two (2) or more street rights-of-way.

LOT, NONCONFORMING: See NONCONFORMING LOT.

LOT LINE, FRONT: That line which bounds the lot contiguous with the street right-of-way line.

LOT LINE, REAR: That line which is generally opposite to the front lot line.

LOT LINE, SIDE: Any lot line which is not a front lot line or a rear lot line.

LOT OF RECORD: Any lot which is contained in a plan of subdivision duly recorded in the office of the Recorder of Deeds of Lawrence County.

LOT WIDTH: The straight line distance between the point of intersection of the building line with the side lot lines.

MANUFACTURING, HEAVY: Any manufacturing process that is not included in the definition of "light manufacturing."

MANUFACTURING, LIGHT: The processing or fabrication of materials and products which does not produce noise, vibration, air or water pollution, fire hazards or other disturbances or danger to other properties.

MASSAGE PARLOR: Any establishment which provides services of massage or body manipulation, including exercises, heat and light treatments of the body, and all forms of physiotherapy, unless operated by a medical practitioner, chiropractor or professional

physical therapist licensed by the Commonwealth, not including any athletic club, health club, school, gymnasium, reducing salon, spa or similar establishment where massage or similar manipulation of the human body is offered as an incidental or accessory service to the principal service.

METHADONE CLINIC: A facility licensed by the Pennsylvania Department of Health to use the drug methadone in the treatment, maintenance or detoxification of persons.

MINERAL REMOVAL: Any extraction of any mineral for sale or other commercial purposes which involves removal of the surface of the earth or exposure of the mineral or subsurface of the earth to wind, rain, sun or other elements of nature. The term "mineral" includes, but is not limited to, anthracite and bituminous coal, lignite, limestone and dolomite, sand, gravel, rock, stone, earth, slag, ore, vermiculite, clay and other mineral resources. Mining activities carried out beneath the mine openings are not included in this definition.

MINIMUM REQUIRED FRONT YARD: See YARD, FRONT, MINIMUM REQUIRED.

MINIMUM REQUIRED SIDE YARD: See YARD, SIDE, MINIMUM REQUIRED.

MOBILE HOME: A structure transportable in one (1) or more sections which is built on a chassis, and is designed to be used as a dwelling unit with or without permanent foundation, when connected to required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained therein. A mobile home is intended to be occupied as a dwelling complete, including major appliances, often furniture and contains sleeping accommodations, a flush toilet, an enclosed tub or shower bath, kitchen facilities and interior plumbing, heating and electrical systems meeting the requirements of the Township, County and State regulations pertaining to building construction for human habitation.

MOBILE HOME LOT: A parcel of land in a mobile home park improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home, which is leased by the park owner to the occupants of the mobile home erected on the lot.

MOBILE HOME PARK: A parcel of land under single ownership which has been planned and improved for the placement of mobile homes for nontransient use, consisting of two (2) or more mobile home lots.

MOTEL/HOTEL: An establishment which provides transient lodging accommodations to the general public and which may provide such additional supporting services as restaurants, meeting rooms, recreation facilities and living quarters for a resident manager or proprietor.

MULTIFAMILY DWELLING: See DWELLING, MULTIFAMILY.

MULTI-STORY BUILDING: Any building having two (2) or more stories that does not exceed the height limitations of the Zoning District in which it is located.

MUNICIPAL BUILDINGS: Any building owned and operated by the Township of Neshannock.

MUSIC AND ART STUDIO: Establishments engaged in the creation, display and sale of music, photography and art products and supplies and which may include training of individuals or groups of students.

NATURAL GAS: A fossil fuel consisting of a mixture of hydrocarbon gases, primarily methane, and possibly including ethane, propane, butane, pentane, carbon dioxide, oxygen, nitrogen and hydrogen sulfide and other gas species. The term includes natural gas from oil fields known as associated gas or casing head gas from natural gas fields known as non-associated gas, coal beds, shale beds and other formations, but does not include coal bed methane.

NATURAL GAS COMPRESSOR STATION: A facility designed and constructed to compress natural gas and/or oil that originates from a single well site or a collection of such well sites, operating as a midstream facility for delivery of gas and/or oil to a transmission pipeline, distribution pipeline, processing plant or underground storage field, including one (1) or more natural gas and/or oil compressors, associated buildings, pipes, valves, tanks and other equipment.

NATURAL GAS PROCESSING FACILITY: A facility that receives natural gas and associated hydrocarbons from a gathering line system serving one (1) or more well sites that compresses, condenses, pressurizes or otherwise treats natural gas and which removes water and water vapor and/or separates materials such as ethane, propane, butane and other constituents or similar naturally occurring substances from natural gas to allow such natural gas to be of such quality as is required or appropriate for transmission or distribution to commercial markets, including, but not limited to: cooling facilities, storage tanks and related equipment and facilities.

NET FLOOR AREA: See FLOOR AREA, NET.

NO IMPACT HOME-BASED BUSINESS: A business or commercial activity administered or conducted as an accessory use which is clearly secondary to the use as a residential dwelling and which involves no customer, client or patient traffic, whether vehicular or pedestrian, pickup, delivery or removal functions to or from the premises, in excess of those normally associated with residential use and which use complies with all of the following requirements:

- (a) The business activity shall be compatible with the residential use of the property and surrounding residential uses.

- (b) The business shall employ no employees other than family members residing in the dwelling.
- (c) There shall be no display or sale of retail goods and no stockpiling or inventory of a substantial nature.
- (d) There shall be no outside appearance of a business use, including, but not limited to, parking, signs or lights.
- (e) The business activity shall not use any equipment or process which creates noise, vibration, glare, fumes, odors or electrical or electronic interference, including interference with radio or television reception which is detectable in the neighborhood.
- (f) The business activity shall not generate any solid waste or sewage discharge, in volume or type, which is not normally associated with residential use in the neighborhood.
- (g) The business activity shall be conducted only within the dwelling and may not occupy more than twenty-five percent (25%) of the habitable floor area.
- (h) The business shall not involve any illegal activity.

NONCONFORMING LOT: Any lot which does not comply with the applicable area and bulk provisions of this Ordinance or an amendment hereafter enacted, which lawfully existed prior to the enactment of this Ordinance or any subsequent amendment. (See Article XVII of this Ordinance.)

NONCONFORMING STRUCTURE: A structure, or part of a structure, manifestly not designed to comply with the applicable area, bulk or other provisions in this Ordinance or an amendment hereafter enacted, which lawfully existed prior to the enactment of this Ordinance or any subsequent amendment. Such nonconforming structures include, but are not limited to, nonconforming signs. (See Article XVII of this Ordinance.)

NONCONFORMING USE: See USE, NONCONFORMING.

NUDITY: The exposure or appearance of a human bare buttock, anus, male or female genitals or female breast.

NURSING HOME: An institution licensed by the Commonwealth for the long-term care of patients requiring skilled nursing or intermediate nursing care, but not including facilities for major surgery or care and treatment of narcotics addiction.

OFFICE: A room or group of rooms used for conducting the administrative affairs of a business, profession, service, industry or government, generally furnished with desks, tables, files and communications equipment.

OFFICE, CORPORATE: See CORPORATE OFFICE.

OFFICE, PROFESSIONAL: See PROFESSIONAL OFFICE.

OIL: Hydrocarbons in liquid form at standard temperature of 60 degrees Fahrenheit an pressure 14.7 PSIA, also referred to as petroleum.

OIL AND GAS OPERATIONS: Well location and assessment, including seismic operations, well site preparation, construction, drilling, hydraulic fracturing and site restoration associated with an oil or gas well of any depth; construction, installation, use, maintenance and repair of oil and gas pipelines and all equipment directly associated with oil and gas operations, provided the equipment is located at or immediately adjacent to a well site, impoundment, oil and gas pipeline, natural gas compressor station or natural gas processing plant.

While the PA Oil and Gas Act includes IMPOUNDMENTS, NATURAL GAS COMPRESSOR STATIONS and NATURAL GAS PROCESSING PLANTS in the definition of OIL AND GAS OPERATIONS, for the purposes of this Ordinance, these terms are separately defined so that they can be separately regulated in conformance with the authority granted by the PA Oil and Gas Act.

OPERATOR: Any person, partnership, company or corporation and its subcontractors and agents who have an interest in real estate for the purpose of oil and gas operations or impoundments or who own and/or administer a natural gas compressor station or a natural gas processing facility.

OUT CALL SERVICE: A business which provides a service by appointment or upon request where individuals leave one premises and go to another premises for a specified period of time for the purpose of engaging in nudity or sexual conduct, as defined herein.

OUTDOOR AMUSEMENT: An enterprise operated for profit by other than a public entity which is conducted wholly or partly outside an enclosed structure for the pursuit of sports, recreation and amusement activities, including, but not limited to, such establishments as drive-in theaters, arenas, stadia, racetracks, swimming pools, ballfields, parks, tennis courts, miniature golf courses and the like.

PARKING AREA: A portion of a lot designated for the parking of motor vehicles in accordance with the requirements of this Ordinance.

PARKING SPACE: A portion of a parking area designated for the parking of one (1) motor vehicle in accordance with the requirements of this Ordinance.

PERMITTED USE: See USE, PERMITTED.

PERSONAL CARE BOARDING HOME: A facility licensed by the Commonwealth located within a dwelling where room and board is provided to more than three (3), but no more than twelve (12) permanent residents, who are not relatives of the operator, and who are mobile or semi-mobile and require specialized services in such matters as bathing, dressing, diet and medication prescribed for self-administration for a period exceeding twenty-four (24) consecutive hours, but who are not in need of hospitalization or skilled nursing care or intermediate nursing care.

PERSONAL SERVICES: Any enterprise providing services pertaining to the person, their apparel, or personal effects commonly carried on or about the person, including, but not limited to, shoe repair, tailoring, clothes cleaning, watch repairing, barber shops, beauty parlors, diet and nutritional counseling, fitness or exercise salons, nail or tanning salons, day spas and related activities.

PET GROOMING: Any establishment that offers services for domestic pets, including, but not limited to: bathing, trimming, manicuring, massaging or other services to maintain the animals' well-being and which may sell pet care products and pet supplies as an accessory use, but not including a veterinary clinic or kennel, as defined herein.

PET SERVICES: A business establishment that sells pet food and other pet care products to the general public and that may offer pet grooming, a boarding kennel and/or limited veterinary services as accessory uses; or a business establishment that offers services for the care during part of a twenty-four (24) hour day of domestic pets as a principal use and which may sell food or other pet care products as an accessory use.

PLANNED RESIDENTIAL DEVELOPMENT: An area of land controlled by a single landowner and developed as a single entity for a number of dwellings, the development plan for which does not necessarily correspond in lot size, bulk, type of dwelling unit or use, density or intensity, lot coverage or required open space to any one district in this Ordinance.

PLANNING CODE: The Pennsylvania Municipalities Planning Code, Act 247, of 1968, as amended.

PLANNING COMMISSION: The Neshannock Township Planning Commission of Lawrence County, Pennsylvania.

PRINCIPAL BUILDING: The building or buildings on a lot in which the principal use or uses are conducted.

PRINCIPAL STRUCTURE: The structure or structures in which the principal use or uses are conducted.

PRINCIPAL USE: See USE, PRINCIPAL.

PRIVATE BURIAL PLOT: A permanent site for the interment of human remains located on private property, but not within a cemetery.

PRIVATE GARAGE: See GARAGE, PRIVATE.

PRIVATE NON-PROFIT MULTI-PURPOSE SPORTS AND RECREATIONAL FACILITIES: Any combination of indoor and outdoor recreation and athletic facilities for active and passive recreation that may include, but not limited to, indoor and outdoor athletic fields, spectator stands or bleachers, exercise or walking trails, facilities for gymnastics or aerobic exercise, picnic shelters and day camping facilities. In addition, certain non-sports and recreation activities that are subordinate and secondary to the athletic facilities including snack bar, pro-shop, locker rooms, comfort facilities, administrative offices, and the like.

PRIVATE SCHOOL: See PUBLIC AND PRIVATE SCHOOL.

PROFESSIONAL OFFICE: The office of a member of a commonly recognized profession, including, but not limited to, dentistry, medicine, law, architecture, engineering, accounting and similar occupations, which is maintained for the conduct of that profession.

PROPERTY LINE: The lot lines that bound a lot. When a lot line is coterminous with the centerline of a street, the property line shall be considered the nearest edge of the right-of-way of that street adjacent to the lot.

PROTECTED STRUCTURE: Any occupied residence, business, school, church or public building located within one thousand (1,000) feet of a natural gas well head, as defined herein, that may be adversely affected by noise generated from the drilling or hydraulic fracturing at the well site, as defined herein, excluding any structure owned by an oil or gas lessor who has signed a lease with the operator granting surface rights to drill the subject well or whose owner or occupants have signed a waiver relieving the operator from complying with the noise abatement provisions of this Ordinance.

PUBLIC: Owned, operated or controlled by a government agency, Federal, State, County or local.

PUBLIC GARAGE: See GARAGE, PUBLIC.

PUBLIC PARKS AND PLAYGROUNDS: Outdoor recreation facilities available to the general public, owned by a government agency, for the pursuit of sports, recreation and leisure activities.

PUBLIC AND PRIVATE SCHOOLS: Accredited institutions of learning, whether public or private, which offer elementary and secondary level instruction or which offers associate, bachelor or higher degrees in the several branches of learning required by the Commonwealth of Pennsylvania.

PUBLIC STREET: See STREET, PUBLIC.

PUBLIC STREET RIGHT-OF-WAY: Land dedicated and accepted by the Township, County, Commonwealth or other governmental body which is open for public use as a street.

PUBLIC UTILITY BUILDINGS: Any administrative building, maintenance building, garage or other structure intended for human occupancy or storage of movable equipment operated by a public utility or any structure housing machinery or equipment necessary to the provision of essential services, including but not limited to, sewage treatment plants, water plants, switching facilities, substations and similar facilities.

RADIO, TV AND MICROWAVE TOWERS: Transmission towers and antennas, other than communications towers and antennas as defined herein, which are licensed by the Federal Communications Commission (FCC) to radio and television stations for the purpose of broadcasting programming.

RATED CAPACITY OF WIND ENERGY SYSTEM: See WIND ENERGY SYSTEM, RATED CAPACITY OF.

REAR LOT LINE: See LOT LINE, REAR.

REAR YARD: See YARD, REAR.

RECYCLING COLLECTION: A center for the acceptance and processing of small amounts of recyclable materials from the public, including the crushing, baling, shredding, chipping or other operations which physically reduce the mass of the materials, but which do not involve any processing which alters the composition of the materials in any way.

REPAIR GARAGE: See GARAGE, REPAIR.

RESEARCH AND TESTING LABS: Any establishment which carries on investigation in the natural, physical or social sciences or engineering and development as an extension of such investigation with the objective of creating end products and which may include pilot manufacturing, as an accessory use, to test concepts, determine physical layouts, material flows and processes, types of equipment required, costs and other information necessary prior to undertaking full-scale production.

RESIDENCE IN COMBINATION WITH COMMERCIAL USE: A dwelling unit located in the same building with an office and/or retail store.

RESTAURANT, FAST SERVICE: An establishment where food and beverages are served for consumption either on or off the premises and where the primary method of operation involves the serving of food in edible or disposable containers.

RESTAURANT, FULL SERVICE: An establishment where food and beverages are served to customers at a table or counter by a restaurant employee and where customers are given an individual menu and/or are offered buffet service which includes a complete meal. Full service restaurants may also offer take-out service as a secondary and minor portion of their operations.

RETAIL STORES: Business establishments located entirely within an enclosed building which sell goods, services or merchandise to the general public for personal, household or office consumption and which shall not include wholesaling, manufacturing or processing of the goods offered for sale.

RIDING ACADEMY: An establishment engaged in instruction in the handling and riding of horses which may include boarding stables and an indoor or outdoor riding ring or arena.

ROAD: See STREET.

SATELLITE DISH: A disk shaped parabolic antenna designed to receive microwaves from communications satellites which transmit data or radio or TV broadcasts.

SEMI-CONDUCTOR INDUSTRIES AND RELATED SERVICES: Any industry listed in industry number 3674 of the Standard Industrial Classification Manual or manufacturing of semi-conductor test equipment or wholesaling semi-conductor devices.

SERVICE STATION: A retail place of business, engaged primarily in the sale of motor fuels, but also in supplying goods and services generally required in the operation and maintenance of motor vehicles and fulfilling of motorist's needs, including the sale of petroleum products; sale and service of tires, batteries, automotive accessories and replacement items; washing and lubrication services; the supplying of other incidental automotive customer services and products; and the performing of automotive maintenance and repair, excluding such repairs as spray painting, body, fender, axle, frame, major engine overhaul or recapping/retreading of tires. A service station may also include the operation of a convenience food store.

SEXUAL CONDUCT: Patently offensive representations or descriptions of ultimate sexual acts, normal or perverted, actual or simulated, and patently offensive representations, descriptions or acts of masturbation, excretory functions, homosexuality, sodomy, sexual intercourse or physical contact with a person's clothed or unclothed genitals, pubic area, buttocks, or, if such person be female, breast.

SIDE LOT LINE: See LOT LINE, SIDE.

SIDE YARD: See YARD, SIDE.

SIDE YARD, MINIMUM REQUIRED: See YARD, SIDE, MINIMUM REQUIRED.

SIGN: Any structure or device used to attract attention by word or graphic display. (See Section 1609.)

SINGLE FAMILY ATTACHED DWELLING: See DWELLING, SINGLE FAMILY ATTACHED.

SINGLE FAMILY DETACHED DWELLING: See DWELLING, SINGLE FAMILY DETACHED.

SPECIAL EXCEPTION: See USE BY SPECIAL EXCEPTION.

STORAGE BUILDING: A principal or accessory structure used for keeping and protecting materials, vehicles or equipment related to any authorized use in the District in which it is located.

STORAGE RENTAL FACILITY: A building or group of buildings in a controlled access and fenced compound that contains various sizes of individual, compartmentalized and controlled access stalls and/or lockers leased to the general public for a specified period of time for the dead storage of personal property.

STORY: That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between any floor and the ceiling next above it.

STREET: All land between right-of-way lines, whether public or private and whether improved or unimproved, which is intended to accommodate vehicular traffic, including an avenue, drive, boulevard, highway, road, freeway, parkway, lane, viaduct or other vehicular way.

STREET, ARTERIAL: A public street which serves large volumes of high speed and long distance traffic. Roads classified as arterial in the Township are Route 18 and Route 60.

STREET, COLLECTOR: A public street which, in addition to giving access to abutting lots intercepts local streets and provides a route for carrying considerable volumes of local traffic to community facilities and arterial roads. Streets classified as collector roads in the Township for the purposes of interpreting this Ordinance are Maitland Lane, Mercer Road, Mitchell Road, Nesbitt Road, Oakwood Way (West of PA 18 to Brest Road), Plank Road, Plank Road Extension, Pulaski Road and Shenango Road.

STREET, PUBLIC: A public right-of-way dedicated and open for public use that has been adopted by the Township, County, Commonwealth or other governmental body.

STRUCTURAL ALTERATION: Any change in the support members of a building such as bearing walls, columns, beams or girders; changes in the means of ingress and/or egress; enlargement of floor area or height of a structure; or relocation of a structure from one position to another.

STRUCTURE: Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land, excluding paving, storm and sanitary sewers and their appurtenances, stormwater management facilities and similar features of the infrastructure.

STRUCTURE, NONCONFORMING: See NONCONFORMING STRUCTURE.

STRUCTURE, PRINCIPAL: See PRINCIPAL STRUCTURE.

SUPERVISORS: The Board of Supervisors of the Township of Neshannock, Lawrence County, Pennsylvania.

SURFACE AREA OF SIGN: The surface area of a sign shall be measured as described below. For two-sided signs, only one (1) side of an advertising panel (sign face) shall be counted in computing the surface area, provided the two (2) advertising panels are "back to back" without any angle of separation between the two (2) advertising panels.

- (a) In the case of an advertising panel, as defined herein, the surface area of the sign shall be the total area enclosed by one (1) continuous line connecting the extreme points or edges of the advertising panel containing the writing, representation, character, emblem or other communication material;
- (b) In the case of freestanding letters, figures or characters mounted on a wall or other surface or in the case of letters, figures or characters painted on a wall, the surface area of the sign shall be the area of the smallest triangle, rectangle or circle that wholly encloses all of the letters, including the space between the letters.
- (c) In the case of freestanding ground or pole signs, the area shall not include the main supporting structure; however, logos, ornamental attachments and frame work around or connections between advertising panels shall be included. In the case of a ground sign that is erected on a raised foundation, said foundation shall not be included in calculating the surface area of the sign. In the case of a freestanding pole sign, any sheathing or other covering over the supporting structure shall not be included in the calculation of the surface area of the sign, provided no logo or other advertising is placed on the sheathing or other covering. If a logo or lettering is placed on the sheathing, the area of the outline of such logo or lettering shall be included in the calculation of the surface area of the sign; and

(d) In the case of letters that are painted on or affixed to an awning, canopy or marquee, the surface area of the sign shall be the area of the smallest triangle, rectangle or circle that wholly encloses all of the letters, including the space between the letters.

SWIMMING POOL: A body of water in an artificial or semi-artificial receptacle or other container, whether located in or out of doors, in-ground or above ground, used as a recreational facility for swimming, bathing or wading and having a depth at any point of more than eighteen (18) inches or a surface area of one hundred (100) square feet or more, including the equipment necessary to maintain the swimming pool and the healthful condition of the water.

THEATER: An establishment, other than an adult live theater, an adult mini-motion picture theater or an adult motion picture theater, inside a completely enclosed building devoted to showing motion pictures and/or live dramatic or musical performances.

TOWNSHIP: The Township of Neshannock, Lawrence County, Pennsylvania.

TRUCK STOP: A facility designed to provide for service and repair of trucks and associated motorized equipment, and which may incidentally provide for eating and lodging facilities.

TRUCK TERMINAL: A facility to accommodate the service, repair and storage of trucks and other motorized equipment and trailers, and which may incidentally provide warehousing activities and transfer facilities.

TWO FAMILY DWELLING: See DWELLING, TWO FAMILY.

USE: Any activity, business or purpose for which any lot or structure is utilized.

USE, ACCESSORY: A use related to the principal use which is customarily incidental and subordinate to the principal use or structure and located on the same lot with such principal use or structure.

USE, CONDITIONAL: An authorized use which may be granted only by the Supervisors pursuant to express standards and criteria prescribed in this Ordinance, after review and recommendation by the Township Planning Commission and public hearing by the Supervisors.

USE, NONCONFORMING: A use, whether of land or of structure, which does not comply with the applicable use provisions in this Ordinance or an amendment hereafter enacted, which lawfully existed prior to the enactment of this Ordinance or any subsequent amendment. (See Article XVII of this Ordinance.)

USE, PERMITTED: An authorized use allowed by right which may be granted by the Zoning Officer upon compliance with the provisions of this Ordinance.

USE, PRINCIPAL: The primary or predominant use of any lot or structure.

USE BY SPECIAL EXCEPTION: An authorized use which may be granted only by the Zoning Hearing Board in accordance with express standards and criteria in this Ordinance after public hearing.

USES NOT SPECIFICALLY LISTED: A use which is not specifically listed in a particular zoning district, but which is determined by the Zoning Hearing Board in accordance with express standards and criteria set forth in this Ordinance to be similar in characteristics and impacts to another use which is specifically listed in the same zoning district as a permitted use, conditional use or use by special exception.

VARIANCE: A departure from the strict letter of the Zoning Ordinance, as it applies to specific properties, as authorized by the Zoning Hearing Board in accordance with the terms of this Ordinance and the Pennsylvania Municipalities Planning Code.

VETERINARY CLINIC: An establishment where animals are examined and treated by veterinarians and which may include kennels for temporary boarding of animals during treatment.

WAREHOUSING: The storage and handling of freight or merchandise, but not including the maintenance of commercial vehicles.

WELL: A bore hole drilled or being drilled as part of oil and gas operations for the purpose of, or to be used for, producing, extracting or injecting gas, petroleum or another liquid related to oil and gas production or storage, including brine disposal, but excluding a bore hole drilled to produce potable water.

WELL HEAD (WELL BORE): The precise point of entry into the ground where drilling takes place including the structure that is placed over the opening upon completion of drilling and that is maintained during production.

WELL PAD: The disturbed area of the well site occupied by the well head, all drilling equipment and all surface facilities, structures and equipment incidental to oil and gas operations, but not including the access road.

WELL SITE: The area occupied by all equipment or facilities necessary for or incidental to drilling, production or plugging of a well, including, but not limited to the access road, the well pad, tanks, meters, storage tanks and impoundments.

WIDTH OF LOT: See LOT WIDTH.

WIND ENERGY SYSTEM, INDIVIDUAL: A wind energy conversion system that has a rated capacity of not more than 60kw that converts wind energy into electricity, consisting of a wind turbine, a tower and associated control or conversion electronics,

including collection, distribution and storage equipment, intended for private use to reduce on-site consumption of utility power or supplement or replace utility power.

WIND ENERGY SYSTEM, RATED CAPACITY OF: The maximum rated output of electric power production equipment specified by the manufacturer and typically found on a nameplate on the equipment.

WIND ENERGY SYSTEM, HEIGHT OF THE: The distance measured from the natural grade or finished grade to the tip of the rotor blade at its highest point.

WIND FARM: An area of land under common ownership or control containing one (1) or more wind turbines used primarily for generating electricity to off-site customers, including substations, meteorological towers to measure wind speed, cables, wires and other accessory structures and buildings necessary to the operation of the facility.

WIND TURBINE: A device consisting of a rotor with two (2) or more blades that converts kinetic wind energy into rotational energy that drives an electrical generator.

YARD: A required open space located on a lot which is unobstructed by any portion of a principal structure other than certain projections expressly permitted by this Ordinance.

YARD, FRONT: A yard extending across the full lot width and abutting the front lot line. The minimum depth measurement for the front yard required by this Ordinance shall be the horizontal distance between the centerline of the abutting street right-of-way and a line parallel thereto known as the building line, except on Route 18 where the minimum depth measurement shall be the horizontal distance between the centerline of the cartway and a line parallel thereto known as the building line. On cul-de-sacs and other curved streets, the building line shall follow the curvature of the street right-of-way line. (See Appendix I and the definition of BUILDING LINE.)

YARD, FRONT, MINIMUM REQUIRED: The minimum distance required by this Ordinance in each District for a front yard, regardless of whether a structure is set back farther than the minimum distance required.

YARD, REAR: A yard extending across the width of the lot between the side yards and adjoining the rear lot line. The minimum depth measurement required by this Ordinance shall be the horizontal distance between the rear lot line and a line parallel thereto. (See Appendix I.)

YARD, SIDE: A yard extending between the building line and the rear lot line parallel to the side lot line. The minimum width measurement required by this Ordinance shall be the horizontal distance between the side lot line and a line parallel thereto. (See Appendix I.)

YARD, SIDE, MINIMUM REQUIRED: The minimum distance required by this Ordinance in each District for a side yard, regardless of whether a structure is set back farther than the minimum distance required.

ZONING MAP: The official map delineating the zoning districts of Neshannock Township, Lawrence County, Pennsylvania, together with all amendments subsequently adopted.

ZONING OFFICER: The designated official or an authorized representative appointed by the Supervisors whose duty it shall be to administer this Ordinance.

ARTICLE III

GENERAL DISTRICT REGULATIONS

SECTION 301 ZONING MAP

A map entitled "Zoning Map, Neshannock Township" is hereby adopted as part of this Ordinance. The Zoning Map shall be kept on file and be available for examination at the Township Building. The map shall be signed and attested to by the Township Secretary and shall bear the seal of the Township. All amendments affecting district boundaries shall be noted on the map by the Township Engineer, including date of adoption, and shall be attested to by the Township Secretary.

SECTION 302 ZONING DISTRICTS

The Township is divided into the districts set forth by this Ordinance and as shown by the district boundaries on the Zoning Map. The districts are:

A-1	Agricultural District
R-1	Residential Urban District
R-2	Residential Rural District
R-2-A	Special Residential Rural District
R-3	Residential High Density District
C-1	Limited Commercial District
C-2	Highway Commercial District
C-3	Special Commercial District
B-P	Business Park District
I-1	General Industrial District
I-1-A	Special Industrial District
I-P	Industrial Park District

SECTION 303 DISTRICT BOUNDARIES

The boundaries of said districts shall be as shown on the Zoning Map, Neshannock Township incorporated by reference in this Ordinance.

- A. The boundaries between districts are the centerlines of streets, alleys, railroad rights-of-way, streams or such lines extended, or lines parallel thereto, or concentric therewith, or property lines when proximate thereto, or may be lines otherwise indicated on the Zoning Map. Any person aggrieved by the interpretation of the Zoning Map by the Zoning Officer concerning the location of the district boundaries may appeal to the Zoning Hearing Board and the Board shall determine the location of the district boundary.

- B.** Where a district boundary line divides a lot held in single and separate ownership of record at the time such district boundary is adopted, the regulations for the less restricted portions of such lot may extend by not more than one hundred (100) feet into the more restricted portion, provided the lot has frontage on a street in the less restricted district. Conversely, the regulations for the more restricted portions of the lot may extend into the less restricted portion without limitation, provided the lot is developed or is proposed to be developed for an authorized use in the more restricted district.

SECTION 304 DISTRICT REGULATIONS

These general regulations apply in all Zoning Districts.

- A.** Any use not expressly listed for a district is prohibited in that district, unless authorized as a use by special exception by §401-C-1(d), §901-C-1(g), §1001-C-1(g), §1101-C-1(e), §1201-C-1(c), §1301-C-1(d), §1401-C-1(c) or §1501-C-1(d).
- B.** Accessory structures which are normally accessory to principal structures or uses authorized by conditional use or special exception shall be permitted by right.
- C.** On farms, authorized principal farm structures may occupy the same lot as the principal dwelling.
- D.** Applications for permitted uses, conditional uses and uses by special exception shall be reviewed in accordance with the procedures specified in Article XIX.

The detailed regulations for each Zoning District are contained in Articles IV through XV.

ARTICLE IV

A-1 AGRICULTURAL DISTRICT

SECTION 400 PURPOSE

The purpose of this District is to preserve agricultural land and to designate those areas within the Township where agricultural activities should be encouraged and only a minimum of other compatible low intensity land uses should be permitted.

SECTION 401 AUTHORIZED USES

In the A-1, Agricultural District, the following uses are authorized:

A. PERMITTED USES

1. Principal Uses

- (a) Agriculture, subject to §1603.1
- (b) Billboards, subject to Section 1609
- (c) Essential Services
- (d) Forestry
- (e) Group Home
- (f) Hunting or Fishing Club
- (g) Single Family Detached Dwelling

2. Accessory Uses

- (a) Domiciliary Care
- (b) Hobby Farm, subject to Section 1614
- (c) Home Gardening
- (d) Home Occupation, subject to Section 1612
- (e) No Impact Home-Based Business
- (f) Private Burial Plots, subject to Section 1615
- (g) Signs, subject to Section 1609
- (h) Accessory uses customarily incidental to and on the same lot with any permitted use, conditional use or use by special exception authorized in this District

B. CONDITIONAL USES

1. Principal Uses

- (a) Bed and Breakfast, subject to §1601.4
- (b) Impoundment used exclusively for Oil and Gas Operations, subject to §1601.39

- (c) Mineral Removal, subject to §1601.22
- (d) Natural Gas Compressor Station, subject to §1601.24
- (e) Oil and Gas Operations, subject to §1601.39
- (f) Radio, TV and Microwave Towers, subject to §1601.30

2. Accessory Uses

None

C. USES BY SPECIAL EXCEPTION

1. Principal Uses

- (a) Public Utility Buildings, subject to §1601.29
- (b) Riding Academy, subject to §1601.33
- (c) Veterinary Clinic, subject to §1601.19
- (d) Uses Not Specifically Listed, subject to §1601.37

2. Accessory Uses

- (a) Individual Wind Energy System, subject to §1601.16
- (b) Riding Academy, subject to §1601.33
- (c) Veterinary Clinic, subject to §1601.19

SECTION 402 AREA AND BULK REGULATIONS

In the A-1, Agricultural District, all uses shall be subject to the following regulations, except as they may be modified by the express standards and criteria for specific conditional uses or uses by special exception contained in Section 1601.

A. MINIMUM LOT SIZE:

Farm:	10 acres
Fishing or Hunting Club:	10 acres
Single Family Dwelling or Group Home:	1 acre

B. MINIMUM LOT WIDTH:

100 feet

C. MAXIMUM LOT COVERAGE:

20%

D. MINIMUM FRONT YARD:

75 ft from centerline
of right-of-way

E. MINIMUM REAR YARD:

50 feet

F. MINIMUM SIDE YARD:

30 feet each side

G.	SPECIAL YARD REQUIREMENTS:	See Section 1603
H.	PERMITTED PROJECTIONS INTO REQUIRED YARDS:	See Section 1604
I.	MAXIMUM HEIGHT:	
	All Principal Structures:	35 feet
	All Structures Accessory to Dwellings:	20 feet
J.	HEIGHT EXCEPTIONS:	See Section 1605
SECTION 403	OFF-STREET PARKING AND LOADING	See Section 1608
SECTION 404	SIGNS	See Section 1609
SECTION 405	AIRPORT ZONING REGULATIONS	See Section 1616
SECTION 406	FLOODPLAIN REGULATIONS	See Section 1617
SECTION 407	APPLICATION PROCEDURE	See Section 1904

ARTICLE V

R-1 RESIDENTIAL URBAN DISTRICT

SECTION 500 PURPOSE

The purpose of this District is to provide for higher density single family dwellings in areas which have public water and sewer facilities available; and to authorize compatible public and semi-public uses as conditional uses and uses by special exception to complement residential development.

SECTION 501 AUTHORIZED USES

In the R-1, Residential Urban District, the following uses are authorized:

A. PERMITTED USES

1. Principal Uses

- (a) Essential Services
- (b) Fire Departments, excluding rental facilities
- (c) Forestry
- (d) Group Home
- (e) Municipal Buildings
- (f) Public Schools
- (g) Single Family Detached Dwelling

2. Accessory Uses

- (a) Domiciliary Care
- (b) Home Gardening
- (c) Home Occupation, subject tot Section 1612
- (d) No Impact Home-Based Business
- (e) Signs, subject to Section 1609
- (f) Accessory Uses customarily incidental to and on the same lot with any permitted use, conditional use or use by special exception authorized in this District

B. CONDITIONAL USES

1. Principal Uses

- (a) Cemeteries, subject to §1601.6
- (b) Golf Course or Country Club, subject to §1601.14
- (c) Private Schools, subject to 1601.7
- (d) Public Parks and Playgrounds, subject to §1601.7

C. USES BY SPECIAL EXCEPTION

1. Principal Uses

- (a) Churches, subject to §1601.7
- (b) Libraries, subject to §1601.7
- (c) Public Utility Buildings, subject to §1601.29
- (d) Two Family Dwellings, subject to §1601.36

SECTION 502 AREA AND BULK REGULATIONS

In the R-1, Residential Urban District, all uses shall be subject to the following regulations, except as they may be modified by the express standards and criteria for specific conditional uses or uses by special exception contained in Section 1601.

A. MINIMUM LOT SIZE:

Lots with public water and sewer:	7,500 square feet
Lots with either public water or sewer:	15,000 square feet
Lots without public water and sewer:	20,000 square feet

B. MINIMUM LOT WIDTH:

Lots without public water and sewer:	100 feet
All others:	75 feet

C. MAXIMUM LOT COVERAGE: 30%

D. MINIMUM FRONT YARD:

Lots 7,500 - 14,999 square feet in area	55 feet from the centerline of the right-of-way.
Lots 15,000 or more square feet in area	75 feet from the centerline of the right-of-way.

E. MINIMUM REAR YARD:

Lots 7,500 - 14,999 square feet in area	20 feet
Lots 15,000 or more square feet in area	50 feet

F. MINIMUM SIDE YARD:

Lots 7,500 - 14,999 square feet in area	10 feet each side
Lots 15,000 or more square feet in area	15 feet each side

G.	SPECIAL YARD REQUIREMENTS:	See Section 1603
H.	PERMITTED PROJECTIONS INTO REQUIRED YARDS	See Section 1604
I.	MAXIMUM HEIGHT:	
	All Principal Structures:	35 feet
	Structures Accessory to Public Schools, Fire Departments and Municipal Buildings:	35 feet
	All Other Accessory Structures:	20 feet
J.	HEIGHT EXCEPTIONS:	See Section 1605
SECTION 503	OFF-STREET PARKING AND LOADING	See Section 1608
SECTION 504	SIGNS	See Section 1609
SECTION 505	AIRPORT ZONING REGULATIONS	See Section 1616
SECTION 506	FLOODPLAIN REGULATIONS	See Section 1617
SECTION 507	APPLICATION PROCEDURE	See Section 1904

ARTICLE VI

R-2 RESIDENTIAL RURAL DISTRICT

SECTION 600 PURPOSE

The purpose of this District is to provide for moderate and low density residential development in suburban and rural areas where public sewer and/or water facilities may not be available and to provide for compatible public and semi-public uses as conditional uses and uses by special exception.

SECTION 601 AUTHORIZED USES

In the R-2, Residential Rural District, the following uses are authorized:

A. PERMITTED USES

1. Principal Uses

- (a) Agriculture, subject to §1603.1
- (b) Billboards, subject to Section 1609.3(j)
- (c) Communications Antenna on an existing building or an existing public utility storage or transmission structure, subject to Section 1613.
- (c) Essential Services
- (d) Fire Departments, excluding rental facilities
- (e) Forestry
- (f) Group Home
- (g) Municipal Buildings
- (h) Single Family Detached Dwellings

2. Accessory Uses

- (a) Domiciliary Care
- (b) Hobby Farm, subject to Section 1614
- (c) Home Gardening
- (d) Home Occupation, subject to Section 1612
- (e) No Impact Home-Based Business
- (f) Private Burial Plots, subject to Section 1615
- (g) Signs, subject to Section 1609
- (h) Accessory Uses customarily incidental to and on the same lot with any permitted use, conditional use or use by special exception authorized in this District.

B. CONDITIONAL USES

1. Principal Uses

- (a) Cemeteries, subject to §1601.6
- (b) Golf Course or Country Club, subject to §1601.14
- (c) Impoundment Used Exclusively for Oil and Gas Operations, subject to §1601.39
- (d) Oil and Gas Operations, subject to §1601.39
- (e) Planned Residential Development, subject to Article XX
- (f) Private Schools, subject to §1601.7
- (g) Public Parks and Playgrounds, subject to §1601.7
- (h) Public Schools, subject to §1601.7

2. Accessory Uses

None

C. USES BY SPECIAL EXCEPTION

1. Principal Uses

- (a) Churches, subject to § 1601.7
- (b) Libraries, subject to § 1601.7
- (c) Public Utility Buildings, subject to § 1601.29

2. Accessory Uses

- (a) Individual Wind Energy System, subject to §1601.16

SECTION 602 AREA AND BULK REGULATIONS

In the R-2, Residential Rural District, all uses shall be subject to the following regulations, except as they may be modified by the express standards and criteria for specific conditional uses or uses by special exception contained in Section 1601.

A. MINIMUM LOT SIZE:

Farm:	10 acres
Single Family Dwelling or Group Home:	
Lots without public sewers:	40,000 square feet
Lots with public sewers:	20,000 square feet

B.	MINIMUM LOT WIDTH:	100 feet
C.	MAXIMUM LOT COVERAGE:	30%
D.	MINIMUM FRONT YARD:	75 feet from the centerline of the right-of-way
E.	MINIMUM REAR YARD:	50 feet
F.	MINIMUM SIDE YARD:	15 feet each side
G.	SPECIAL YARD REQUIREMENTS:	See Section 1603
H.	PERMITTED PROJECTIONS INTO REQUIRED YARDS:	See Section 1604
I.	MAXIMUM HEIGHT:	
	All Principal Structures:	35 feet
	Structures Accessory to Public Schools, Fire Departments and Municipal Buildings:	35 feet
	All Other Accessory Structures:	20 feet
J.	HEIGHT EXCEPTIONS:	See Section 1605
SECTION 603	OFF-STREET PARKING AND LOADING	See Section 1608
SECTION 604	SIGNS	See Section 1609
SECTION 605	AIRPORT ZONING REGULATIONS	See Section 1616
SECTION 606	FLOODPLAIN REGULATIONS	See Section 1617
SECTION 607	APPLICATION PROCEDURE	See Section 1904

ARTICLE VII

R-2-A SPECIAL RESIDENTIAL RURAL DISTRICT

SECTION 700 PURPOSE

The purpose of this District is to provide for the type of residential development authorized in the R-2 District, as well as providing certain areas especially suited for mobile home park development and providing for the removal of existing sand and gravel resources in certain areas, while authorizing compatible public and semi-public uses as conditional uses and uses by special exception.

SECTION 701 AUTHORIZED USES

In the R-2-A, Special Residential Rural District, the following uses are authorized:

A. PERMITTED USES

1. Principal Uses

- (a) Agriculture, subject to §1603.1
- (b) Billboards, subject to Section 1609.3(j)
- (c) Essential Services
- (d) Fire Departments, excluding rental facilities
- (e) Forestry
- (f) Group Home
- (g) Municipal Buildings
- (h) Single Family Detached Dwelling

2. Accessory Uses

- (a) Domiciliary Care
- (b) Hobby Farm, subject to Section 1614
- (c) Home Gardening
- (d) Home Occupation, subject to Section 1612
- (e) No Impact Home-Based Business
- (f) Private Burial Plots, subject to Section 1615
- (g) Signs, subject to Section 1609
- (h) Accessory Uses customarily incidental to and on the same lot with any permitted use, conditional use or use by special exception authorized in this District

B. CONDITIONAL USES

1. Principal Uses

- (a) Cemeteries, subject to §1601.6
- (b) Golf Course or Country Club, subject to §1601.14
- (c) Impoundment Used Exclusively for Oil and Gas Operations, subject to §1601.39
- (d) Mineral Removal, subject to §1601.22
- (e) Mobile Home Parks, subject to §1601.23
- (f) Oil and Gas Operations, subject to §1601.39
- (g) Private Schools, subject to §1601.7
- (h) Public Parks and Playgrounds, subject to §1601.7
- (i) Public Schools, subject to §1601.7

C. USES BY SPECIAL EXCEPTION

1. Principal Uses

- (a) Churches, subject to § 1601.7
- (b) Libraries, subject to § 1601.7
- (c) Public Utility Buildings, subject to § 1601.29

2. Accessory Uses

- (a) Individual Wind Energy System, subject to §1601.16

SECTION 702 AREA AND BULK REGULATIONS

In the R-2-A, Special Residential Rural District, all uses shall be subject to the following regulations, except as they may be modified by the express standards and criteria for specific conditional uses or uses by special exception contained in Section 1601.

A. MINIMUM LOT SIZE:

Farm:	10 acres
Mobile Home Park:	10 acres
Single Family Dwelling:	20,000 square feet

B. MINIMUM LOT WIDTH: 100 feet

C. MAXIMUM LOT COVERAGE: 30%

D.	MINIMUM FRONT YARD:	75 feet from the centerline of the right-of-way
E.	MINIMUM REAR YARD:	50 feet
F.	MINIMUM SIDE YARD:	15 feet each side
G.	SPECIAL YARD REQUIREMENTS:	See Section 1603
H.	PERMITTED PROJECTIONS INTO REQUIRED YARDS	See Section 1604
I.	MAXIMUM HEIGHT:	
	All Principal Structures:	35 feet
	Structures Accessory to Public Schools, Fire Departments and Municipal Buildings:	35 feet
	All Other Accessory Structures:	20 feet
J.	HEIGHT EXCEPTIONS:	See Section 1605
SECTION 703	OFF-STREET PARKING AND LOADING	See Section 1608
SECTION 704	SIGNS	See Section 1609
SECTION 705	AIRPORT ZONING REGULATIONS	See Section 1616
SECTION 706	FLOODPLAIN REGULATIONS	See Section 1617
SECTION 707	APPLICATION PROCEDURE	See Section 1904

ARTICLE VIII

R-3 RESIDENTIAL HIGH DENSITY DISTRICT

SECTION 800 PURPOSE

The purpose of this District is to accommodate multifamily residences in appropriate locations; and to authorize compatible public and semi-public uses as conditional uses and uses by special exception.

SECTION 801 AUTHORIZED USES

In the R-3, Residential High Density District, the following uses are authorized:

A. PERMITTED USES

1. Principal Uses

- (a) Essential Services
- (b) Fire Department, excluding rental facilities
- (c) Forestry
- (d) Group Home
- (e) Multifamily Dwellings
- (f) Municipal Buildings
- (g) Single Family Attached Dwellings
- (h) Single Family Detached Dwellings
- (i) Two Family Dwellings

2. Accessory Uses

- (a) Domiciliary Care
- (b) Home Gardening
- (c) Home Occupation, subject to Section 1612
- (d) No Impact Home-Based Business
- (e) Signs, subject to Section 1609
- (f) Accessory uses customarily incidental to and on the same lot with any permitted use, conditional use or use by special exception authorized in this District

B. CONDITIONAL USES

1. Principal Uses

- (a) Nursing Homes, subject to § 1601.25
- (b) Personal Care Boarding Home, subject to §1601.27
- (c) Private Non-Profit Multi-Purpose Sports and Recreation Facilities, subject to §1601.28
- (d) Public Parks and Playgrounds, subject to § 1601.7

C. USES BY SPECIAL EXCEPTION

1. Principal Uses

- (a) Churches, subject to § 1601.7
- (b) Public Utility Buildings, subject to § 1601.29

SECTION 802 AREA AND BULK REGULATIONS

In the R-3, Residential High Density District, all uses shall be subject to the following regulations, except as they may be modified by the express standards and criteria for specific conditional uses or uses by special exception contained in Section 1601.

A. MINIMUM LOT SIZE:

Single Family Dwellings or Group Homes:	7,800 square feet
Two Family Dwellings:	11,000 square feet
Multifamily Dwellings:	
3-9 units:	20,000 square feet
10 or more units:	40,000 square feet
All Other Uses:	20,000 square feet

B. MAXIMUM DWELLING UNIT DENSITY FOR MULTIFAMILY DWELLINGS:

18 units per acre

C. MINIMUM LOT WIDTH:

Single Family Dwellings or Group Homes:	60 feet
Two Family Dwellings:	75 feet
All Other Principal Structures:	100 feet

D. MAXIMUM LOT COVERAGE:

35%

E. MINIMUM FRONT YARD:

Single Family Dwellings, Two Family Dwellings or Group Homes:	55 feet from the centerline of the right-of-way
All Other Principal Structures:	75 feet from the centerline of the right-of-way

F. MINIMUM REAR YARD:

Single Family Dwellings or Group Homes:	20 feet
Two Family Dwellings:	20 feet
All Other Principal Structures:	50 feet

G. MINIMUM SIDE YARD:

Single Family Dwellings, Two Family Dwellings or Group Homes:	10 feet each side
All Other Principal Structures:	15 feet each side

H. SPECIAL YARD REQUIREMENTS: See Section 1603

I. MINIMUM DISTANCE BETWEEN BUILDINGS:

In multifamily developments where more than one (1) building is authorized on a lot, the following minimum distances between buildings shall be provided:

Front to front, rear to rear, or front to rear when structures are parallel: 50 feet shall be provided between the faces of structures for one (1) story in height, plus five (5) feet for each additional story.

When front or rear faces are obliquely aligned, the above required distances may be reduced by as much as ten (10) feet at one (1) end if increased by similar or greater distance at the other end.

Structures end to end: 25 feet shall be provided for one (1) story, plus five (5) feet for each additional story.

When adjacent structures differ in the number of stories, the required distance between the buildings shall be as required for the higher structure.

J. PERMITTED PROJECTIONS INTO REQUIRED YARDS: See Section 1604

K. MAXIMUM HEIGHT:

All Principal Structures:	35 feet
Structures Accessory to Public Schools, Fire Departments and Municipal Buildings:	35 feet
All Other Accessory Structures:	20 feet

L. HEIGHT EXCEPTIONS: See Section 1605

SECTION 803	OFF-STREET PARKING AND LOADING	See Section 1608
SECTION 804	SIGNS	See Section 1609
SECTION 805	AIRPORT ZONING REGULATIONS	See Section 1616
SECTION 806	FLOODPLAIN REGULATIONS	See Section 1617
SECTION 807	APPLICATION PROCEDURE	See Section 1904
SECTION 808	SCREENING AND LANDSCAPING	See Section 1611

ARTICLE IX

C-1 LIMITED COMMERCIAL DISTRICT

SECTION 900 PURPOSE

The purpose of this District is to provide retail shopping and service facilities of a limited type and size appropriate to smaller properties which do not generate large amounts of traffic and which do not adversely impact neighboring residential uses.

SECTION 901 AUTHORIZED USES

In the C-1, Limited Commercial District, the following uses are authorized:

A. PERMITTED USES

1. Principal Uses

- (a) Automotive Sales, Rental and Service
- (b) Bakeries
- (c) Banks
- (d) Essential Services
- (e) Fire Departments, excluding rental facilities
- (f) Forestry
- (g) Funeral Homes
- (h) Multifamily Dwellings
- (i) Municipal Buildings
- (j) Music and Art Studios
- (k) Offices, including Corporate Offices
- (l) Personal Services
- (m) Restaurants, Fast Service
- (n) Restaurants, Full Service
- (o) Retail Stores
- (p) Single Family Attached Dwellings
- (q) Single Family Detached Dwellings
- (r) Two Family Dwellings

2. Accessory Uses

- (a) Home Occupation, subject to Section 1612
- (b) No Impact Home-Based Business
- (c) Signs, subject to Section 1609
- (d) Accessory uses customarily incidental to and on the same lot with any permitted use, conditional use or use by special exception authorized in this District.

B. CONDITIONAL USES

1. Principal Uses

- (a) Personal Care Boarding Home, subject to §1601.27

C. USES BY SPECIAL EXCEPTION

1. Principal Uses

- (a) Car Wash, subject to §1601.5
- (b) Conversion Apartments, subject to §1601.10
- (c) Day Care Centers, subject to §1601.11
- (d) Public Utility Buildings, subject to §1601.29
- (e) Residence in Combination with Commercial Use, subject to §1601.32
- (f) Service Stations, subject to §1601.34
- (g) Uses Not Specifically Listed, subject to §1601.37

SECTION 902 AREA AND BULK REGULATIONS

In the C-1, Limited Commercial District, all uses shall be subject to the following regulations, except as they may be modified by the express standards and criteria for specific conditional uses or uses by special exception contained in Section 1601.

A. MINIMUM LOT SIZE:

Single Family Dwelling:	7,500 square feet
Two Family Dwellings:	11,000 square feet
Multifamily Dwellings:	
3-9 units	20,000 square feet
10 or more units	40,000 square feet
All Other Uses	7,500 square feet

B. MINIMUM LOT WIDTH: 75 feet

C. MAXIMUM LOT COVERAGE: 40%

D. MINIMUM FRONT YARD: 55 feet from the centerline of the right-of-way

E. MINIMUM REAR YARD: 25 feet

F.	MINIMUM SIDE YARD:	10 feet each side
G.	SPECIAL YARD REQUIREMENTS:	See Section 1603
H.	PERMITTED PROJECTIONS INTO REQUIRED YARDS	See Section 1604
I.	MAXIMUM HEIGHT:	
	All Principal Structures:	100 feet
	All Residential Accessory Structures:	No higher than the principal structure
	All Other Accessory Structures:	100 feet
J.	HEIGHT EXCEPTIONS:	See Section 1605
SECTION 903	OFF-STREET PARKING AND LOADING	See Section 1608
SECTION 904	SIGNS	See Section 1609
SECTION 905	AIRPORT ZONING REGULATIONS	See Section 1616
SECTION 906	FLOODPLAIN REGULATIONS	See Section 1617
SECTION 907	APPLICATION PROCEDURE	See Section 1904
SECTION 908	PERFORMANCE STANDARDS	See Section 1602
SECTION 909	STORAGE	See Section 1610
SECTION 910	SCREENING AND LANDSCAPING	See Section 1611

ARTICLE X

C-2 HIGHWAY COMMERCIAL DISTRICT

SECTION 1000 PURPOSE

The purpose of this District is to provide for retail and service facilities which serve the needs of the general community and which are located in high volume traffic corridors to allow convenient access and to minimize the traffic impact on neighborhoods and local roads.

SECTION 1001 AUTHORIZED USES

In the C-2, Highway Commercial District, the following uses are authorized:

A. PERMITTED USES

1. Principal Uses

- (a) Automotive Sales, Rental and Service
- (b) Bakery, Confectionery or Food Shop, including food preparation
- (c) Banks
- (d) Cemeteries
- (e) Churches
- (f) Clinics, other than Methadone Clinics
- (g) Commercial Amusement
- (h) Day Care Center
- (i) Dental Labs
- (j) Essential Services
- (k) Fire Departments, excluding rental facilities
- (l) Forestry
- (m) Funeral Homes
- (n) Libraries
- (o) Motel/Hotel
- (p) Municipal Buildings
- (q) Music and Art Studios
- (r) Offices, including Corporate Offices
- (s) Personal Services
- (t) Pet Grooming
- (u) Pet Services
- (v) Public Parks and Playgrounds
- (w) Repair Garages
- (x) Restaurants, Fast-Service
- (y) Restaurants, Full-Service
- (z) Retail Stores
- (aa) Theaters

2. Accessory Uses

- (a) Home Occupation in a dwelling which is a nonconforming use, subject to §1612
- (b) No Impact Home-Based Business
- (c) Signs, subject to Section 1609
- (d) Accessory uses customarily incidental to and on the same lot with any permitted use, conditional use or use by special exception authorized in this District.

B. CONDITIONAL USES

1. Principal Uses

- (a) Communications Tower, subject to §1601.9
- (b) Drug and/or Alcohol Counseling Center, subject to §1601.12
- (c) Hospitals, subject to §1601.15
- (d) Methadone Clinics, subject to §1601.21
- (e) Nursing Homes, subject to §1601.25
- (f) Oil and Gas Operations, subject to §1601.39
- (g) Outdoor Amusement, subject to §1601.26

C. USES BY SPECIAL EXCEPTION

1. Principal Uses

- (a) Car Wash, subject to §1601.5
- (b) Clubs, subject to §1601.8
- (c) Kennel, subject to §1601.19
- (d) Public Utility Buildings, subject to §1601.29
- (e) Service Station, subject to §1601.34
- (f) Veterinary Clinic, subject to §1601.19
- (g) Uses Not Specifically Listed, subject to §1601.37

SECTION 1002 AREA AND BULK REGULATIONS

In the C-2 Highway Commercial District, all uses shall be subject to the following regulations, except as they may be modified by the express standards and criteria for specific conditional uses or uses by special exception contained in Section 1601.

- A. MINIMUM LOT SIZE:** 15,000 square feet
- B. MINIMUM LOT WIDTH:** 100 feet
- C. MAXIMUM LOT COVERAGE:** 40%

D.	MINIMUM FRONT YARD:	55 feet from the centerline of the right-of-way
E.	MINIMUM REAR YARD:	30 feet
F.	MINIMUM SIDE YARD:	10 feet each side
G.	SPECIAL YARD REQUIREMENTS:	See Section 1603
H.	PERMITTED PROJECTIONS INTO REQUIRED YARDS	See Section 1604
I.	MAXIMUM HEIGHT:	
	All Principal and Accessory Structures:	100 feet
J.	HEIGHT EXCEPTIONS:	See Section 1605
SECTION 1003	OFF-STREET PARKING AND LOADING	See Section 1608
SECTION 1004	SIGNS	See Section 1609
SECTION 1005	AIRPORT ZONING REGULATIONS	See Section 1616
SECTION 1006	FLOODPLAIN REGULATIONS	See Section 1617
SECTION 1007	APPLICATION PROCEDURE	See Section 1904
SECTION 1008	PERFORMANCE STANDARDS	See Section 1602
SECTION 1009	STORAGE	See Section 1610
SECTION 1010	SCREENING AND LANDSCAPING	See Section 1611

ARTICLE XI

C-3 SPECIAL COMMERCIAL DISTRICT

SECTION 1100 PURPOSE

The purpose of this District is to provide for retail and service facilities which serve the needs of the transient population in areas located in close proximity to and with direct access to Route 60, a limited access arterial road.

SECTION 1101 AUTHORIZED USES

In the C-3, Special Commercial District, the following uses are authorized:

A. PERMITTED USES

1. Principal Uses

- (a) Bakery, Confectionery or Food Shop, including food preparation
- (b) Banks
- (c) Billboards, subject to Section 1609
- (d) Clinics, other than Methadone Clinics
- (e) Essential Services
- (f) Forestry
- (g) Motel/Hotel
- (h) Offices, including Corporate Offices
- (i) Restaurant, Fast Service
- (j) Restaurant, Full Service
- (k) Retail Stores
- (l) Theaters

2. Accessory Uses

- (a) Communications Antennas on an approved Communications Tower or on an existing building or an existing public utility storage or transmission structure, subject to Section 1613
- (b) Home Occupation in a dwelling which is a nonconforming use, subject to Section 1612
- (c) No Impact Home-Based Business
- (d) Signs, subject to Section 1609
- (e) Accessory uses customarily incidental to and on the same lot with any permitted use, conditional use or use by special exception authorized in this District

B. CONDITIONAL USES

1. Principal Uses

- (a) Communications Tower, subject to §1601.9
- (b) Hospitals, subject to §1601.15
- (c) Oil and Gas Operations, subject to §1601.39
- (d) Personal Care Boarding Home, subject to §1601.27

C. USES BY SPECIAL EXCEPTION

1. Principal Uses

- (a) Car Wash, subject to §1601.5
- (b) Internet Café, subject to §1601.17
- (c) Public Utility Buildings, subject to §1601.29
- (d) Service Stations, subject to §1601.34
- (e) Uses Not Specifically Listed, subject to §1601.37

SECTION 1102 AREA AND BULK REGULATIONS

In the C-3, Special Commercial District, all uses shall be subject to the following regulations, except as they may be modified by the express standards and criteria for specific conditional uses or uses by special exception contained in Section 1601.

- A. MINIMUM LOT SIZE:** 3 acres
- B. MINIMUM LOT WIDTH:** 400 feet
- C. MAXIMUM LOT COVERAGE:** 40%
- D. MINIMUM FRONT YARD:** 50 feet from the centerline of the right-of-way
- E. MINIMUM REAR YARD:** 50 feet
- F. MINIMUM SIDE YARD:** 20 feet
- G. SPECIAL YARD REQUIREMENTS:** See Section 1603
- H. PERMITTED PROJECTIONS INTO REQUIRED YARDS** See Section 1604
- I. MAXIMUM HEIGHT:**
 - All Principal and Accessory Structures: 100 feet

J. HEIGHT EXCEPTIONS:		See Section 1605
SECTION 1103	OFF-STREET PARKING AND LOADING	See Section 1608
SECTION 1104	SIGNS	See Section 1609
SECTION 1105	AIRPORT ZONING REGULATIONS	See Section 1616
SECTION 1106	FLOODPLAIN REGULATIONS	See Section 1617
SECTION 1107	APPLICATION PROCEDURE	See Section 1904
SECTION 1108	PERFORMANCE STANDARDS	See Section 1602
SECTION 1109	STORAGE	See Section 1610
SECTION 1110	SCREENING AND LANDSCAPING	See Section 1611

ARTICLE XII

B-P BUSINESS PARK DISTRICT

SECTION 1200 PURPOSE

The purpose of this District is to encourage the development of a planned business park for offices and research and development uses.

SECTION 1201 AUTHORIZED USES

A. PERMITTED USES

1. Principal Uses

- (a) Essential Services
- (b) Forestry
- (c) Health Club or Fitness Center
- (d) Light Manufacturing
- (e) Offices, including Corporate Offices
- (f) Personal Services
- (g) Private Schools
- (h) Public Schools
- (i) Research and Testing Labs, not involving the processing or production of any toxic or hazardous materials
- (j) Restaurants, Fast Service
- (k) Restaurants, Full Service
- (l) Semi-Conductor Industries and Related Industries
- (m) Warehousing

2. Accessory Uses

- (a) Communications Antennas on an approved Communications Tower or on an existing building or an existing public utility storage or transmission structure, subject to Section 1613
- (b) Home Occupation in a dwelling which is a nonconforming use, subject to Section 1612
- (c) No Impact Home-Based Business
- (d) Signs, subject to Section 1609
- (e) Accessory uses customarily incidental to and on the same lot with any permitted use, conditional use or use by special exception authorized in this District

B. CONDITIONAL USES

1. Principal Uses

- (a) Agriculture, subject to §1601.2
- (b) Ancillary Commercial, subject to §1601.3
- (c) Communications Tower, subject to §1601.9
- (d) Emergency Services, subject to §1601.13
- (e) Municipal Buildings, subject to §1601.13
- (f) Oil and Gas Operations, subject to §1601.39
- (g) Recycling Collection, subject to §1601.31

2. Accessory Uses

- (a) Individual Wind Energy System, subject to §1601.16

C. USES BY SPECIAL EXCEPTION

1. Principal Uses

- (a) Public Utility Buildings, subject to §1601.29
- (b) Service Station, subject to §1601.34
- (c) Uses Not Specifically Listed, subject to §1601.37

SECTION 1202 AREA AND BULK REGULATIONS

In the B-P, Business Park District, all uses shall be subject to the following regulations, except as they may be modified by the express standards and criteria for specific conditional uses or uses by special exception contained in Section 1601.

- A. MINIMUM LOT SIZE:** 1 acre
- B. MINIMUM LOT WIDTH:** 150 feet
- C. MAXIMUM LOT COVERAGE:** 35%
- D. MINIMUM FRONT YARD:** 50 feet from the centerline of the right-of-way
- E. MINIMUM REAR YARD:** 50 feet
- F. MINIMUM SIDE YARD:** 20 feet
- G. SPECIAL YARD REQUIREMENTS:** See Section 1603

H.	PERMITTED PROJECTIONS INTO REQUIRED YARDS	See Section 1604
I.	MAXIMUM HEIGHT:	
	All Principal and Accessories Structures:	100 feet
J.	HEIGHT EXCEPTIONS:	See Section 1605
SECTION 1203	OFF-STREET PARKING AND LOADING	See Section 1608
SECTION 1204	SIGNS	See Section 1609
SECTION 1205	AIRPORT ZONING REGULATIONS	See Section 1616
SECTION 1206	FLOODPLAIN REGULATIONS	See Section 1617
SECTION 1207	APPLICATION PROCEDURE	See Section 1904
SECTION 1208	PERFORMANCE STANDARDS	See Section 1602
SECTION 1209	STORAGE	See Section 1610
SECTION 1210	SCREENING AND LANDSCAPING	See Section 1611

ARTICLE XIII

I-1 GENERAL INDUSTRIAL DISTRICT

SECTION 1300 PURPOSE

The purpose of this District is to provide for general industrial uses in appropriate locations consistent with sound planning and environmental controls.

SECTION 1301 AUTHORIZED USES

In the I-1, General Industrial District, the following uses are authorized:

A. PERMITTED USES

1. Principal Uses

- (a) Billboards, subject to Section 1609.3(j)
- (b) Builder's Supply
- (c) Car Wash
- (d) Contractor's Yard
- (e) Essential Services
- (f) Forestry
- (g) Health Club or Fitness Center
- (h) Heavy Manufacturing
- (i) Light Manufacturing
- (j) Offices, including Corporate Offices
- (k) Personal Services
- (l) Repair Garages
- (m) Research and Testing Labs
- (n) Restaurants, Fast Service
- (o) Restaurants, Full Service
- (p) Semi-Conductor Industries and Related Industries
- (q) Storage Buildings, Storage Rental Facilities
- (r) Truck Terminals
- (s) Warehousing

2. Accessory Uses

- (a) Communications Antennas on an approved Communications Tower or on an existing building or an existing public utility storage or transmission structure, subject to Section 1613
- (b) Home Occupation in a dwelling which is a nonconforming use, subject to Section 1612
- (c) No Impact Home-Based Business

- (d) Signs, subject to Section 1609
- (e) Accessory Uses customarily incidental to and on the same lot with any permitted use, conditional use or use by special exception authorized in this District.

B. CONDITIONAL USES

1. Principal Uses

- (a) Communications Tower, subject to §1601.9
- (b) Junkyards, subject to §1601.18
- (c) Landfills, subject to §1601.20
- (d) Mineral Removal, subject to §1601.22
- (e) Natural Gas Compressor Station, subject to §1601.24
- (f) Natural Gas Processing Plant, subject to §1601.24
- (g) Oil and Gas Operations, subject to §1601.39
- (h) Wind Farm, subject to §1601.38

2. Accessory Uses

- (a) Individual Wind Energy System, subject to §1601.16

C. USES BY SPECIAL EXCEPTION

1. Principal Uses

- (a) Internet Café, subject to §1601.17
- (b) Public Utility Buildings, subject to § 1601.29
- (c) Service Station, subject to §1601.34
- (d) Uses Not Specifically Listed, subject to § 1601.37

SECTION 1302 AREA AND BULK REGULATIONS

In the I-1, General Industrial District, all uses shall be subject to the following regulations, except as they may be modified by the express standards and criteria for specific conditional uses or uses by special exception contained in Section 1601.

- | | |
|---------------------------------|--------------------|
| A. MINIMUM LOT SIZE: | 40,000 square feet |
| B. MINIMUM LOT WIDTH: | 150 feet |
| C. MAXIMUM LOT COVERAGE: | 40% |

D.	MINIMUM FRONT YARD:	75 feet from the centerline of the right-of-way
E.	MINIMUM REAR YARD:	50 feet
F.	MINIMUM SIDE YARD:	50 feet each side
G.	SPECIAL YARD REQUIREMENTS:	See Section 1603
H.	PERMITTED PROJECTIONS INTO REQUIRED YARDS	See Section 1604
I.	MAXIMUM HEIGHT:	
	All Principal and Accessory Structures:	100 feet
J.	HEIGHT EXCEPTIONS:	See Section 1605
SECTION 1303	OFF-STREET PARKING AND LOADING	See Section 1608
SECTION 1304	SIGNS	See Section 1609
SECTION 1305	AIRPORT ZONING REGULATIONS	See Section 1616
SECTION 1306	FLOODPLAIN REGULATIONS	See Section 1617
SECTION 1307	APPLICATION PROCEDURE	See Section 1904
SECTION 1308	PERFORMANCE STANDARDS	See Section 1602
SECTION 1309	STORAGE	See Section 1610
SECTION 1310	SCREENING AND LANDSCAPING	See Section 1611

ARTICLE XIV

I-1-A SPECIAL INDUSTRIAL DISTRICT

SECTION 1400 PURPOSE

The purpose of this District is to provide for general industrial uses and adult businesses in appropriate locations consistent with sound planning and environmental controls in an area in close proximity to the Route 60 Expressway.

SECTION 1401 AUTHORIZED USES

In the I-1-A, Special Industrial District, the following uses are authorized:

A. PERMITTED USES

1. Principal Uses

- (a) Builder's Supply
- (b) Car Wash
- (c) Contractor's Yard
- (d) Essential Services
- (e) Forestry
- (f) Health Club or Fitness Center
- (g) Heavy Manufacturing
- (h) Light Manufacturing
- (i) Offices, including Corporate Offices
- (j) Personal Services
- (k) Repair Garages
- (l) Research and Testing Labs
- (m) Restaurants, Fast Service
- (n) Restaurants, Full Service
- (o) Semi-Conductor Industries and Related Industries
- (p) Storage Buildings, Storage Rental Facilities
- (q) Truck Terminals
- (r) Warehousing

2. Accessory Uses

- (a) Communications Antennas on an approved Communications Tower or on an existing building or an existing public utility storage or transmission structure, subject to Section 1613
- (b) Home Occupation in a dwelling which is a nonconforming use, subject to Section 1612
- (c) No Impact Home-Based Business

- (d) Signs, subject to Section 1609
- (e) Accessory Uses customarily incidental to and on the same lot with any permitted use, conditional use or use by special exception authorized in this District

B. CONDITIONAL USES

1. Principal Uses

- (a) Adult Business, subject to §1601.1
- (b) Emergency Services, subject to §1601.13
- (c) Junkyards, subject to §1601.18
- (d) Landfills, subject to §1601.20
- (e) Mineral Removal, subject to §1601.22
- (f) Oil and Gas Operations, subject to §1601.39

2. Accessory Uses

- (a) Individual Wind Energy System, subject to §1601.16

C. USES BY SPECIAL EXCEPTION

1. Principal Uses

- (a) Public Utility Buildings, subject to §1601.29
- (b) Service Station, subject to §1601.34
- (c) Uses Not Specifically Listed, subject to §1601.37

SECTION 1402 AREA AND BULK REGULATIONS

In the I-1-A, Special Industrial District, all uses shall be subject to the following regulations, except as they may be modified by the express standards and criteria for specific conditional uses or uses by special exception contained in Section 1601.

- A. **MINIMUM LOT SIZE:** 40,000 square feet
- B. **MINIMUM LOT WIDTH:** 150 feet
- C. **MAXIMUM LOT COVERAGE:** 40%
- D. **MINIMUM FRONT YARD:** 50 feet from the centerline of the right-of-way
- E. **MINIMUM REAR YARD:** 50 feet
- F. **MINIMUM SIDE YARD:** 50 feet each side

G.	SPECIAL YARD REQUIREMENTS:	See Section 1603
H.	PERMITTED PROJECTIONS INTO REQUIRED YARDS	See Section 1604
I.	MAXIMUM HEIGHT:	
	All Principal and Accessory Structures:	100 feet
J.	HEIGHT EXCEPTIONS:	See Section 1605
SECTION 1403	OFF-STREET PARKING AND LOADING	See Section 1608
SECTION 1404	SIGNS	See Section 1609
SECTION 1405	AIRPORT ZONING REGULATIONS	See Section 1616
SECTION 1406	FLOODPLAIN REGULATIONS	See Section 1617
SECTION 1407	APPLICATION PROCEDURE	See Section 1904
SECTION 1408	PERFORMANCE STANDARDS	See Section 1602
SECTION 1409	STORAGE	See Section 1610
SECTION 1410	SCREENING AND LANDSCAPING	See Section 1611

ARTICLE XV

I-P INDUSTRIAL PARK DISTRICT

SECTION 1500 PURPOSE

The purpose of this District is to encourage the development of planned industrial parks to provide for light industrial uses in appropriate locations governed by adequate performance standards.

SECTION 1501 AUTHORIZED USES

In the I-P, Industrial Park District, the following uses are authorized:

A. PERMITTED USES

1. Principal Uses

- (a) Billboards, subject to Section 1609.3(j)
- (b) Car Wash
- (c) Essential Services
- (d) Forestry
- (e) Health Club or Fitness Center
- (f) Light Manufacturing
- (g) Offices, including Corporate Offices
- (h) Personal Services
- (i) Repair Garage
- (j) Research and Testing Labs
- (k) Restaurants, Fast Service
- (l) Restaurants, Full Service
- (m) Semi-Conductor Industries and Related Industries
- (n) Storage Buildings, Storage Rental Facilities
- (o) Warehousing

2. Accessory Uses

- (a) Home Occupation in a dwelling which is a nonconforming use, subject to Section 1612
- (b) No Impact Home-Based Business
- (c) Signs, subject to Section 1609
- (d) Accessory uses customarily incidental to and on the same lot with any permitted use, conditional use or use by special exception authorized in this District

B. CONDITIONAL USES

1. Principal Uses

- (a) Emergency Services, subject to §1601.13
- (b) Oil and Gas Operations, subject to §1601.39

2. Accessory Uses

- (a) Individual Wind Energy System, subject to §1601.16

C. USES BY SPECIAL EXCEPTION

1. Principal Uses

- (a) Public Utility Buildings, subject to §1601.29
- (b) Service Station, subject to §1601.34
- (c) Truck Stops, subject to §1601.35
- (d) Uses Not Specifically Listed, subject to §1601.37

SECTION 1502 AREA AND BULK REGULATIONS

In the I-P, Industrial Park District, all use shall be subject to the following regulations, except as they may be modified by the express standards and criteria for specific conditional uses or uses by special exception contained in Section 1601.

- A. MINIMUM LOT SIZE:** 2 acres
- B. MINIMUM LOT WIDTH:** 200 feet
- C. MAXIMUM LOT COVERAGE:** 30%
- D. MINIMUM FRONT YARD:** 75 feet from the centerline of the right-of-way
- E. MINIMUM REAR YARD:** 50 feet
- F. MINIMUM SIDE YARD:** 50 feet each side
- G. SPECIAL YARD REQUIREMENTS:** See Section 1603

H.	PERMITTED PROJECTIONS INTO REQUIRED YARDS	See Section 1604
I.	MAXIMUM HEIGHT:	
	All Principal and Accessory Structures:	100 feet
J.	HEIGHT EXCEPTIONS:	See Section 1605
SECTION 1503	OFF-STREET PARKING AND LOADING	See Section 1608
SECTION 1504	SIGNS	See Section 1609
SECTION 1505	AIRPORT ZONING REGULATIONS	See Section 1616
SECTION 1506	FLOODPLAIN REGULATIONS	See Section 1617
SECTION 1507	APPLICATION PROCEDURE	See Section 1904
SECTION 1508	PERFORMANCE STANDARDS	See Section 1602
SECTION 1509	STORAGE	See Section 1610
SECTION 1510	SCREENING AND LANDSCAPING	See Section 1611

ARTICLE XVI

SUPPLEMENTARY REGULATIONS

SECTION 1600

The following supplementary regulations shall govern in all Zoning Districts where applicable.

SECTION 1601 **CRITERIA FOR GRANTING CONDITIONAL USES AND USES BY SPECIAL EXCEPTION**

In addition to the District Regulations specified in Articles IV - XV for all authorized uses, conditional uses and uses by special exception shall be further subject to the following express standards and criteria:

1601.1 Adult Businesses, subject to:

- (a)** Adult businesses, as defined by this Ordinance, shall not be permitted in any Zoning District other than the I-1-A, General Industrial District.
- (b)** An adult business shall not be located within one thousand (1,000) feet of a church; public or private elementary or secondary school; public library; child care facility or nursery school; public park; or residential dwelling measured on a straight line from the nearest portion of the building or structure containing the adult business to the nearest property line of the premises of any of the above listed uses.
- (c)** Any adult business, other than an adult motel, which exhibits on the premises in a viewing room (a separate compartment or cubicle) of less than one hundred fifty (150) square feet of floor space, a film or video cassette or other video or image production or reproduction which depicts nudity or sexual conduct shall comply with the following:
 - [1]** At least one (1) employee shall be on duty and shall be situated in each manager's station at all times that any patron is present inside the premises.
 - [2]** The interior of the premises shall be configured in such a manner that there is an unobstructed view from the manager's station of every area of the premises to which any

patron is permitted access for any purpose, excluding restrooms. Restrooms shall not contain video reproduction or viewing equipment.

If the premises has two (2) or more manager's stations designated, then the interior of the premises shall be configured in such a manner that there is unobstructed view of each area of the premises to which any person is permitted access for any purpose from at least one (1) of the manager's stations. The view required by this Subparagraph shall be by direct line of sight from the manager's station.

- [3]** It shall be the duty of the owners and operators and any agents and employees present on the premises to ensure that the viewing area remains unobstructed by any doors, walls, merchandise, display racks or other materials at all times and to insure that no patron is permitted access to any area of the premises which has been designated in the application submitted to the Township as an area in which patrons will not be permitted.
- [4]** No viewing room shall be occupied by more than one (1) person at a time. No connections or openings to an adjoining viewing room shall be permitted.
- [5]** The premises shall be quipped with overhead lighting fixtures of sufficient intensity to illuminate every place in which patrons are permitted access at an illumination of not less than one (1) footcandle as measured at the floor level. It shall be the duty of the owners and operators and any agents and employees present on the premises to ensure that the illumination is maintained at all times that any patron is present on the premises.
- [6]** If live performances are to be given, the premises in which such live performances are to be offered shall contain a stage separated from the viewing area and the viewing area shall not be accessible to the performers.
- (d)** If the adult business involves live performances, the performers shall not have easy access to the viewers present.
- (e)** The owner and operator of any adult cabaret shall provide security officers, licensed under the laws of the Commonwealth, if the maximum permitted occupancy of the premises exceeds fifty (50) persons.

- (f) No stock in trade which depicts nudity or sexual conduct shall be permitted to be viewed from the sidewalk, street or highway.
- (g) No signs or other displays of products, entertainment or services shall be permitted in any window or other area which is visible from the street or sidewalk.
- (h) Windows shall not be covered or made opaque in any way.
- (i) Notice shall be given at the entrance stating the hours of operation and restricting admittance to adults only.
- (j) Owners and operators of adult businesses shall obtain a license to operate from the Township. In addition, such owners or operators shall supply to the Township such information regarding ownership and financing of the proposed business as is required by the Township's licensing application. Applications for licensing shall be filed with the Township Secretary.
- (k) The adult business shall be initially licensed upon compliance with all requirements of this Section and provisions of the required licensing application. For each year thereafter that the adult business intends to continue, the owner or operator shall seek a renewal of the license. The application for renewal shall be submitted to the Township Secretary by November 1st of the year preceding the year for which renewal is sought. The lack of license or failure to renew such license in a timely manner shall be a violation of this Ordinance and shall be grounds for denial or revocation of the Certificate of Occupancy for the adult business.

1601.2 Agriculture in the B-P District, subject to:

- (a) A minimum site of ten (10) acres shall be required.
- (b) The provisions of Section 1603.1 shall apply.

1601.3 Ancillary Commercial in the B-P District, subject to:

- (a) Ancillary commercial uses shall not be permitted to occupy a freestanding principal building where one (1) or more ancillary commercial uses are the only uses in the building.
- (b) Ancillary commercial shall be limited to the ground floor or first floor of a principal building containing any authorized permitted use, conditional use or use by special exception in the B-P District.

- (c) The total floor area devoted to ancillary commercial uses shall not exceed fifteen percent (15%) of the total floor area of the principal building containing the authorized permitted use, conditional use or use by special exception in the B-P District.
- (d) Off-street parking shall be provided for the ancillary commercial uses in accordance with the ratio specified for the use in Section 1608 of this Ordinance.
- (e) A separate business identification sign shall be permitted for each ancillary commercial use whether the use is visible from the outside of the principal building or not, provided the identification sign shall be a wall sign only and shall not exceed twenty (20) square feet.

1601.4 Bed and Breakfast, subject to:

- (a) The minimum lot area shall be 20,000 square feet.
- (b) The maximum number of sleeping rooms offered shall be four (4).
- (c) The owner/operator shall be a full-time resident of the dwelling.
- (d) No meals, other than breakfast, shall be served on the premises. Meals shall not be served to customers who are not overnight guests.
- (e) The maximum length of stay for any guest shall be seven (7) consecutive overnight stays in any thirty (30) day period.

1601.5 Car Wash, subject to:

- (a) The use shall comply with the minimum requirements of the C-2, Highway Commercial District for lot area, lot width, yards, coverage, height, parking and loading.
- (b) The facility shall be connected to public sewers
- (c) The entrance to the car wash shall be designed to permit a waiting line in one or more lanes for a total of at least ten (10) cars
- (d) In no event shall cars be permitted to stand in the public right-of-way
- (e) The facilities shall comply with the Performance Standards of Section 1602

- (f) All property lines adjoining residential use or zoning classification shall be screened by a Buffer Area, as described in §1611.1 of this Ordinance.

1601.6

Cemetery, subject to:

- (a) A minimum site of ten (10) acres shall be required.
- (b) A drainage plan shall be submitted with the application for conditional use approval to show existing and proposed runoff characteristics.
- (c) Ingress, egress and internal circulation shall be designed to ensure safety and minimize impact on local roads. Plans for ingress/egress shall be referred to local police officials for comments regarding public safety.
- (d) All property lines adjoining residential use or zoning classification shall be screened by a buffer area as defined by this Ordinance which is at least ten (10) feet in depth measured from the property line.
- (e) Parking for principal structures such as chapels or mausoleums shall be provided in accordance with the requirements of Section 1608.

1601.7

Churches; Libraries; Public Parks and Playgrounds; Public and Private Schools, subject to:

- (a) All property lines adjoining residential use or zoning district classification shall be screened by a Buffer Area, as described in §1611.1 of this Ordinance.
- (b) No storage of equipment or material shall be permitted outside a structure.
- (c) All lights shall be shielded and reflected away from adjoining property.
- (d) Ingress, egress and internal traffic circulation shall be designed to ensure safety and access by emergency vehicles.
- (e) Adequate off-street parking and loading facilities shall be provided in accordance with the requirements of Section 1608.
- (f) Swimming pools shall be subject to the provisions of §1603.5(a).

1601.8 **Club, subject to:**

- (a) The minimum site required for a club shall be forty thousand (40,000) square feet.
- (b) Clubhouses shall be located at least fifty (50) feet from any property line.
- (c) A Buffer Area, as described in §1611.1 of this Ordinance, shall be provided along all property lines adjacent to any residential use or zoning classification.
- (d) Where eating and/or drinking facilities are provided, parking requirements for restaurants shall apply in addition to the parking requirements for clubs.
- (e) Any rental of the facility to non-members shall require on-site management and/or security personnel during the event.
- (f) Activities on the site and within the building shall comply with the noise standards specified in §1602.3 of this Ordinance.
- (g) Operations shall be discontinued between the hours of 2:00 A.M. and 6:00 A.M.
- (h) Swimming pools shall be subject to the provisions of §1603.5(a).
- (i) Ingress, egress and internal circulation shall be designed to ensure safety and minimize impact on local roads.

1601.9 **Communications Tower, subject to:**

- (a) The applicant shall demonstrate that it is licensed by the Federal Communications Commission (FCC) to operate a communications tower.
- (b) The applicant for the communications tower shall demonstrate compliance with all applicable Federal Aviation Administration (FAA) regulations and any applicable Airport Zoning regulations.
- (c) The applicant shall demonstrate that the proposed communications tower and the electromagnetic fields associated with the antennas proposed to be mounted thereon comply with the safety standards established by the Federal Communications Commission (FCC).

- (d) Any applicant proposing a new communications tower shall demonstrate that a good faith effort has been made to obtain permission to mount the antenna or antennas on an existing building, existing public utility storage or transmission structure or an existing communication tower.

A good faith effort shall require that all owners of potentially suitable structures within a one-quarter (1/4) mile radius of the proposed communications tower shall be contacted and that one (1) or more of the following reasons for not selecting an alternative existing building, existing public utility storage or transmission structure or existing communications tower apply:

- [1] The proposed equipment would exceed the structural capacity of the existing building, existing public utility storage or transmission structure or existing communications tower and reinforcement of the structure cannot be accomplished at a reasonable cost.
 - [2] The proposed equipment would cause RF (Radio Frequency) interference with other existing and proposed equipment for that existing building, existing public utility storage or transmission structure or existing communications tower and the interference cannot be prevented at a reasonable cost.
 - [3] Existing buildings, existing public utility storage or transmission structures or existing communications towers do not have adequate space, access or height to accommodate the proposed equipment.
 - [4] Addition of the proposed equipment would result in NIER (Non-ionizing Electromagnetic Radiation) levels which exceed adopted Federal or State emission standards.
- (e) In the C-2 District, the only type of communications tower authorized shall be a monopole.
- (f) A communications tower located in the C-2 District shall not be located within five thousand (5,000) feet of any other existing or proposed communications tower measured by the straight line distance between any point on the base of a communications tower located in the C-2 District and any point on the base of another existing or proposed communications tower in the C-2 District.

- (g) In the C-2 District, the minimum lot area required for the site on which the communications tower is located shall be fifteen (15) acres. That is, the lease parcel for the communications tower shall be located on a parcel that has a total area of at least fifteen (15) acres.
- (h) In the C-2 District, the maximum height of a communications tower shall be one hundred eighty (180) feet. The tower structure shall be set back fifty-five (55) feet from the rear property line.
- (i) In the C-2 District, the communications tower shall be a stealth installation or shall be painted and landscaped in such a way as to camouflage it and reduce the visual impact on any immediately adjacent residential properties. Applicant must present data per industry standards.
- (j) In the C-2 District, the communications tower shall have all wiring installed inside the tower structure so as not to be seen.
- (k) In the C-3 and B-P Districts, the maximum height of a communications tower shall be one hundred fifty (150) feet.
- (l) In the I-1 and I-1-A Districts, the maximum height of a communications tower shall be two hundred (200) feet.
- (m) The applicant shall demonstrate that the proposed height of the communications tower is the minimum height necessary to function effectively.
- (n) All parts of a communications tower shall be set back from any adjoining property zoned A-1, R-1, R-2, R-2-A or R-3 a minimum distance of at least two hundred (200) feet.
- (o) All parts of a communications tower shall be set back from any adjoining property zoned C-1, C-2, C-3, B-P, I-1, I-1-A or I-P a minimum distance of at least one hundred (100) feet.
- (p) The tower and all appurtenances, including guy wires, if any, and the equipment cabinet or equipment building shall be enclosed by a minimum ten (10) foot high chain link security fence with locking gate.

- (q) The applicant shall submit evidence that the tower and its method of installation has been designed by a registered engineer and is certified by that registered engineer to be structurally sound and able to withstand wind and other loads in accordance with accepted engineering practice.
- (r) The tower shall be equipped with anti-climbing devices as approved by the manufacturer for the type of installation proposed.
- (s) At least one (1) off-street parking space shall be provided on the site to facilitate periodic visits by maintenance workers. Manned equipment buildings shall provide one (1) parking space for each employee working on the site.
- (t) Equipment cabinets and equipment buildings shall comply with the height and yard requirements of the Zoning District for accessory structures.
- (u) Equipment cabinets or equipment buildings which adjoin residential property shall be screened by a six (6) foot high compact evergreen hedge along each side which faces a residential property.
- (v) Access shall be provided to the tower and equipment cabinet or equipment building by means of a public street or right-of-way to a public street. The right-of-way shall be a minimum of twenty (20) feet in width and shall be improved with a dust-free, all-weather surface for its entire length.
- (w) The exterior finish of the tower shall be compatible with the immediate surroundings. The tower, the equipment cabinet or equipment building and the immediate surroundings shall be properly maintained, including clearing and cutting of vegetation, snow removal, proper drainage and maintenance of the access driveway surface.
- (x) There shall be no lighting, signs or other advertising on the tower, other than that required by the FCC or FAA.
- (y) The owner of any communications tower which exceeds fifty (50) feet in height shall submit to the Township proof of an annual inspection conducted by a structural engineer at the owner's expense and an updated tower maintenance program based on the results of the inspection. Any structural faults shall be corrected immediately and re-inspected and certified to the Township by a structural engineer at the owner's expense.

- (z) In January of each year, the owner of the communications tower shall submit written verification to the Township Zoning Officer that there have been no changes in the operating characteristics of the tower, as approved by the Township, including, at a minimum:
 - [1] A copy of the current FCC license;
 - [2] Name, address and emergency telephone number for the operator of the communications tower;
 - [3] Copy of the Certificate of Insurance at a level of coverage acceptable to the Township Solicitor;
 - [4] Copy of the annual inspection report and updated maintenance program.
- (aa) At any time during the calendar year, if an amendment to the FCC license is issued, a copy of the amended license shall be submitted to the Township Zoning Officer.
- (bb) The owner of the communications tower shall notify the Township immediately upon cessation or abandonment of the operation. The owner of the communications tower shall dismantle and remove the communications tower within six (6) months of the cessation of operations, if there is no intention to continue operations, evidenced by the lack of an application to the Township to install antennas on the existing tower. If the owner of the communications tower fails to remove the tower, the landowner shall be responsible for its immediate removal. Failure to remove an abandoned communications tower shall be a violation of this Ordinance and shall be subject to the enforcement provisions of Section 1903 of this Ordinance.

1601.10 Conversion Apartments, subject to:

- (a) The minimum lot area required per family shall be four thousand five hundred square feet.
- (b) All other lot width, yard, height, building coverage and parking requirements applicable to single family and two family dwellings in the district shall be met.
- (c) For efficiency and one (1) bedroom apartments, at least four hundred fifty (450) square feet of habitable floor area per dwelling unit shall be provided.

- (d) For an apartment which has two (2) or more bedrooms, at least eight hundred (800) square feet of habitable floor area per dwelling unit shall be provided.
- (e) Each living unit shall have separate living, sleeping, kitchen and sanitary facilities.
- (f) Conversion of basements or garage areas to dwelling units shall not be permitted.
- (g) Safe ingress and egress and adequate turnaround areas shall be provided on the lot for automobiles owned by the residents.

1601.11 Day Care Center, subject to:

- (a) The facility shall be licensed by the Commonwealth.
- (b) Ingress and egress to the site shall be designed to assure safety and safe areas for discharging and picking up children shall be provided which do not interfere with the free flow of traffic on adjacent streets.
- (c) Outdoor play areas shall be provided and shall be secured by a fence with a self-latching gate.
- (d) Outdoor play areas which adjoin residential lots shall be screened by a Buffer Area, as described in §1601.1 this Ordinance.
- (e) The general safety of the site proposed for a day care center shall be evaluated as it relates to the needs of small children.
- (f) Off-street parking shall be provided in accordance with the requirements of Section 1608 of this Ordinance.

1601.12 Drug and/or Alcohol Counseling Center, subject to:

- (a) The site shall have frontage on and direct vehicular access to an arterial street or collector street, as defined by this Ordinance.
- (b) The drug and alcohol counseling center shall not be located within five hundred (500) feet of an existing school, public park, public playground or day care center.
- (c) A Buffer Area, as described in §1611.1 of this Ordinance, shall be provided along all property lines adjacent to residential use or zoning classification

1601.13

Emergency Services; Municipal Buildings, subject to:

- (a) The minimum lot area required shall be two (2) acres.
- (b) The site shall have frontage on and direct vehicular access to an arterial street or collector street, as defined by this Ordinance.
- (c) Ingress and egress to and from the site shall be located so as to maximize sight distance along adjacent public streets and enhance safety for vehicles exiting the property.
- (d) Buildings shall be located on the property so that vehicles and equipment can be maneuvered on the property without interrupting traffic flow or blocking public streets.
- (e) All outside storage shall be completely enclosed by a six (6) foot high hedge or solid fence.
- (f) A Buffer Area, as described in §1611.1 of this Ordinance, shall be provided along all property lines adjacent to any residential use or zoning classification.

1601.14

Golf Courses; Country Clubs, subject to:

- (a) Golf courses or country clubs shall have a minimum site of ten (10) acres.
- (b) Clubhouses shall be located at least one hundred (100) feet from any property line adjoining residential use or zoning classification and at least fifty (50) feet from all other property lines.
- (c) Clubhouses which are located within three hundred (300) feet of a residential use or zoning classification shall be screened by a Buffer Area, as described in §1611.1 of this Ordinance.
- (d) Where eating and/or drinking facilities are provided, parking requirements for restaurants shall apply in addition to the parking requirements for golf courses.
- (e) Operations shall be discontinued between the hours of 2:00 A.M. and 6:00 A.M.
- (f) Swimming pools shall be subject to the provisions of §1603.5(a).
- (g) Ingress, egress and internal circulation shall be designed to ensure safety and minimize impact on local roads.

1601.15 **Hospitals, subject to:**

- (a) The minimum site required shall be two (2) acres.
- (b) The site shall have direct access to an arterial or collector road as defined by this Ordinance.
- (c) The required front and rear yards shall be sixty-five (65) feet each; the required side yards shall be thirty (30) feet each.
- (d) The maximum height of the structure shall be fifty (50) feet.
- (e) Maximum lot coverage shall be thirty-five percent (35%).
- (f) All sites must be served by public water and sewer facilities. Evidence of Federal and/or State approval of sewage disposal and water supply systems shall be required.
- (g) Water pressure and volume shall be adequate for fire protection.
- (h) Ingress, egress and internal traffic circulation shall be designed to ensure safety and access by emergency vehicles and to minimize impact on local roads.
- (i) The parking and circulation plan shall be referred to the Township Police and Volunteer Fire Company for comments regarding traffic safety and emergency access.
- (j) Adequate and secured open space shall be provided for patient recreation if the hospital is other than a general surgical hospital.
- (k) Adequate security shall be provided for the facility.
- (l) All property lines adjoining residential use or zoning district classification shall be screened by a Buffer Area, as described in §1611.1 of this Ordinance.
- (m) Outdoor lighting shall be shielded away from adjacent properties.
- (n) Helipads, if proposed, shall meet the following standards:
 - [1] Helipads shall be located at least one hundred (100) feet from any property line or public street.
 - [2] Helipads shall be limited to use by emergency services and health systems.

- [3] Evidence of compliance with all applicable regulations of the Federal Aviation Administration and Pennsylvania Department of Transportation Bureau of Aviation shall be submitted.
- [4] The helicopter landing pad shall be clearly marked with the insignia commonly recognized to indicate a private use helipad.
- [5] The helicopter landing pad shall be paved, level and maintained dirt free. Rooftop pads shall be free of all loose stone and aggregate.
- [6] An application for a helipad on a roof shall be accompanied by a certification by a registered engineer that the loads imposed by the helicopter will be supported by the structure.
- [7] Lighting shall be shielded away from adjacent properties.

1601.16 Individual Wind Energy System, subject to:

- (a) In the A-1, R-2 and R-2-A Districts, the minimum lot area required to install an individual wind energy system shall be one (1) acre. There shall be no minimum lot area required in the I-1, I-1-A, I-P or B-P Districts.
- (b) The maximum height of an individual wind energy system in the A-1, R-2 and R-2-A Districts shall be sixty (60) feet. The maximum height of a personal wind energy system in the I-1, I-1-A, I-P and B-P Districts shall be one hundred (100) feet.
- (c) The applicant shall provide evidence that the proposed height of the individual wind energy system does not exceed the height recommended by the manufacturer or distributor of the system.
- (d) The applicant shall comply with all applicable regulations of the Pennsylvania Public Utility Commission (PUC) governing generation of electricity for private use.
- (e) The individual wind energy system generators and alternators shall be constructed so as to prevent the emission of radio and television signals. The applicant shall correct any signal disturbance problem identified after initiation of the operation within ninety (90) days of identification.

- (f) The minimum distance between the ground and any protruding blades utilized on an individual wind energy system shall be fifteen (15) feet measured at the lowest point of the arc of the blades.
- (g) The lowest point of the arc of the blades utilized on an individual wind energy system shall be ten (10) feet above the height of any structure located within one hundred fifty (150) feet of the base of the individual wind energy system.
- (h) The supporting tower shall be enclosed by a six (6) foot high fence, unless the tower is fitted with anti-climbing devices for a distance of twelve (12) feet above the ground.
- (i) The applicant shall submit evidence from the manufacturer regarding the structural integrity of the tower, base and footings and the installation's ability to withstand expected wind loads.
- (j) The individual wind energy system shall be set back a distance of one hundred fifty percent (150%) of the tower height, plus the blade length from any inhabited dwelling on adjacent property, unless notarized consent of the adjacent property owner is presented.
- (k) The individual wind energy system shall be set back a distance of one hundred ten percent (110%) of the height of the tower, plus the blade length, from all adjacent property lines.
- (l) Individual wind energy systems shall comply with all applicable requirements of the Federal Aviation Administration (FAA).
- (m) Individual wind energy systems shall not be artificially lighted unless required by the Federal Aviation Administration (FAA).
- (n) No tower shall have any sign, writing or picture that may be construed as advertising.
- (o) Individual wind energy system towers shall maintain a galvanized steel finish, unless Federal Aviation Administration (FAA) standards require otherwise.
- (p) Individual wind energy systems shall not exceed sixty decibels (60 dBA), as measured at the closest property line, except during short term emergencies such as utility outages and/or severe windstorms.

- (q) An individual wind energy system that is not used for twelve (12) successive months shall be deemed abandoned and shall be dismantled and removed from the property at the expense of the property owner pursuant to an enforcement notice issued in accordance with §1903.2 of this Ordinance.

1601.17 Internet Café, subject to:

- (a) Fees charged shall be for computer time or phone cards only. There shall be no charge to enter any game.
- (b) The maximum number of computer terminals provided shall be fifty (50).
- (c) Persons under the age of eighteen (18) shall not participate in sweepstakes games.
- (d) Access to pornography shall not be permitted.
- (e) Operations shall cease between Midnight and 8:00 A.M. daily.

1601.18 Junk Yard, subject to:

- (a) The minimum site size shall be five (5) acres.
- (b) The premises shall be maintained so as to not constitute a nuisance or a menace to public health and safety.
- (c) No garbage or other organic waste shall be stored on the premises.
- (d) The manner of storage of junk shall facilitate access for fire fighting and shall prevent accumulation of stagnant water.
- (e) Junk yards shall comply with the Performance Standards of Section 1602.
- (f) No junk shall be stored or accumulated and no structure shall be constructed within one hundred (100) feet of any dwelling unit or within forty (40) feet of any property line or public street.
- (g) The premises shall be enclosed by a metal chain-link fence not less than eight (8) feet in height supported on steel posts with self-latching gate.
- (h) The fence shall be supplemented with screening material which creates a visual barrier that is at least 80% opaque.

- (i) All property lines adjoining residential use or zoning district classification shall be screened by a Buffer Area, as described in §1611.1 of this Ordinance. The required fence shall be located inside the buffer area and where a buffer area exists supplemental screening of the fence shall not be required.
- (j) The operator shall obtain a license from the Township prior to initiating operations which shall be renewable annually upon payment of a fee established by Resolution of the Board of Township Supervisors and inspection by the Zoning Officer to determine continuing compliance with these standards.

1601.19 Kennels and Veterinary Clinics, subject to:

- (a) The minimum site area for a kennel or veterinary clinic shall be forty thousand (40,000) square feet.
- (b) Such uses shall be located at least one hundred (100) feet from any property line adjoining residential use or zoning classification and at least fifty (50) feet from any other property line.
- (c) Outdoor runs shall not be permitted. The kennel shall be constructed for easy cleaning.
- (d) A Buffer Area, as described in §1611.1 of this Ordinance shall be provided along any property line adjoining residential use or zoning classification.

1601.20 Landfills, subject to:

- (a) The minimum site for a landfill shall be twenty (20) acres.
- (b) Landfill operations shall not be conducted within two hundred (200) feet of any property lines adjoining residential use or zoning district classification.
- (c) All property lines adjoining residential use or zoning district classification shall be screened by a Buffer Area, as described in §1611.1 of this Ordinance.
- (d) Fencing at least six (6) feet in height shall be provided around any work area for security and to control windblown refuse.
- (e) The applicant shall show compliance with applicable State and Federal laws regulating landfills.

- (f) The applicant shall obtain the required permits from the Pennsylvania Department of Environmental Resources and/or the U.S. Environmental Protection Agency prior to initiating any operation.
- (g) The required State or Federal permits shall be maintained throughout the duration of all landfill operations.
- (h) Any suspension or revocation of the required State or Federal permits shall constitute a violation of this Ordinance and will result in the suspension or revocation of the Zoning Certificate or enforcement of the penalty provisions of this Ordinance or both.
- (i) In January of each year, the operator shall apply to the Zoning Officer for renewal of the Zoning Certificate and shall present evidence of continuing compliance with all conditions of approval and required State or Federal permits.

1601.21 Methadone Clinic, subject to:

- (a) The site shall have frontage on and direct vehicular access to an arterial street or collector street, as defined by this Ordinance.
- (b) The site shall be within reasonable walking distance of a public transit stop.
- (c) If located in a building with other uses, the clinic shall have an entrance directly to the outside.
- (d) A methadone clinic shall not be established or operated within five hundred (500) feet of an existing school, public playground, public park, residential neighborhood, day care center, church, meeting house or other actual place of regularly stated religious worship established prior to the proposed methadone clinic, unless the majority of the Board of Supervisors votes to approve the methadone clinic at a closer location following one or more public hearings held at least fourteen (14) days prior to the vote on the proposed location. Said hearing(s) shall be held pursuant to public notice, as defined herein, and written notice to all property owners within five hundred (500) feet of the proposed location at least thirty (30) days prior to the hearing.
- (e) A Buffer Area, as described in §1611.1(a) of this Ordinance, shall be provided along all property lines adjacent to residential use or zoning classification.

1601.22 **Mineral Removal, subject to:**

- (a) There shall be no removal of minerals or vegetative cover within two hundred (200) feet of the bank of any stream or natural watercourse identified on maps prepared by the United States Geologic Survey (USGS).
- (b) Mineral removal shall be prohibited in watersheds of rivers or streams now or hereafter designated by the Pennsylvania Fish Commission as a Wilderness Trout Stream, by the Pennsylvania Department of Environmental Resources as part of the Scenic Rivers System or designated under the Federal Wild and Scenic Rivers Act.
- (c) No mineral removal shall be conducted within three hundred (300) feet of any public building, school, church, community or institutional building, commercial building, public park or private recreational area.
- (d) No mineral removal shall be conducted within one hundred (100) feet of the outside right-of-way line of any public road, except where access roads or haulage roads join the right-of-way line and where the appropriate State or Federal agency having jurisdiction over the conduct of mineral removal operations shall permit it in accordance with law.
- (e) No mineral removal shall be conducted which will adversely affect any publicly owned park or places included in the National Register of Historic Sites, unless approved by the governmental agency with jurisdiction over the park or historic site.
- (f) No mineral removal shall be conducted within one hundred (100) feet of a cemetery.
- (g) No mineral removal shall be conducted within five hundred (500) feet of any occupied dwelling, unless the consent of the owner of the dwelling has been obtained in advance of the filing of the application for zoning approval.
- (h) The applicant shall present expert testimony to demonstrate that the proposed mineral removal operation will not adversely affect any of the following:
 - [1] Lawful existing or permitted uses of adjacent properties.

- [2]** The quality or adequacy of any public or private water supply source.
- [3]** Any flood-prone or landslide prone areas within the Township.
- (i)** The applicant shall present expert testimony to demonstrate that the use of explosives, if proposed, shall not cause injury to any adjacent structures or shall not substantially diminish underground water resources.
 - (j)** If blasting is to be undertaken, a seismograph shall be placed on the site of the operation during all times when blasting is performed which shall be monitored by an independent engineering consultant whose credentials are acceptable to the Township and whose fee is paid by the applicant.
 - (k)** The applicant shall provide reclamation plans for the site which demonstrate that the condition of the land after the operation is completed will allow economically and ecologically productive uses of the type permitted in the district in which the site is located. Acceptance of the reclamation plan shall not constitute approval of any aspect of any future development plan.
 - (l)** The applicant shall show the proposed routes of all trucks to be utilized for hauling and the estimated weights of those trucks. The applicant shall comply with designated weight limits on township roads and shall design the hauling routes for the mineral removal operation to minimize the impact on local roads with the Township.
 - (m)** Portions of the site where mineral removal operations are conducted may be required to be fenced or screened, as necessary, to provide security and protect adjacent properties.
 - (n)** The applicant shall comply with all applicable State and Federal regulations and shall show evidence of obtaining the required State or Federal permits before initiating any work and of maintaining the required permits throughout the duration of all operations. Any suspension or revocation of the required State or Federal permits shall constitute a violation of zoning approval and will result in the suspension or revocation of zoning approval and/or enforcement of the penalty provisions of this Ordinance.

- (o) Conditional use approval shall expire if work authorized in the conditional use application is not commenced within ninety (90) days of the date of approval of the application by the Supervisors, unless the applicant submits a written request for an extension to the Supervisors prior to the expiration of the ninety (90) days explaining the reasons for the delay in initiating the work and the Supervisors approve the request.
- (p) Once work is initiated under an approved conditional use application, zoning approval shall be valid for a period of one (1) year from the date of conditional use approval by the Supervisors. An application for renewal of zoning approval must be submitted prior to the date of expiration of zoning approval and can be granted by the Zoning Officer upon demonstration by the applicant that all conditions of the conditional use approval and the required Federal and State permits remain in full force and effect and that the applicant is diligently pursuing the completion of the mineral removal operation. Upon expiration or revocation of zoning approval for the conditional use, the applicant may reapply for conditional use approval.

1601.23 Mobile Home Parks in the R-2-A, Special Rural Residential District, subject to:

- (a) The minimum site required for a mobile home park shall be ten (10) contiguous acres.
- (b) The site of a mobile home park shall be serviced by public water or State approved private water system and public sewers or State approved private sewage disposal system.
- (c) Around the perimeter of the mobile home park site there shall be minimum front and rear yards of fifty (50) feet each and minimum side yards of thirty (30) feet each. No portion of an individual mobile home lot may extend into the required perimeter yards. Landscaping, parking and recreational facilities may project into the required perimeter yards if they are at least twenty (20) feet from the exterior property line bounding the site.
- (d) Individual mobile home lots shall meet the following minimum requirements:

[1] Lot Area	6,000 square feet
[2] Lot Width	60 feet

[3] Interior Yards: 25 feet from interior access roads.

30 feet between parallel ends or sides of mobile homes or other principal buildings.

15 feet between mobile homes and any other accessory building.

- (e) Support and Anchoring:** Individual mobile homes shall be placed upon suitable supports to insure that the unit will remain level and free from structural damage. Each mobile home shall be provided with an anchoring system to prevent and resist overturning or lateral movement caused by wind forces. Such anchoring shall be equivalent to or exceed NFPA Standard No. 501A-1974 (ANSI A119.3-1975).
- (f) Skirting:** Each mobile home shall be skirted with an enclosure of compatible design and material. Such skirting shall provide adequate ventilation to inhibit the formation of moisture and decay.
- (g) Common Facilities:** No less than ten percent (10%) of the mobile home park site shall be devoted to common facilities for passive and active recreation limited to use by the residents of the mobile home park. Such common facilities may include, but shall not be limited to, community clubs, swimming pools, tennis courts, parks, playgrounds, shelters, hiking trails, hobby areas, laundries and service buildings for resident use.
- (h) Screening:** All property lines adjoining residential use or zoning district classification shall be screened by a Buffer Area, as described in §1611.1 of this Ordinance.
- (i) Sidewalks** at least three (3) feet in width shall be provided along at least one (1) side of the interior streets.
- (j) Interior streets** shall be lighted.
- (k) Interior streets** to be dedicated to the Township shall be constructed in accordance with the design standards of the Township Subdivision Regulations.

- (l) Interior streets which are not to be dedicated to the Township in accordance with Township Subdivision Regulations shall be constructed in accordance with the following standards:
 - [1] One-way minor streets serving less than twenty (20) lots shall have a minimum paving width of fourteen (14) feet. Two way minor streets serving less than twenty (20) lots shall have a minimum paving width of sixteen (16) feet.
 - [2] All other one-way streets within the mobile home park shall have a minimum paving width of eight (8) feet per moving lane where on-street parking is prohibited and shall have a minimum paving width of ten (10) feet per moving lane where on-street parking is permitted.
 - [3] All other two way streets within the mobile home park shall have a minimum paving width of nine (9) feet per moving lane where on-street parking is prohibited and shall have a minimum paving width of ten (10) feet per moving lane where on-street parking is permitted.

**1601.24 Natural Gas Compressor Station or Natural Gas Processing Plant,
subject to:**

- (a) The minimum site required for a natural gas processing plant shall be twenty-five (25) acres. The minimum site required for a compressor station shall be one (1) acre.
- (b) All facilities and structures, whether principal or accessory, shall be set back at least seven hundred fifty (750) feet from any property line adjoining property in the R-1 or R-2 District.
- (c) Compressors shall be located within a completely enclosed building. During periods of normal operation, doors, windows and similar openings shall remain closed to ensure maximum noise suppression.
- (d) The buildings housing engines and compressors shall be sound-proofed to meet the maximum allowed noise at the property line specified in §1602.3 of the Township Zoning Ordinance.
- (e) All equipment and facilities shall comply with the noise standards of §1602.3 of the Township Zoning Ordinance, If the equipment and facilities exceed the noise limits established by the Township Zoning Ordinance, the Township may require acoustical blankets,

sound walls or other alternative methods to mitigate excessive noise and ensure compliance with the noise standards.

- (f) All property lines adjoining property in an A-1, R-1, R-2, R-2-A or R-3 District shall be screened by a Buffer Area as described in §1611.1 of this Ordinance for the distance necessary to screen buildings, structures, parking areas, storage areas and equipment.
- (g) The Operator shall provide a site orientation for the Township's emergency first responders regarding operations, equipment and chemicals present at the facility prior to occupying the facility.
- (h) Heavy truck traffic to and from the site shall be restricted to daylight hours. Emergency vehicles and field maintenance vehicles are exempted from this limitation.
- (i) Tracking of mud, dirt and debris onto Township streets shall be minimized. Measures shall be taken to clean any mud, dirt and debris from Township streets within a reasonable time.
- (j) The Operator shall demonstrate continuing compliance with all applicable local, State and Federal permits and regulations.
- (k) The site shall be secured by a minimum eight (8) foot high chain link fence with a locking gate that shall be kept locked when employees are not on the premises.
- (l) Exterior lighting shall be shielded and directed away from adjacent streets and properties. To the extent permitted by safety considerations, exterior lighting shall be turned off between dusk and dawn.
- (m) For a natural gas compressor station, a minimum of five (5) parking spaces shall be provided on the site to accommodate service and maintenance workers or visitors to the site. The parking spaces shall not be required to meet the paving requirements of §1608.1(h), provided a dust-free all weather surface is provided. All other design requirements of §1608.1 shall apply.
- (n) Natural gas processing facilities shall be subject to the design requirements of Section 1608 for off-street parking facilities and the parking requirements of §1608.2 for industrial and manufacturing uses.

1601.25 Nursing Home, subject to:

- (a) The minimum site required shall be one (1) acre.
- (b) The minimum front, rear and side yards shall be forty (40) feet each.
- (c) The site shall be serviced by public water and sewer.
- (d) Water volume and pressure shall be adequate for fire protection.
- (e) Parking shall not be permitted in the front yard.
- (f) Ingress, egress and internal circulation shall be designed to ensure safety and access by emergency vehicles and to minimize impact on local roads.
- (g) The parking and circulation plan shall be referred to the Township Police and Volunteer Fire Company for comments regarding traffic safety and emergency access.
- (h) All property lines adjoining residential use or zoning district classification shall be screened by a Buffer Area, as described in §1611.1 of this Ordinance.
- (i) The facility shall be licensed by the Commonwealth.
- (j) Nursing homes shall have a bed capacity of not less than twenty (20) beds nor more than two hundred (200) beds.
- (k) Nursing homes shall not be considered dwelling units and shall not be governed by the dwelling unit density of the district in which they are proposed.
- (l) Adequate open space shall be provided for outdoor activity, consistent with the needs of the residents.
- (m) Outdoor lighting, if any, shall be shielded away from adjacent properties.

1601.26 Outdoor Amusement, subject to:

- (a) A minimum site of one (1) acre shall be required.
- (b) All principal structures shall be located at least forty (40) feet from any property line.

- (c) Parking shall be provided in accordance with Section 1608.
- (d) Security fencing at least six (6) feet in height and screening shall be provided along all property lines adjoining residential use or zoning district classification. Screening shall be a Buffer Area, as described in §1611.1 of this Ordinance.
- (e) No outdoor speakers shall be permitted.
- (f) All lighting shall be shielded from adjacent streets and properties.
- (g) The use shall comply with the Performance Standards of Section 1602.
- (h) Any facility located within two hundred (200) feet of a property line adjoining a residential use or zoning classification shall cease operations at 12:00 Midnight.

1601.27 Personal Care Boarding Home, subject to:

- (a) No personal care boarding home shall be established within 1,000 feet of another personal care boarding home.
- (b) Adequate provisions shall be made for access for emergency medical and fire vehicles.
- (c) Twenty-four (24) hour supervision shall be provided by staff qualified by the sponsoring agency.
- (d) Adequate open space opportunities for recreation shall be provided on the lot for the residents consistent with their needs and the area shall be secured by a fence with a self-latching gate.
- (e) Where applicable, certification or licensing by the sponsoring agency shall be prerequisite to obtaining a certificate of occupancy and a copy of an annual report with evidence of continuing certification shall be submitted to the Zoning Officer in January of each year.

1601.28 Private Non-Profit Multi-Purpose Sports and Recreational Facility, subject to:

- (a) Multi-purpose sports and recreation facilities must contain an area of ten (10) acres or more.

- (b) The site must be planned to provide all ingress and egress onto or from a public roadway.
- (c) Development including principal and accessory buildings and structures shall be located to minimize the possibility of any adverse effect upon any adjacent properties.
- (d) A Buffer Area, as described in §1611.1 of this Ordinance shall be provided along all property lines where parking is less than one hundred (100) feet from adjacent residential dwellings in any Zoning District.
- (e) Natural drainage ways shall be retained whenever possible.
- (f) The layout of the facilities and fields shall be done by a registered architect, landscape architect or engineer.
- (g) Open space shall comprise not less than sixty percent (60%) of the net project area.
- (h) Parking areas shall be lighted in such a way as to shine away from adjacent residential dwellings.

1601.29 Public Utility Building, subject to:

- (a) No storage of movable equipment or material shall be permitted outside a building.
- (b) Uses involving distribution equipment which is not enclosed by a building shall be secured by a fence at least six (6) feet in height with self-latching gate.
- (c) Uses involving distribution equipment which is not enclosed by a building shall be adequately screened by a six (6) foot compact evergreen planting Buffer Area, as described in §1611.1 of this Ordinance, along all property lines adjacent to residential uses or zoning districts.
- (d) Uses involving towers or other distribution structures which exceed the height limitations of the district shall be required to increase the yard clearance required for the structure by one (1) foot for every two (2) feet in excess of the height limitations.

1601.30

Radio, TV and Microwave Towers, subject to:

- (a) A minimum site of two (2) acres shall be required.
- (b) The use shall adhere to the yard requirements for principal uses in the district in which it is located, provided that the yards shall be increased one (1) foot for each additional foot of height of the structure which is in excess of the height limitations for the district.
- (c) Evidence of compliance with all applicable State and Federal regulations shall be submitted with the application for zoning approval.
- (d) Expert testimony shall be submitted regarding the impact of the proposed station on adjacent properties and any existing airports.
- (e) All towers shall be adequately secured and screened, as necessary, to minimize the impact on adjacent properties.

1601.31

Recycling Collection, subject to:

- (a) Operations shall be regulated so that nuisances such as visual blight, noise, odors, blowing debris and dust shall not be created.
- (b) Materials shall be stored in such a manner as to discourage the presence of rodents or other disease carrying animals. If after operations commence, the Zoning Officer determines that a vector problem exists, the operator shall be responsible for taking whatever measures are necessary to rid the premises of said nuisances.
- (c) Adequate off-street loading areas shall be provided for loading and unloading of recyclable materials. Under no circumstances shall vehicles be parked on a public right-of-way.
- (d) All materials shall be stored within a completely enclosed container.
- (e) Recycling collection facilities proposed for use by the general public shall be clearly identified to include the type of material to be deposited, the name and telephone number of the operator, the hours of operation and a display notice that no materials may be left outside the recycling enclosure or containers.
- (f) Containers for the 24-hour donation of materials shall be located at least one hundred (100) feet from any property line adjoining an existing single family dwelling or residential zoning district.

- (g) All containers shall be of durable construction and shall be waterproof and rustproof. All containers shall be properly maintained and shall be covered or secured when the facility is not in operation. All containers shall be of sufficient size to accommodate the materials collected based on the collection schedule established.
- (h) Recycling collection facilities which are accessible to the general public shall provide a minimum of five (5) parking spaces which shall be located within one hundred (100) feet of the facility and shall be clearly marked for use by visitors to the recycling collection facility during its hours of operation.
- (i) Adequate loading areas shall be provided for the periodic removal of materials or exchange of containers.

1601.32 Residence in Combination With Commercial Use, subject to:

- (a) The minimum lot area required shall be eleven thousand (11,000) square feet.
- (b) Dwelling units in basements or garages shall not be permitted.
- (c) Dwelling units shall have a minimum habitable floor area of eight hundred (800) square feet.
- (d) Off-street parking shall be provided on the lot in accordance with the ratios for each use specified in Section 1608 of this Ordinance. Shared parking for residential and commercial uses shall not be permitted.
- (e) A minimum of five hundred (500) square feet of usable yard area shall be provided for the enjoyment of the residents of the dwelling unit. The usable yard area shall be screened from adjacent commercial uses or parking areas by a Buffer Area, as described in §1611.1 of this Ordinance.

1601.33 Riding Academy, subject to:

- (a) Such uses shall be accessory to a farm or, when proposed as a principal use, shall have a minimum site area of ten (10) acres.
- (b) No building housing animals shall be closer than two hundred (200) feet to any property line.

- (c) All property lines adjoining residential use or zoning district classification shall be screened by a Buffer Area, as described in §1611.1 of this Ordinance.
- (d) All training areas and bridal paths shall be adequately fenced to protect adjoining properties.

1601.34 Service Station, subject to:

- (a) All minor repair work, car washing and lubrication shall be conducted within a completely enclosed building.
- (b) All automobile parts dismantled vehicles and similar materials shall be stored within a completely enclosed building.
- (c) There shall be no more than one (1) motor vehicle per employee and employer plus three (3) customer's vehicles per repair bay parked outside an enclosed building at any time.
- (d) Canopies over gasoline pumps shall be subject to the requirements of §1603.5(f).
- (e) Gasoline pumps shall be located at least seventy (70) feet from the centerline of the cartway of Route 18 and at least forty (40) feet from the centerline of the right-of-way of any other street.
- (f) All fuel, oil or similar substances shall be stored at least twenty-five (25) feet from any property line.
- (g) All property lines adjoining residential use or zoning district classification shall be screened by a Buffer Area, as described in §1611.1 of this Ordinance.
- (h) All lighting shall be shielded away from adjacent properties and streets.

1601.35 Truck Stop, subject to:

- (a) The minimum site required shall be two (2) acres.
- (b) The site shall have direct access to a State Legislative Route and evidence of an approved Penn DOT highway occupancy permit for driveway access shall be submitted to the Township.

- (c) All property lines adjoining residential use or zoning district classification shall be screened by a Buffer Area, as described in §1611.1 of this Ordinance.
- (d) All underground fuel storage tanks shall be in full conformance with all applicable State regulations.
- (e) A copy of State approved permits and plans showing exact location of tanks, piping and appurtenances shall be filed with the Township.
- (f) The plan shall comply with the Performance Standards of Section 1602.

1601.36 Two Family Dwellings in the R-1 District, subject to:

- (a) A minimum lot size of 11,000 square feet shall be required.
- (b) Two family dwellings shall comply with the lot width, lot coverage, yard and height requirements for single family dwellings in the R-1 District.
- (c) All lots shall be served by public water and sewer.
- (d) Parking shall not be permitted in the front yard other than in a driveway.

1601.37 Uses Not Specifically Listed, subject to:

- (a) Uses of the same general character as any of the uses authorized as permitted uses, conditional uses or uses by special exception in the Zoning District shall be allowed if it is determined that the impact of the use on the environment and adjacent streets and properties is equal to or less than any use specifically listed in the Zoning District.
- (b) The use shall comply with all applicable area and bulk regulations and standards and criteria for comparable uses specifically listed in the Zoning District.
- (c) The use shall comply with the Performance Standards of Section 1602.
- (d) The use shall be consistent with the purpose statement for the Zoning District and the statement of community development objectives of this Ordinance.

1601.38

Wind Farm, subject to:

- (a) The minimum site required for a wind farm shall be ten (10) acres.
- (b) If the applicant is not the landowner, the applicant shall present documentation that the owner of the property has granted an easement or other legal interest for the proposed facility and vehicular access is provided to the facility.
- (c) The wind turbines shall be exempt from the height regulations of the District provided they comply with the setback and ground clearance requirements of Subparagraphs d through h, below.
- (d) Each wind turbine shall be set back from the nearest inhabited dwelling, school, hospital, church or public building, a distance no less than two (2) times the total height of the tower, plus the length of the turbine blades or one thousand (1,000) feet, whichever is greater.
- (e) Each wind turbine shall be set back from the nearest property line a distance no less than 1.1 times the total height of the tower, plus the length of the turbine blades, unless easements are secured from adjacent property owners.
- (f) Each wind turbine shall be set back from the nearest public street a distance no less than 1.1 times the height of the tower, plus the length of the turbine blades measured from the nearest right-of-way of the public street.
- (g) Each wind turbine shall be set back from the nearest above-ground public electric power line or telephone line a distance not less than 1.1 times the total height of the tower, plus the length of the turbine blades measured from the existing power line or telephone line.
- (h) The blade tip of any wind turbine shall have ground clearance at its lowest point of no less than seventy-five (75) feet.
- (i) Wind turbines shall be painted a non-reflective, non-obtrusive color.
- (j) Wind turbines shall not be artificially lighted, except to the extent required by the Federal Aviation Administration (FAA) or other applicable authority.

- (k) Wind turbines shall not be used for displaying any advertising except for the reasonable identification of the manufacturer or operator of the wind farm.
- (l) Electrical controls, control wiring and power lines shall be wireless or not above ground, except where wind farm collector wiring is brought together for connection to the transmission or distribution network, adjacent to that network.
- (m) The applicant shall minimize or mitigate any interference with electromagnetic communications such as radio, television or telephone signals caused by the wind farm.
- (n) Audible noise due to wind farm operations shall not exceed fifty decibels (50 dBA) for any period of time when measured at any residence, school, hospital, church or public building existing on the date of conditional use approval of the wind farm.
- (o) In the event that audible noise due to a wind farm operation contains a steady pure tone, such as a whine, screech or hum, the above standards for audible noise shall be reduced by five decibels (5 dBA).
- (p) Appropriate warnings signage shall be placed on wind farm towers, electrical equipment and wind farm entrances.
- (q) Wind turbine towers shall be equipped with anti-climbing devices for a distance of fifteen (15) feet above the ground.
- (r) All access doors to wind turbine towers and electrical equipment shall be kept locked when the site is unattended.
- (s) A reasonably visible warning sign concerning voltage shall be placed at the base of all pad-mounted transformers and substations.

1601.39

Impoundments and Oil and Gas Operations, other than Natural Gas Compressor Stations or Natural Gas Processing Plants, subject to:

(a) Procedure

- (1) Drilling rigs shall be exempt from the height limitations of the Zoning District in Which they are located. If the well site is located in an area that is subject to airport zoning regulations, the applicant shall present a letter from the

Federal Aviation Administration (FAA) indicating that the height of the rig complies.

- (2) Seismic testing shall be exempt from obtaining zoning approval provided the testing is conducted on property in a Zoning District where oil and gas operations is an authorized use.
- (3) Conditional use approval shall be required for each well site; however, if multiple well heads are proposed to be located at the well site, separate approval is not required for each well head if the original conditional use application indicates that multiple well heads are proposed.
- (4) Zoning approval shall not be required for inground or above-ground gathering or transmission lines; however, permits for crossing or disturbance of any State or Township street shall be required.

(b) Content of Conditional Use Application

- (1) In the R-2 District, the minimum site area required to apply for conditional use approval for oil and gas operations shall be five (5) contiguous acres.
- (2) A narrative describing the proposed use, including:
 - [a] the approximate number of acres to be disturbed and the associated equipment to be used in developing the well site;
 - [b] the proposed number of wells, including the PA DEP permit number for all proposed wells if available at the time of application or provided when issued later;
 - [c] a map showing the planned access route to the well site on public streets and a plan indicating the type, number and weight of vehicles used for transportation of materials and equipment;
 - [d] a description of how potential damage to public roads adjacent to the tract will be addressed;
 - [e] a schedule of anticipated beginning and ending dates of well site preparation, drilling, perforating, hydraulic

fracturing and production measured in weeks or months from the date of conditional use approval;

- [f]** an accurate legal description of the surface lease property and a list of property owners with tax parcel numbers.
- (3)** The well survey plat submitted to the Pennsylvania Department of Environmental Protection (PA DEP) showing the planned surface location of the well(s).
 - (4)** A site plan prepared by a licensed engineer showing compliance with these express standards and criteria of conditional use approval.
 - (5)** The well site emergency address.
 - (6)** A copy of the Operator's Preparedness Prevention and Contingence ("PPC") Plan as required by the PA DEP.
 - (7)** A statement that the development and operation of the well site will comply with all applicable Federal and State permitting requirements.
 - (8)** A copy of any State and Federal permits already obtained at the time of conditional use application submission.
 - (9)** A noise management plan documenting how noise impacts will be mitigated.
 - (10)** Copies of all permits issued by the PA DEP for water withdrawal and disposal identifying the source of the water, proposed truck routes and/or temporary water lines, on-site storage and treatment and disposal facilities.
 - (11)** A plan for the transmission of gas from the well site to an off-site pipeline, or a statement that there is no off-site pipeline. The plan shall identify gathering lines and compressor stations that serve the well site and which are located within the Township or within one thousand (1,000) feet beyond the Township boundary. Township approval shall be required to utilize any public rights-of-way. Contact information for the pipeline owner and compressor station operator shall also be included.

(d) Prior to Development of the Well Site

- (1)** The operator shall meet with representatives of the School District and public safety officials to develop a traffic management plan to ensure safety of pedestrians, students and drivers on public streets, school crossings, pedestrian crossings and school bus or transit stops during times of anticipated heavy or frequent truck traffic associated with site development, drilling and hydraulic fracturing.
- (2)** The operator shall invite residents of properties within one thousand (1,000) feet of the well site to a meeting to be held at least thirty (30) days prior to the initiation of drilling, to present the operator's plans for the well and to allow for questions and answers.
- (3)** At the meeting with the residents, the operator shall provide the following information to each resident within one thousand (1,000) feet of the planned surface location of the well or wells.

 - [a]** A copy of the well survey plat showing the location of the planned well;
 - [b]** A general description of the planned operations at the planned well and associated equipment to be used in the development of the well; and
 - [c]** The contact information for the operator and the well site supervisor.
- (4)** The Township shall be provided with the name of the person supervising the drilling operation and a phone number where such person can be reached twenty-four (24) hours a day.
- (5)** Upon request from the Township, the operator will, prior to drilling of its first oil and gas well in the Township, make available with at least thirty (30) days notice, at its sole cost and expense, one (1) appropriate group training program of up to five (5) hours for first responders. Such training shall be made available at least annually during the period when the operator anticipates drilling activities in the Township. First responders shall have a minimum of five (5) hours of training per year to meet this standard.

- (6) No later than thirty (30) days prior to beginning any work on an approved well site, the applicant shall submit to the Township a true and correct copy of all permits (General ESCGP-1) issued by the Pennsylvania Department of Environmental Protection (PA DEP). In addition, the Township shall be provided copies of all plans (erosion and sedimentation control, grading, etc.) required by the PA DEP. All required permits shall be maintained throughout the duration of the drilling operation. Any suspension or revocation of permits by the PA DEP shall be reported to the Township and shall constitute a violation of Township zoning approval and may result in the suspension or revocation of zoning approval.
- (7) Access directly to State roads shall require Pennsylvania Department of Transportation (Penn DOT) Highway Occupancy Permit approval. Prior to initiating any work at a well site, the Township shall be provided a copy of the Highway Occupancy Permit.
- (8) The operator shall execute a Maintenance Agreement with the Township and post a bond in favor of the Township in a form acceptable to the Township and in an amount to be determined by the Township Engineer in accordance with limits provided by law prior to beginning any work at a well site to guarantee restoration of Township streets damaged as a result of hauling associated with the drilling operation.

(d) **Development of the Well Site**

- (1) No construction activities involving excavation, alteration or repair work on any access road or well site shall be performed between the hours of 7:00 P.M. and 7:00 A.M. These time restrictions shall not apply to drilling and hydraulic fracturing.
- (2) The operator shall take all necessary safeguards as directed by the Township to ensure that the Township roads utilized remain free of dirt, mud and debris resulting from development activities and/or shall ensure such roads are promptly swept or cleaned if dirt, mud and debris occur, as directed by the Township.
- (3) Driveways shall be of sufficient length so that there will be no stacking of vehicles on public streets.

- (4) The access driveway off the public street to the well site shall be gated at the entrance to prevent illegal access into the well site. The well site assigned address shall be clearly visible on the access gate for Emergency 911 purposes. In addition, the sign shall include the well name and number, the name of the operator and the telephone number for a person responsible who may be contacted in case of emergency.
- (5) Any on-site freshwater impoundments, retention ponds or wastewater pits shall be fenced to restrict access by unauthorized persons or animals.

e. **Drilling and Hydraulic Fracturing**

- (1) At least thirty (30) days prior to the commencement of drilling, the operator shall provide a copy of the drilling permit issued by the PA DEP to the Township Zoning Officer.
- (2) Drilling shall not be permitted within any floodway identified in the Flood Insurance Study (FIS) prepared and approved by the Federal Emergency Management Agency (FEMA).
- (3) Oil and gas drilling activities shall comply with all applicable Federal and State safety regulations.
- (4) During drilling and hydraulic fracturing, clearly visible warning signage shall be posted at the well site.
- (5) During drilling and hydraulic fracturing, all equipment shall be locked or fenced, as appropriate, to prevent entry by unauthorized persons, however, a guard station with 24-hour staffing, seven (7) days a week at the entrance to the well site may be provided in lieu of fencing the site.
- (6) During drilling and hydraulic fracturing, a secured entrance gate shall be provided on the access road. Arrangements shall be made for access by emergency management personnel. All gates shall be kept locked when employees and subcontractors are not on the premises.
- (7) The operator shall implement the traffic management plan developed after consultation with School District and public safety officials to ensure safety of pedestrians, students and drivers on public streets and at crosswalks, school bus stops

and transit stops during times of heavy truck traffic traveling to and from the site.

- (8)** Recognizing that adequate and appropriate lighting is essential to the safety of those involved in oil and gas drilling, the operator shall take steps, to the extent practicable, to direct site lighting downward and inward toward the well site, well head or other area being developed so as to attempt to minimize glare on public streets and adjacent buildings within three hundred (300) feet of the well site, well head or other area being developed.
- (9)** All operations, including drilling and hydraulic fracturing, shall comply with the noise standards in the Township Zoning Ordinance.

If, after initiation of oil and gas deep well drilling and/or hydraulic fracturing activities, a complaint is received by the Township from any persons, whether a resident or otherwise, occupying a protected structure, as defined herein, regarding noise generated during drilling or hydraulic fracturing activities, the operator shall, within twenty-four (24) hours of receipt of the complaint from the Township, continuously monitor for a forty-eight (48) hour period at a point which is the closer to the complainant's building of:

- [a]** the complainant's protected structure property line nearest to the well site or equipment generating the noise, or

- [b]** one hundred (100) feet from the protected structure.

- (10)** If the operator of any oil and gas operations engages in any noise testing as required by this Ordinance, the operator shall provide preliminary data to the Township no later than ten (10) business days following completion of the noise testing. Once the monitoring is complete, the operator shall meet with representatives of the Township and affected residents to discuss whether possible noise abatement measures are warranted to comply with the noise standards of §1602.3 of the Zoning Ordinance.
- (11)** In the case of oil and gas operations, the Township may require acoustical blankets, sound walls, mufflers or other alternative methods to ensure compliance with the noise standards depending on the location of a proposed well site

with respect to protected structures and the results of noise monitoring.

- (12) Only essential safety and emergency personnel shall be permitted to occupy any trailer or temporary living quarters on the site overnight.

(f) **Production**

- (1) Remediation of the well site shall be accomplished in accordance with the requirements of the Pennsylvania Department of Environmental Protection (PA DEP).
- (2) All permanent equipment, including, but not limited to: well heads, tanks, meters and piping, shall be screened from view from any protected structure, as defined herein, by a landscaped area, masonry wall or opaque fence, as approved by the Township.

SECTION 1602 PERFORMANCE STANDARDS

The following performance standards shall apply to all uses authorized in the C-1, Limited Commercial; C-2, Highway Commercial; C-3, Special Commercial; I-1, General Industrial; I-1-A, Special Industrial; B-P, Business Park; and I-P, Industrial Park Districts. The performance standards shall apply also to those conditional uses and uses by special exception where the express standards and criteria specifically reference this Section.

The owner or operator of an existing or proposed use shall be required to provide certification by a qualified expert regarding compliance with these performance standards. The cost of services for qualified expert consultants shall be paid by the owner or operator of the existing or proposed use.

1602.1 Fire Hazards and Protection

Any activity involving the use or storage of flammable or explosive materials shall be protected by adequate fire fighting and fire suppression equipment acceptable to the Board of Fire Underwriters and shall be readily available when any activity involving the handling of storage of flammable or explosive materials is carried on.

1602.2 Radioactivity or Electrical Disturbances

No activity shall emit dangerous radioactivity at any point, or electrical disturbance adversely affecting the operation at any point of any equipment other than that of the creator of such disturbance.

1602.3 Noise

Noise which is determined by the Zoning Officer to be objectionable because of volume or frequency shall be muffled or otherwise controlled, except for fire sirens and related apparatus used solely for public safety purposes. Noise in excess of ninety (90) decibels as measured on a decibel or sound level meter of standard quality and design operated on the A-weighting scale at a distance of twenty-five (25) feet from any property line of the property on which the noise source is located shall not be permitted.

1602.4 Vibration

No vibration shall be permitted which is discernible without instruments on any adjoining lot or property, except that the temporary vibration as a result of construction activity shall be permitted.

1602.5 Smoke

The maximum amount of smoke emission permitted shall be determined by use of the Standard Ringlemann Chart issued by the United States Bureau of Mines. No smoke of a shade darker than No. 2 will be allowed.

1602.6 Odors

In any district except the Industrial District, no malodorous gas or matter shall be permitted which is discernible on any adjoining lot or property. This shall not apply to any form of fertilizer on property where agriculture is a permitted use.

1602.7 Air Pollution

No pollution of air by fly-ash, dust, vapors or other substances shall be permitted which is harmful to health, or to animals, vegetation or other property or which can cause soiling of property.

1602.8 Glare

Lighting devices which produce objectionable direct or reflected glare on adjoining properties or thoroughfares shall not be permitted.

1602.9 Erosion

No erosion by wind or water shall be permitted which will carry objectionable substances onto neighboring properties.

1602.10 Water Pollution

The method for discharging liquid and solid wastes to public sewers, drains or watercourses, shall be acceptable under the provisions of the Pennsylvania Sewage Facilities Act, Act 537 of 1968, as same may be amended from time to time and all applicable Township ordinances.

SECTION 1603 SPECIAL YARD REQUIREMENTS

In addition to the yard requirements specified in each district, the following yard requirements shall apply in all districts to the applicable circumstances described below:

1603.1 Agriculture

No structure in which farm animals are kept shall be closer than two hundred (200) feet to any property line. No greenhouse heating plant shall be operated within fifty (50) feet of any property line. No storage of manure or odor or dust-producing substances shall be permitted within two hundred (200) feet of any property line.

1603.2 Special Requirements for Corner Lots and Flag Lots

- (a) Corner lots shall provide front yards on each street frontage. The rear yard shall be the yard which is opposite to the front yard on which the principal structure faces. The remaining yard or yards shall be the side yard(s).
- (b) The minimum required front yard on a flag lot shall be measured from the rear lot line of the forward lot that lies between the flag lot and the public street from which the flag lot has access. Since the width of the portion of the flag lot which provides access from the public street is not buildable under the Zoning Ordinance, applying the front yard along the public street frontage is meaningless.
- (c) The minimum width of the portion of the flag lot that provides access to the public street shall be twenty (20) feet.
- (d) If undeveloped acreage adjoins the property proposed for a flag lot, the Planning Commission may require the width of the portion of the flag lot that provides access to the public street to be increased to provide one-half or all of the right of way required for a future public street.

1603.3 Setbacks Along Route 18

Except for signs which are separately regulated by Section 1609 of this Ordinance, the required building line setback for all principal and accessory structures on properties with frontage on Route 18 shall be ninety (90) feet from the centerline of the existing cartway of Route 18.

1603.4 **Nonconforming Lots of Record** See Section 1703.

1603.5 **Accessory Structures**

In all districts the following regulations shall apply to accessory structures:

- (a) **Swimming Pools:** All swimming pools shall be located at least ten (10) feet from the exterior walls of any dwelling. Swimming pools shall not be located in any portion of the minimum required side yard nor shall they be located in the front yard between the front line of the building and the front lot line. Swimming pools may be located in the rear yard, provided they are located at least ten (10) feet from any rear property line.

All swimming pools shall be completely enclosed by a fence which is at least four (4) feet in height and which has a self-latching gate.

- (b) **Farm Fences:** No permit shall be required to install a fence on a farm as defined by this Ordinance. Such fences shall be permitted in any yard. The maximum height of any such fence shall be six (6) feet. Fences made of high tensile wire or barbed wire and electrically charged fences may be permitted.

- (c) **All Other Fences:** In residential zoning districts, fences shall be permitted in the required rear or side yards, provided the maximum height of the fence shall not exceed six (6) feet in height. Fences made of high tensile wire or barbed wire and fences that are electrically charged shall not be permitted on any residential lot.

In residential zoning districts, no fence higher than three (3) feet shall be permitted in the required front yard. Chain link fences shall not be permitted in any front yard in a residential zoning district.

In commercial zoning districts, fences shall not be permitted in the required front yard. No fence more than eight (8) feet in height shall be permitted in any side or rear yard.

In industrial and business park districts, no fence more than six (6) feet in height shall be permitted in the required front yard and no fence more than eight (8) feet in height shall be permitted in any side or rear yard.

- (d) **Fences and Buffer Areas:** All walls, fences and buffer areas or landscaping material shall be located so as to not obstruct visibility for traffic on adjacent streets or traffic entering or leaving the property or adjacent properties.

(e) **Satellite Dish Antennas:** Satellite dishes with a diameter of three (3) meters (39.97 inches) or less are exempt from these regulations and from obtaining a building permit. Satellite dish antennas in excess of three (3) meters (39.97 inches) in diameter shall be subject to the following regulations. Only one (1) satellite dish antenna shall be permitted on a residential lot. In all districts, satellite dish antennas shall not be permitted in front yards. In residential zoning districts, the maximum diameter of any satellite dish antenna installed on any lot or on any roof or above any building shall be ten (10) feet. In districts other than residential, the maximum diameter of any satellite dish antenna installed on any lot or on any roof or above any building shall not exceed twenty (20) feet. In all districts, the maximum height of any freestanding satellite dish antenna shall be twenty (20) feet. In all districts, no part of any satellite dish antenna shall be located closer than twenty (20) feet to any property line.

(f) **Canopies and Similar Structures:** Canopies and similar permanent freestanding roofed structures without walls shall be permitted to cover outdoor seasonal display and sales areas or fuel dispensing areas accessory to authorized uses in the C, Commercial, and I, Industrial, Districts, provided that:

- [1] Such structure shall not be attached to the principal building;
- [2] Such structure shall be located at least ten (10) feet from any property line or street right-of-way.
- [3] Such structure shall not be enclosed; and
- [4] Such structure shall be removed immediately, once the principal use or the use of the accessory structure is discontinued.

(g) **All Other Accessory Structures:** A detached accessory structure may be connected to the principal building by contiguous walls, breezeways or similar connections. All other accessory structures shall not be permitted in the minimum required front and minimum required side yards and shall be located at least ten (10) feet from the rear lot line. All such accessory structures shall be at least ten (10) feet from any septic tank and/or leaching field.

Attached accessory structures shall be considered part of the principal structure and shall be subject to the setbacks for the principal structures.

1603.6 Clear Sight Triangle

No object, including but not limited to, fences, signs, landscaping rocks, hedges, trees and other plantings, buildings, structures, walls and motor vehicles, shall be parked, placed, erected, planted or allowed to grow in such a manner that obscures visibility in the area between three (3) feet and ten (10) feet above the adjacent ground level within the clear sight triangle.

The clear sight triangle is determined by measuring a distance of thirty (30) feet along the edge of the cartway, as defined herein, of each of two intersecting streets to a point on each street and connecting those two points with a single line to complete a triangle; or, in the case of a driveway that intersects with a street, by measuring a distance of thirty (30) feet along the paved edge of the driveway to a point on the driveway and along the edge of the cartway, as defined herein, of the intersecting street to a point on the street and connecting those two points with a single line drawn to complete a triangle. (If the driveway paving extends to the property line, the distance shall be measured along the property line.) The required clear sight triangle is illustrated in Appendix V.

SECTION 1604 PERMITTED PROJECTIONS INTO REQUIRED YARDS

The following shall be permitted to project into any required yard in any district as follows:

Typical architectural features, including but not limited to, bay windows, window sills, cornices and eaves, shall be permitted to project into required yards no more than eighteen (18) inches.

Decks and unenclosed porches without roofs shall be permitted to project into required front and side yards no more than three (3) feet and into the required rear yard no more than six (6) feet.

Steps and open fire escapes shall be permitted to project into required yards no more than thirty-six (36) inches.

SECTION 1605 HEIGHT EXCEPTIONS

The height limitations of this Ordinance shall not apply to the following structures: church spires, chimneys, elevator bulk heads, conveyors, flagpoles, silos, standpipes, elevated water tanks, derricks, public utility structures, and other structures not intended for human habitation.

Radio, TV and microwave towers shall be subject to §1601.12. Satellite dish antennas shall be subject to §1603.5(e).

SECTION 1606 BASEMENT STRUCTURES

Earth homes which are designed to take advantage of the insulating qualities of earthen fill along walls and over the roof of a dwelling shall not be considered basement structures. No residential uses shall be permitted in basements or cellars prior to the completion of the total structure.

SECTION 1607 TEMPORARY STRUCTURES

Temporary structures shall be limited to those structures authorized by temporary permits in accordance with the provisions of § 1901.2 (b).

SECTION 1608 OFF-STREET PARKING AND LOADING

In all districts, whenever any new use is established or an existing use is structurally altered, converted or enlarged, off-street parking and loading spaces shall be provided in accordance with the requirements of this Section.

1608.1 Off-Street Parking Design

Parking areas in all districts shall comply with the following standards:

- (a) **Size:** Each off-street parking space shall have an area of not less than one hundred eighty (180) square feet, exclusive of access drives or aisles, and shall be maintained free from obstruction. Parking areas shall be designed to provide sufficient turn-around area so that vehicles are not required to back onto the cartway of any public street. Parking areas serving all uses other than single family dwellings shall contain at least three (3) spaces.

- (b) **Access:** Where an existing lot does not adjoin a public or private street, alley or easement of access, an access drive shall be provided leading to the parking areas. Access to off-street parking areas shall be limited to well defined locations, and in no case shall there be unrestricted access along the length of a street. The number of access drives from a single lot or development to any public street shall not exceed two (2) for every four hundred (400) feet of street frontage.

- (c) **Driveways:** Driveways providing access to nonresidential lots and parking areas that are designed for one-way travel shall be a minimum of ten (10) feet wide and a maximum of twelve (12) feet wide. Driveways providing access to lots and parking areas that are designed for two-way travel shall be a minimum of twenty (20) feet wide and a maximum of twenty-four (24) feet wide.

Except for flag lots which are lots of record at the date of adoption of this Ordinance and except for properties in the C-1, C-2 and C-3 Districts which do not abut properties in an R-1, R-2, R-2-A or R-3 Districts where parking along the property line is authorized by Subparagraph (d), below, there shall be at least five (5) feet between a driveway and a fire hydrant, catch basin or property line. There shall be at least forty (40) feet between a driveway and the right-of-way line of an intersecting street.

- (d) **Location of Parking Areas:** In all Zoning Districts other than C-1, C-2 and C-3, no parking area containing more than five (5) parking spaces shall be located closer than five (5) feet to any adjoining property line and parking authorized in front yards shall be located at least five (5) feet from the edge of the right-of-way. In the C-1, C-2 and C-3 Zoning Districts, parking spaces may be located along the property line or edge of the right of way, unless the property line adjoins property in an R-1, R-2, R-2-A or R-3 District where the five (5) foot setback shall be maintained.

In all Zoning Districts, required parking spaces shall be located on the same lot with the principal use they serve, except that the Zoning Officer may approve parking located off the site of the principal use it serves, provided all of the following criteria are met:

- (1) Off-site parking shall not be approved if it is intended to serve any single family detached dwelling, single family attached dwelling or two family dwelling.
- (2) Evidence is provided that there is ownership control of the site or there is a long-term lease agreement or other acceptable means to guarantee the continued availability of the off-site parking.
- (3) If the property on which the off-site parking is proposed is not vacant, the off-site parking shall not be approved if the use of the parking spaces for off-site parking will reduce the parking spaces available for the use located on the site below the minimum number of spaces required for the use.
- (4) A sidewalk, employee or customer shuttle or other safe means of pedestrian access exists or will be provided to connect the off-site area with the principal use.
- (5) Any proposal to construct an elevated pedestrian walkway over an existing public street shall be subject to permission from the owner of the right-of-way (the Township, in the case of Township streets, or Penn DOT, in the case of State roads).
- (6) Employee parking shall be designated in the off-site parking area and shall not be permitted in the on-site parking area unless customer or visitor parking is met entirely in the on-site parking area.
- (7) In the event that the property is sold, the off-site property must be sold to the purchaser or evidence of assignment and continuation of the lease agreement to the purchaser must be provided as a condition of change of occupancy.

- (e) **Properties Bisected by Zoning District Boundaries:** In the C-1, C-2 and C-3 Districts, the landowner of any lot under single ownership and control that is bisected by a Zoning District boundary between the C1, C-2 or C-3 District and any "R" District may use the "R" zoned portion of the property for on-site parking to serve the nonresidential use of the "C" portion of the property, provided that the portion of the "R" zoned property used for parking does not encroach any farther into the "R" District than the deepest C-1, C-2 or C-3 boundary as measured from the centerline of Route 18. In no case shall the "R" zoned portion of the site be used for any other principal or accessory use or structure authorized in the C-1, C-2 or C-3 District.

The on-site parking area in the "R" District shall be screened along the rear property line adjoining other "R" property by Buffer Area A and a minimum six (6) foot high fence shall be located between the parking area and the Buffer Area.

- (f) **Acquisition of Adjacent Residential Property for On-Site Parking:** The landowner of C-1, C-2 or C-3 property may acquire adjoining "R" zoned property for the purpose of on-site parking providing all of the following requirements are met:

- (1) The "R" zoned property shall not encroach any farther into the "R" District than the deepest C-1, C-2 or C-3 boundary as measured from the centerline of Route 18.
- (2) The landowner consolidates both properties into a single lot of record by preparing a consolidation plat in accordance with the requirements of the Township Subdivision and Land Development Ordinance.
- (3) Approval of the consolidation plat shall not render any existing use nonconforming.
- (4) In no case shall the "R" zoned portion of the site be used for any other principal or accessory use or structure authorized in the C-1, C-2 or C-3 District.
- (5) The parking area in the "R" District shall be screened along the rear property line adjoining other "R" property by Buffer Area A and a minimum six (6) foot fence shall be located between the parking area and the Buffer Area.
- (6) The parking area shall be accessed only from the C-1, C-2 or C-3 zoned property.
- (7) All lighting devices used to illuminate the parking area shall be designed with shields, reflectors or refractor panels which direct and cut off light at a cut-off angle that is less than sixty degrees (60°). In no case shall there

be spillover lighting on adjacent residential property in excess of 0.2 footcandle. Light fixture specifications and a photometric plan shall be submitted to the Zoning Officer that demonstrates compliance.

- (g) **Screening and Landscaping:** Parking areas containing more than five (5) parking spaces (except those in the C-1, C-2 and C-3 Districts that abut the property line) shall be effectively screened by a buffer area as defined by this Ordinance along any property line which adjoins a residential use or zoning district classification which is at least five (5) feet in depth as measured from the property line. In addition, a planting strip at least five (5) feet wide shall be provided between the edge of the right-of-way and any parking area authorized in any yard which fronts on a street. Such planting strip shall be suitably landscaped and maintained in grass, ground cover or other landscaping material not in excess of three (3) feet in height which shall not obstruct visibility for traffic entering or leaving the lot or traveling on the public street.
- (h) **Surfacing:** With the exception of a single family and two family dwellings, all parking areas and access drives shall have a paved, graded with positive drainage to dispose of surface water.
- (i) **Lighting:** Any lighting used to illuminate off-street parking areas shall be designed to reflect the light away from the adjoining premises of any residential district or use and away from roads or highways.
- (j) **Stormwater Management:** All paved parking areas shall be designed so that stormwater runoff shall not adversely affect adjacent properties. On-site retention facilities shall be provided, if warranted, and the design of such facilities shall be subject to approval by the Township Supervisors.

1608.2 Off-Street Parking Requirements

Any new use, change of use, enlargement or expansion in any District shall comply with the following minimum requirements for the provision of off-street parking spaces.

When the calculation of required parking spaces results in a requirement of a fractional parking space, any fraction shall be counted as one (1) parking space.

Where more than one use exists on a lot; parking requirements for each use shall be provided.

The table of parking requirements beginning on the following page specifies the number of spaces required for various categories of uses in any zoning district:

USE	REQUIRED PARKING SPACES
Single Family & Two Family Dwellings	2 per dwelling unit
Multifamily Dwellings	1-1/2 per dwelling unit
Mobile Home Parks	1-1/2 per mobile home lot
Home Occupation and Day Care Home	2 in addition to the spaces required for the dwelling
Day Care Center	1 for each staff member plus 4 for visitors
Group Home	5 per group home
Personal Care Boarding Home	1 for each full-time staff plus 1 for every 3 residents
Hospitals	1 for each bed plus 1 per employee and staff on peak shift
Nursing Homes	1 for each 3 beds
Churches	1 for each 4 seats
Schools	1 for each teacher and staff plus 1 for each four classrooms plus 1 for each 4 high school students
Cemeteries	1 for each 3 seats in a chapel or other place of public assembly
Swimming Pools, Public or Commercial	1 for each 50 square feet of surface water area
Golf Courses	4 per hole plus 1 per employee
Sports Arenas, Stadiums, Theater, Auditoriums, Assembly Halls	1 for each 3 seats
Community Buildings, Social Halls, Dance Halls, Clubs & Lodges	1 for each 50 square feet of net floor area accessible to the public
Personal Services	1 for each 150 s. f. of net floor area devoted to patron service
Multi-Story Buildings in the C-1, C-2 or C-3 Districts*	1 for each 500 s. f. of net floor area
*Note: A portion of the required parking spaces for multi-story buildings in the C-1 C-2 and C-3 Districts may be provided off-site if the requirements of §1608.1(d)(1) through (7) are met.	
Multi-Purpose Sports and Recreational Facilities	1 for each 300 sq. ft. of indoor surface area
Roller Rinks	1 for each 200 sq. ft. of gross floor area

USE	REQUIRED PARKING SPACES
Bowling Alleys	5 per alley
Banks and Offices	1 for each 250 sq. ft. of gross floor area
Medical Offices and Clinics	8 per doctor
Dental Offices	5 per doctor
Retail Stores	1 for each 200 sq. ft. of gross floor area
Restaurants, Fast-Service and Full-Service	1 space for each 50 square feet of net floor area, excluding storage and food preparation, plus 1 space for each employee on peak shift
Taverns and Nightclubs	1 for each patron seat
Hotels and Motels	1 for each guest room plus 1 for each 80 square feet of net floor area accessible to the public, including corridors, lobbies, restaurants, shops and the like
Funeral Homes and Mortuaries	25 for the first parlor plus 10 for each additional parlor
Furniture Stores	1 for each 400 sq. ft. of gross floor area
Food Supermarkets	1 for each 200 sq. ft. of gross floor area
Trailer or Monument Sales	1 for each 2,500 sq. ft. of lot area
Auto Sales, Rental and Service	1 for each 500 sq. ft. of gross floor area plus 1 per each employee
Service Stations	3 for each bay plus 1 for each 2 employees
Industrial & Manufacturing Establishments, Warehouses, Wholesale and Truck Terminals	1 per employee on 2 largest shifts combined
All Other Uses	1 for each 300 sq. ft. of net floor area or 1 for each 2 proposed patrons or occupants, whichever is greater

1608.3 Off-Street Loading Design

- (a) **Size:** Each loading berth shall be at least fifty (50) feet in length and twelve (12) feet in width with an overhead clearance of fourteen (14) feet. The area used for loading berths shall not be used to satisfy parking area requirements.

- (b) **Access:** Loading berths shall be designed to provide sufficient turnaround area so that vehicles are not required to back onto collector or arterial roads. Loading berths shall have direct access to a driveway and shall be maintained free from obstruction.
- (c) **Location:** All loading berths shall be located on the same lot with the principal use. No loading berth shall be located in a required front yard. Loading berths shall be located at least thirty (30) feet from the nearest point of intersection of any two (2) streets.
- (d) **Screening:** Loading berths shall be screened by a six (6) foot hedge, wall or fence on all sides which face residential use or zoning district classification.
- (e) **Surfacing:** All loading areas shall have a paved surface, graded with positive drainage to dispose of surface water.
- (f) **Lighting:** Any lighting used to illuminate loading areas shall be designed to reflect away from any property adjoining residential use or zoning district classification and away from any road or highway.

1608.4 Off-Street Loading Requirements

In all districts, every use which requires the receipt or distribution, by vehicle, of material or merchandise, shall provide off-street loading berths in accordance with the following requirements.

USE	1ST BERTH	2ND BERTH
	(Required per square feet of gross floor area of building listed below)	
<u>INDUSTRIAL</u>		
Manufacturing	5,000	40,000
Warehouse	5,000	40,000
Storage	10,000	25,000
<u>COMMERCIAL</u>		
Wholesale	10,000	40,000
Retail	10,000	20,000
Service	10,000	40,000
Recreation	10,000	100,000
Restaurant	10,000	25,000
Hotel	10,000	100,000
Funeral Homes	10,000	100,000
<u>RESIDENTIAL</u>		
Apartment	25,000	100,000

INSTITUTIONAL

Schools	10,000	100,000
Hospitals	10,000	100,000

PUBLIC BUILDINGS

Auditoriums	10,000	100,000
Arenas	10,000	100,000

SECTION 1609 SIGNS

Signs in all districts shall be categorized according to the types and classifications described below and shall comply with the requirements for those types and classifications described in this Section.

1609.1 Types and Classes

(a) **Classes:** Signs are classified by physical attributes into the following categories. (See Appendix II for Illustrations.)

[1] **Freestanding:** A sign supported on a foundation or by one or more uprights, poles or braces permanently affixed to the ground and not attached to any building or other structure, including:

[a] **Pole Sign:** A freestanding sign which is supported by one (1) or more poles, uprights or braces, which supports may be enclosed by sheathing or other covering that may be continuous from the ground to the bottom edge of the advertising panel and where the distance between the bottom edge of the advertising panel is more than twelve (12) inches above the adjacent ground level and the maximum height of the top of the advertising panel is more than six (6) feet.

[b] **Ground Sign:** A freestanding sign mounted between two (2) posts which are affixed to the ground by means of a permanent foundation and where the distance between the bottom edge of the advertising panel and the adjacent ground level or the sign's foundation, if the foundation is raised above ground level, is between zero (0) and twelve (12) inches and the maximum height of the top of the advertising panel is no more than six (6) feet.

- [2] **Wall:** A sign painted on or attached to and erected parallel to the face of an outside wall of a building.
- [3] **Bulletin:** A sign constructed to allow letters or symbols to be changed periodically such as those used by churches and schools to announce events.
- [4] **Roof Sign:** A sign erected and maintained upon or above the roof of any building which projects no more than six (6) feet above the roof.
- [5] **Billboard:** A sign which advertises goods or services unrelated to or not available on the premises where the sign is located.
- [6] **Off-Premises Sign:** A sign that advertises or directs pedestrian or vehicular traffic to an establishment, facility, event, activity, product or service that is not sold, produced or available on the property on which the sign is located.
- [7] **On-Premises Sign:** A sign advertising only goods, services, facilities, events or attractions available on the premises where it is located.
- [8] **Projecting Sign:** A sign, other than a wall sign, mounted perpendicular to a building wall, that extends beyond the wall more than twelve (12) inches but not more than four (4) feet.
- [9] **Changeable Copy Sign:** A sign that is designed so that characters, letters or illustrations can be manually or electronically changed or rearranged without altering the face or surface area of the sign.
- [10] **Mural:** The application of paint, acrylic or other permanent material directly onto the exterior wall of a building whose sole purpose is to create an aesthetic design to commemorate an historic or community event or characteristic and which may include the name of the artist and/or the donor in an area not to exceed one-half percent (0.5%) of the mural's total surface area, but which shall not include any advertising.

(b) **Types:** Signs are categorized by use, function or purpose into the following types:

- [1] **Residential Identification:** A sign containing only the name and address of the occupant of the premises.
- [2] **Home Occupation Identification:** A sign containing only the name and address of the occupant of the premises and their occupation. No logos or other advertising shall be permitted.
- [3] **Real Estate:** A temporary sign advertising the sale or rental of premises. The signs may also bear the words "sold", "sale pending: or "rented" across their face.
- [4] **Development:** A temporary sign erected during the period of construction and development of a property by the contractor and developer or their agent.
- [5] **Residential Plan or Nonresidential Development Identification Sign:** A permanent sign which identifies only the name of a subdivision plan or land development plan.
- [6] **Construction:** A temporary sign announcing the name of contractors, mechanics or artisans engaged in performing work on the premises.
- [7] **Notification:** Signs bearing legal and/or property notices such as: no trespassing, private property, no turnaround, safety zone, no hunting and similar messages.
- [8] **Directional:** A sign which directs and/or instructs vehicular or pedestrian traffic relative to parking areas, proper exits, loading areas, entrance points and similar information.
- [9] **Directory:** A sign which lists only the name and locations of occupants or uses of a premises.
- [10] **Agricultural Sales:** A temporary sign permitted in connection with any operating farm used only to announce the sale of seasonal products raised on the premises.
- [11] **Nonresidential or Business Identification Sign:** A sign which contains the name, address and goods, services, facilities or events available on the premises.

- [12] **Mobile Home Park Identification Sign:** A permanent sign located at the entrance to a mobile home park which identifies only the name and address of the mobile home park.
- [13] **Fast Service Restaurant Menu Board:** A sign that displays menu items available to customers at drive-through windows or in-car service positions, including a method of two-way communication between customers and restaurant employees.
- [14] **Athletic Field Scoreboard:** A sign on the site of a public park or public school athletic field or stadium that displays scores and statistics related to an athletic event and that may include a public service message board and/or advertising for team sponsors.

1609.2 General Regulations

The following regulations shall apply to signs in all zoning districts:

- (a) **Lots with Multiple Street Frontage:** In all districts, lots fronting on more than one (1) street shall be permitted to have one (1) sign which is authorized per lot and per building on each street frontage, provided that each such sign must be oriented to each individual street and total sign area may not be accumulated on one (1) street frontage. All permanent signs shall comply with the setback requirements for the applicable sign in the District in which the lot is located.
- (b) **Temporary Signs:** In all districts where authorized by § 1609.3, real estate, construction, development and agricultural sales signs shall be considered temporary signs which shall be removed within thirty (30) days of the completion of sales or construction.
- (c) **Notification Signs:** In all districts, the number, location and size of legal notification signs erected by public agencies shall be in accordance with the laws of the Commonwealth. In all districts legal notification signs posted on private property by property owners such as “no trespassing”, “no hunting” and the like shall be limited to a surface area not exceeding two (2) square feet. The placement and maximum number of signs permitted along road frontages shall be one (1) sign for every one hundred (100) feet of road frontage.
- (d) **Visibility:** No sign shall be located in such a position that it will cause a hazard by obstructing visibility for traffic on a street or obscuring a traffic signal or other traffic control device. All signs shall comply with the clear sight triangle requirements of § 1603.6 of this Ordinance. No sign, other than official traffic signs, shall hang over or be erected within the right-of-way of any street.

- (e) **Illumination:** In the A-1, R-1, R-2, R-2-A and R-3 Districts, signs for any authorized use, other than a single family detached dwelling, single family attached dwelling, two family dwelling or home occupation may be illuminated; all other signs in these Districts shall not be illuminated. In the C-1, C-2, C-3, B-P, I-1, I-1-A and I-P Districts, signs may be illuminated.

Illumination, when authorized, shall be directed upon the sign face and not towards adjoining properties or roadways. Flashing or oscillating signs shall not be permitted. Lighting shall be stationary and constant in intensity and color at all times, except that electronic changeable copy signs, where authorized by this Ordinance, may have a changing message.

- (f) **Maintenance and Inspection:** All signs must be constructed of a durable material and maintained in good condition. Any sign found to be in an unsafe condition upon inspection shall be declared to be a public nuisance and the Zoning Officer shall give notice to the owner in writing to repair or remove the sign within ten (10) days. Upon failure of the owner to comply, the Township shall remove the sign at the owner's expense.
- (g) **Removal of Signs:** Whenever any business is discontinued or vacated, all signs relating to the discontinued or vacated business shall be removed within thirty (30) days of the vacation or discontinuance of the business.
- (h) **Permits Required:** No permit shall be required for the following types of signs as described in §1609.1 (b) above: Notification, Real Estate, Construction and Agricultural Sales. Permits for all other signs shall be required. The Zoning Officer shall issue the required permits upon submission of an application which complies with all applicable provisions of this Ordinance and payment of the required fee established by Resolution of the Township Board of Supervisors.
- (i) **Existing Signs on Lots Containing More Than One Business:** In the C-1, C-2, C-3, B-P, I-1, I-1-A, and I-P Districts, if an existing business identification sign meets the maximum permitted surface area for the District and additional businesses are created on the lot, each new business shall be eligible for an additional four (4) square feet of surface area of sign on the structure supporting the existing sign, until such time as the existing sign is replaced. Any replacement or modification of such an existing sign shall conform to the maximum surface area permitted for the District.

1609.3 TYPE, NUMBER, LOCATION AND SIZE:

The types and classes of signs described in §1609.1 shall be authorized in accordance with the following requirements. Surface area of signs shall be calculated in accordance with the definition contained in Section 201.

The following tables summarize the types and classes of signs and the applicable regulations in each of the zoning districts. All signs shall be on-premises signs as defined in § 1609.1 (b) unless otherwise specified.

(a) Signs Permitted in All Zoning Districts

Notification Signs, subject to §1609.2 (c).

Real Estate Signs:

Number: One (1) per lot
Class: Freestanding or wall
Surface Area: 6 square feet
Maximum Height: 6 feet
Location: At least ten (10) feet from any property line
Duration: Temporary - See §1609.2 (b)

Construction Signs:

Number: One (1) per lot
Class: Freestanding
Surface Area: 12 square feet
Maximum Height: 6 feet
Location: At least ten (10) feet from any property line
Duration: Temporary - See §1609.2 (b)

Development Signs:

Number: One (1) per lot or development site
Class: Wall or Freestanding
Surface Area: 32 square feet
Maximum Height: 6 feet
Location: At least ten (10) feet from any property line
Duration: Temporary

Residential Plan or Nonresidential Development Identification Signs:

Number: One (1) per lot or development site
Class: Wall or Freestanding
Surface Area: 100 square feet
Maximum Height: 6 feet
Location: Freestanding or on a decorative wall located at least ten (10) feet from any property line, provided the wall does not exceed six (6) feet in height.

Residential Plan Identification Signs shall not be located in the public street right-of-way without permission from the owner of the right-of-way and an agreement for maintenance of the sign by a homeowners' association or similar private individual

or organization. Signs located within the public right-of-way shall be located so that visibility is maintained for traffic entering and leaving the plan and the clear sight triangle required by §1603.6 is maintained.

Duration: Permanent

(b) Signs Permitted in the A-1 District

Notification, real estate, construction and development signs as authorized in §1609.3 (a).

Agricultural Sales Signs:

Number: Two (2) per lot
Class: Freestanding
Surface Area: 15 square feet
Maximum Height: 6 feet
Location: At least ten (10) feet from any property line
Duration: Temporary - See §1609.2 (b)

Home Occupation or Residential Identification Signs:

Number: One (1) per lot
Class: Freestanding or wall
Surface Area: 2 square feet
Maximum Height: 6 feet
Location: At least ten (10) feet from any property line
Duration: Permanent

Identification Signs for Authorized Nonresidential Uses:

Number: One (1) per lot
Class: Freestanding or wall
Surface Area: 20 square feet
Maximum Height: 6 feet
Location: At least ten (10) feet from any property line
Duration: Permanent

Bulletins for Authorized Nonresidential Uses:

Number: One (1) per lot
Class: Freestanding or wall
Surface Area: 15 square feet
Maximum Height: 6 feet
Location: At least ten (10) feet from any property line
Duration: Permanent

Directional Signs:

Number: Two (2) per access driveway
Class: Freestanding

Surface Area: 2 square feet
Maximum Height: 3 feet
Location: At least one (1) foot from any property line
Duration: Permanent

Changeable Copy Signs for Authorized Uses in the District, other than a Single Family Detached Dwelling, Single Family Attached Dwelling, Two Family Dwelling or Home Occupation:

Class: Wall Sign or Mounted on an Existing Ground Sign or if no Ground Sign exists, a new Ground Sign
Number: Wall Sign: One (1) per establishment
Ground Sign: One (1) per lot
Surface Area: 24 square feet
Maximum Height Of Ground Sign: Six (6) feet
Location: At least ten (10) feet from the public street right-of-way and at least twenty-five (25) feet from any other property line.
Duration: Permanent

Additional Requirements for Electronic Changeable Copy Signs:

An electronic changeable copy sign located on property in any A-1, R-1, R-2, R-2-A or R-3 District shall cease operation between 9:00 P.M. and 7:00 A.M.

Electronic changeable copy signs shall be equipped with an automatic "day/night" switch to regulate the intensity of the lighting relative to the ambient light.

(c) Signs Permitted in the R-2 and R-2-A District

Any sign permitted in the A-1 District.

Mobile Home Park Identification Signs:

Number: One (1) per park
Class: Freestanding
Surface Area: 20 square feet
Maximum Height: 6 feet
Location: At least ten (10) feet from any property line
Duration: Permanent

Athletic Field Scoreboard:

Number: One (1) per athletic field
Class: Freestanding

Surface Area: 450 square feet for a football field
 250 square feet for all other athletic fields

Maximum Height: 30 feet

Location: At least one hundred (100) feet from any property line

Duration: Permanent

Additional Requirements: Speakers associated with the scoreboard shall be directed away from any adjacent residential properties. No more than 25% of the surface area of the scoreboard shall be devoted to team sponsorships. All or part of the scoreboard may utilize electronic changeable copy.

(d) Signs Permitted in the R-1 District

Any sign permitted in the A-1 District, except an agricultural sales sign.

Athletic Field Scoreboard:

Number: One (1) per athletic field

Class: Freestanding

Surface Area: 450 square feet for a football field
 250 square feet for all other athletic fields

Maximum Height: 30 feet

Location: At least one hundred (100) feet from any property line

Duration: Permanent

Additional Requirements: Speakers associated with the scoreboard shall be directed away from any adjacent residential properties. No more than 25% of the surface area of the scoreboard shall be devoted to team sponsorships. All or part of the scoreboard may utilize electronic changeable copy.

(e) Signs Permitted in the R-3 District

Any sign permitted in the R-1 District, except Athletic Field Scoreboards.

Business Identification Signs:

Number: One (1) per establishment

Class: Wall

Surface Area: 20 square feet

Duration: Permanent

Directory Signs:

Number: One (1) per lot

Class: Wall

Surface Area: 20 square feet

Duration: Permanent

Multifamily Development Identification Signs:

Number: One (1) per lot
Class: Freestanding or wall
Surface Area: 20 square feet
Maximum Height: 6 feet
Location: At least ten (10) feet from any property line
Duration: Permanent

(f) Signs Permitted in the C-1 District

Notification, real estate, construction and development signs as authorized in §1609.3 (a).

Directional signs as authorized in the A-1 District.

Directory signs as authorized in the R-3 District.

Business Identification Signs:

Class: Freestanding Pole Sign only
Number: One (1) per lot, regardless of the number of businesses on the lot.
Surface Area: 40 square feet, if there are 1-3 businesses on the lot
70 square feet if there are 4 or more businesses on the lot
Minimum Height: 12 feet if sign is installed over paved parking spaces or driveways
(Bottom Edge of Advertising Panel)
Maximum Height: 20 feet
Location: Edge of sign shall not be closer than three (3) feet to the edge of right-of-way or ten (10) feet to any other property line.
Duration: Permanent

Class: Wall Sign
Number: No limit provided the cumulative total surface area of all signs shall not exceed the maximum allowed surface area of 100 square feet
Surface Area: 100 square feet
Duration: Permanent

Class: Projecting Sign
Number: One (1) per business
Surface Area: 12 square feet to be included in cumulative total surface area authorized for all wall signs
Duration: Permanent

Fast Service Restaurant Menu Board:

Class: Freestanding Ground or Pole Sign
Number: Two (2) per business for drive-through windows or one (1) per service position for in-car service
Location: Between the building and the drive-through lane or in each service position for in-car service
Surface Area: 30 square feet for each drive-through window menu board
3 square feet for each in-car service position
Maximum Height: Six (6) feet
Duration: Permanent
Additional Requirement: The two-way communication system shall be regulated so that the noise emitted shall not be directed towards any property in an R-1, R-2, R-2-A or R-3 District.

Changeable Copy Sign:

Class: Wall Sign or Mounted on Existing Ground or Pole Sign or if no Ground or Pole Sign exists, a new Ground Sign
Number: Wall Sign: One (1) per business
Ground or Pole Sign: One (1) per lot
Surface Area: 24 square feet in addition to surface area authorized for other signs on the site
Duration: Permanent
Maximum Height Of Ground Sign: Six (6) feet
Location: At least twenty-five (25) feet from any property line adjoining an R-1, R-2, R-2-A or R-3 District; at least three (3) feet from a public street right-of-way and at least ten (10) feet from any other property line
Additional Requirements for Electronic Changeable Copy Signs: Electronic changeable copy signs shall be equipped with an automatic "day/night" switch to regulate the intensity of the lighting relative to the ambient light.

Mural

Class: Mural, as defined herein, provided no Wall Sign exists on the same façade
Number: One (1) per building
Surface Area: 500 square feet
Duration: Permanent

(g) Signs Permitted in the C-2 and C-3 Districts

Notification, real estate, construction and development signs as authorized in §1609.3(a).

Directional signs as authorized in the A-1 District.

Directory signs as authorized in the R-3 District.

Business Identification Signs:

- Class:** Freestanding Ground or Pole Sign
- Number:** One (1) per lot, regardless of the number of businesses on the lot.
- Surface Area:**
- Pole Sign:** 100 square feet if there are 1-3 businesses on the lot
150 square feet if there are 4 or more businesses on the lot
 - Ground Sign:** 50 square feet
- Minimum Height:
(Bottom Edge of Advertising Panel)**
- Pole Sign:** 12 feet, if sign is installed over paved parking spaces or driveways
 - Ground Sign:** 0 feet
- Maximum Height:
(Bottom Edge of Advertising Panel)**
- Pole Sign:** 30 feet
 - Ground Sign:** 1 foot
- (Top of Sign)** 5 feet above adjacent ground level, including the height of the raised foundation, if any.
- Location:**
- Pole Sign:** Edge of sign shall not be closer than 3 feet to the edge of right-of-way or any other property line
 - Ground Sign:** Edge of sign shall not be closer than 5 feet to the edge of right-of-way or any other property line, provided the clear sight triangle requirements of § 1603.6 of this Ordinance are met
- Duration:** Permanent
- Class:** Wall Sign
- Number:** No limit provided the cumulative total surface area of all signs shall not exceed the maximum allowed surface area of 100 square feet per business

Surface Area: 100 square feet per business
Duration: Permanent

Class: Projecting Sign
Number: One (1) per business
Surface Area: 12 square feet to be included in the cumulative total surface area authorized for all wall signs
Duration: Permanent

Fast Service Restaurant Menu Board:

Class: Freestanding Ground or Pole Sign
Number: Two (2) per business for drive-through windows or one (1) per service position for in-car service
Location: Between the building and the drive-through lane or in each service position for in-car service
Surface Area: 30 square feet for each drive-through window menu board
3 square feet for each in-car service position
Maximum Height: Six (6) feet
Duration: Permanent
Additional Requirement: The two-way communication system shall be regulated so that the noise emitted shall not be directed towards any property in an R-1 or R-2 District.

Changeable Copy Sign:

Class: Wall Sign or Mounted on Existing Ground or Pole Sign or if no Ground or Pole Sign exists, a new Ground Sign
Number: Wall Sign: One (1) per business
Ground or Pole Sign: One (1) per lot
Surface Area: 24 square feet in addition to surface area authorized for other signs on the site
Duration: Permanent
Maximum Height of Ground Sign: Six (6) feet
Location: At least twenty-five (25) feet from any property line adjoining an R-1, R-2, R-2-A or R-3 District; at least three (3) feet from any public street right-of-way and at least ten (10) feet from any other property line

Additional Requirements
for Electronic Changeable
Copy Signs:

Electronic changeable copy signs shall be equipped with an automatic "day/night" switch to regulate the intensity of the lighting relative to the ambient light.

Mural:

Class: Mural, as defined herein, provided no Wall Sign exists on the same façade
Number: One (1) per building
Surface Area: 500 square feet
Duration: Permanent

(h) Signs Permitted in the B-P, I-1 and I-1-A Districts

Notification, real estate, construction and development signs as authorized in §1609.3 (a).

Directional Signs as authorized in the A-1 District.

Directory Signs as authorized in the R-3 District.

Business Identification Signs:

Class: Freestanding Ground or Pole Sign
Number: One (1) per lot, regardless of the number of businesses on the lot.

Surface Area:

Pole Sign: 150 square feet, if there are 1-3 businesses on the lot
200 square feet, if there are 4 or more businesses on the lot

Ground Sign: 100 square feet

Minimum Height:
(Bottom Edge of
Advertising Panel)

Pole Sign: 12 feet, if sign is installed over paved parking spaces or driveways

Ground Sign: 0 feet

Maximum Height:

Pole Sign: 30 feet

Maximum Height:

Ground Sign:
(Bottom Edge of
Advertising Panel) 1 foot

(Top of Sign) 5 feet above adjacent ground level, including the height of the raised foundation, if any

Location:	
Pole Sign:	Edge of sign shall not be closer than three (3) feet to the edge of right-of-way or any other property line.
Ground Sign:	Edge of sign shall not be closer than three (3) feet to the edge of right-of-way or any other property line, provided the clear sight triangle requirements of § 1603.6 of this Ordinance are met.
Duration:	Permanent
Class:	Projecting Sign or Roof Sign
Number:	One (1) per business establishment
Surface Area:	40 square feet in addition to surface area authorized for other signs on the site
Duration:	Permanent
Class:	Wall Sign
Number:	No limit provided the cumulative total surface area of all signs shall not exceed the maximum allowed surface area of 150 square feet
Surface Area:	150 square feet
Duration:	Permanent
Changeable Copy Sign:	
Class:	Wall Sign or Mounted on Existing Ground or Pole Sign or if no Ground or Pole Sign exists, a new Ground Sign
Number:	Wall Sign: One (1) per business Ground or Pole Sign: One (1) per lot
Surface Area:	24 square feet in addition to surface area authorized for other signs on the site
Maximum Height of Ground Sign:	Six (6) feet
Location:	At least twenty-five (25) feet from any property line adjoining an R-1, R-2, R-2-A or R-3 District; at least three (3) feet from any public street right-of-way and at least ten (10) feet from any other property line or public street right-of-way
Duration:	Permanent
Additional Requirements for Electronic Changeable Copy Signs:	Electronic changeable copy signs shall be equipped with an automatic "day/night" switch to regulate the intensity of the lighting relative to the ambient light.

(i) Signs Permitted in the I-P District

Any sign permitted in the C-1 District.

(j) Billboards

Billboards shall be permitted only within 500 feet of the centerline of the right-of-way of Interstate 376 and may be located on property in any zoning district classification that is located within 500 feet of the centerline of the right-of-way of Interstate 376. Billboards shall also be subject to the following regulations:

- Class: Freestanding Ground or Pole
- Number: One (1) or more per lot provided the requirement for distance between billboards is met
- Surface Area: 600 square feet
- Maximum Height: 25 feet
- Location: Within 500 feet of the centerline of the right-of-way of Interstate 376 and at least ten (10) feet from any right-of-way line and twenty-five (25) feet from any other property line
- Duration: Permanent
- Additional Requirements: All or part of a billboard may be an electronic changeable copy display utilizing LED technology, rotating panels or similar technology

No billboard shall be located within 1,000 feet of another billboard located on the same side of the highway measured along the centerline of the right-of-way of Interstate 376 from a point on the centerline of the right-of-way of Interstate 376 that is directly opposite and in line with the point on the billboard's advertising panel or panels (in the case of a V-shaped configuration) which is closest to the highway right-of-way.

SECTION 1610 STORAGE

In the case of retail stores which display products outdoors either temporarily, permanently or seasonally, the product display area shall be located at least ten (10) feet from any property line or street right-of-way line. In no case shall more than twenty-five percent (25%) of the total area of the lot be devoted to outdoor product display.

The outdoor display area shall not obstruct the free flow of traffic on the lot, nor shall it obstruct the use of any parking spaces on the lot. The outdoor display area shall not be located on any approved parking spaces necessary to meet the minimum parking requirements for the retail store, or in the case of a shopping center, for all the uses in the shopping center.

SECTION 1611 SCREENING AND LANDSCAPING

1611.1 Landscaping of Lots

Any portion of a lot which is not used for buildings, other structures, loading or parking spaces, sidewalks or storage areas shall be planted with an all-season ground cover and shall be landscaped with trees and shrubs in accordance with a landscape plan submitted with an application for zoning approval. In all Zoning Districts, not less than ten percent (10%) of the lot area shall be covered with vegetative material.

1611.2 Buffer Areas Required

For nonresidential uses in the R-3 District and for all uses in the C-1, C-2 , C-3, B-P, I-1, I-1-A and I-P Districts, a buffer area, as defined by this Ordinance, shall be provided along all property lines adjoining residential use or zoning district classification. In the R-3, C-1 and C-2 Districts, the required buffer area shall be at least five (5) feet in depth as measured from the property line. In the B-P, I-1, I-1-A and I-P Districts, the required buffer area shall be at least ten (10) feet in depth as measured from the property line.

1611.1 Responsibility for Maintenance

It shall be the responsibility of the owner/applicant to assure the continued growth of all required landscaping and/or to replace the same in the event of frost, vandalism, disease or other reasons for discontinued growth of the required trees, shrubs, bushes and ground cover.

SECTION 1612 HOME OCCUPATIONS

Where authorized by this Ordinance, home occupations shall meet all of the following standards:

- (a) No more than one (1) employee, other than members of the immediate family residing on the dwelling unit, shall be permitted.
- (b) There shall be no exterior display or sign other than that permitted by Section 1609 of this Ordinance.
- (c) Adequate off-street parking shall be provided as required by Section 1608.

- (d) The use shall not create any additional environmental impact than those impacts normally resulting from residential use.
- (e) The use shall not cause an increase in the use of water, sewerage, garbage, public safety or any other municipal services beyond that which is normal for the residences in the neighborhood.
- (f) The use shall not significantly intensify the amount of vehicular or pedestrian traffic which is normal for the residences in the neighborhood.
- (g) The use shall not require internal or external alterations or construction features which are not customary to a dwelling or which change the fire rating of the structure.
- (h) There shall be no storage of materials or equipment outside an enclosed building.
- (i) There shall be no use of materials or equipment except that of similar power and type normally used in a residential dwelling for domestic or household purposes.
- (j) There shall be no regular display of merchandise or samples available for sale on the premises; however, merchandise may be stored for delivery off the premises.
- (k) No more than fifteen percent (15%) of the total floor area of the dwelling shall be devoted to the conduct of a home occupation.
- (l) A home occupation shall not be permitted to be conducted in any accessory structure.
- (m) The use shall comply with the Performance Standards specified in Section 1602.
- (n) The home occupation shall not involve the use of commercial vehicles for delivery of materials to or from the premises and commercial vehicles shall not be parked on the premises.
- (o) Home occupation is deemed to include professional offices of accountants, architects, attorneys, engineers, landscape architects, physicians, dentists and municipal officials.
- (p) The following uses shall not be considered home occupations and shall be restricted to the Zoning Districts in which they are specifically authorized as permitted uses, conditional uses or uses by special exception, including, but not limited to:

- [1] beauty or barber shops which contain more than two (2) chairs;
- [2] private instruction to more than two (2) students at a time;
- [3] offices of a realtor or insurance agent;
- [4] repair garages, as defined by this Ordinance;
- [5] restaurants;
- [6] kennels, veterinary offices and clinics;
- [7] vehicle or equipment rental or repair or sales;
- [8] clinics, hospitals or nursing homes;
- [9] tourist or boarding homes.

(q) Day care homes, as defined by this Ordinance, shall meet all of the foregoing requirements for home occupation, as well as the following:

- [1] Adequate areas for outdoor recreation shall be provided and shall be secured by a fence with self-latching gate.
- [2] A safe area shall be provided for dropping off and picking up children which does not obstruct the free flow of traffic on any public street.
- [3] Off-street parking shall be provided in accordance with the requirements of §1608.2.

SECTION 1613 COMMUNICATIONS ANTENNAS

Where authorized by this Ordinance, communications antennas shall meet all of the following requirements:

- (a) Building mounted antennas shall not be permitted on any single family dwelling or two family dwelling.
- (b) Building mounted antennas shall be permitted to exceed the maximum building height permitted in the District by no more than twenty (20) feet. Antennas mounted on public utility storage or transmission structures shall extend no more than twenty (20) feet beyond the height of the public utility storage or transmission structure. Antennas mounted on a communications tower shall not extend more than twenty (20) feet beyond the height of the tower.
- (c) Omnidirectional or whip antennas shall not exceed twenty (20) feet in height or seven (7) inches in diameter.
- (d) Directional or panel antennas shall not exceed fifty (50) feet in height or two (2) feet in width.
- (e) Satellite and microwave dish antennas mounted on a monopole communications tower or existing public utility storage or transmission structure shall not exceed two (2) feet in diameter.

- (f) The applicant proposing a building mounted antenna shall submit evidence from a structural engineer certifying that the proposed installation will not exceed the structural capacity of the building considering wind loads and other loads associated with the antenna's location.
- (g) Evidence of lease agreements and easements necessary to provide access to the building or structure for installation and maintenance of the antennas and placement of the equipment cabinet or equipment buildings shall be provided to the Township.
- (h) Unless located within a secure building, the equipment cabinet or equipment building shall be fenced by a ten (10) foot high chain link security fence with locking gate.
- (i) If vehicular access to the equipment cabinet or equipment building is not provided from a public street or paved driveway or parking area, an easement or right-of-way shall be provided which has a minimum width of twenty (20) feet and which shall be improved with a dust-free all-weather surface for its entire length.
- (j) At least one (1) off-street parking space shall be provided on the site within reasonable walking distance of the equipment cabinet or equipment building to facilitate periodic visits by maintenance workers.

SECTION 1614 HOBBY FARMS

Where authorized by this Ordinance, hobby farms shall meet all of the following regulations:

- (a) A tract of at least three (3) acres, but less than ten (10) acres shall be required for a hobby farm.
- (b) Hobby farms may include any of the activities encompassed by agriculture, as defined by this Ordinance, however, the hobby farm shall be restricted to personal use and enjoyment and any sale of animals or produce shall not constitute the principal economic activity of the residents of the hobby farm.
- (c) Roadside stands or signs advertising the sale of products shall not be permitted on a hobby farm.
- (d) The number of animals maintained on a hobby farm, if any, shall be reasonably related to the size of the property, the area available for grazing and the capacity of the land to sustain the animals without constituting a nuisance.
- (e) Any area of the property used for grazing shall be adequately fenced to properly enclose the animals and to protect adjacent properties.

- (f) No grazing of animals shall be permitted any closer than one hundred (100) feet to any occupied dwelling, other than the owner's dwelling.
- (g) No building housing animals shall be located closer than one hundred (100) feet to any occupied dwelling, other than the owner's.
- (h) The owner of the hobby farm shall not permit any litter or droppings from horses or other animals to collect so as to result in the presence of fly larvae or objectionable odors.

SECTION 1615 PRIVATE BURIAL PLOTS

Where authorized by this Ordinance in the A-1, R-2 or R-2-A Districts, private burial plots shall meet all of the following regulations:

- (a) The minimum site required to establish a private burial plot shall be ten (10) acres.
- (b) The deed for the property shall include provisions for access to the private burial plot by family members in the event the property is sold to non-family members.
- (c) The private burial plot shall be fenced and graves shall be indicated by markers.
- (d) The private burial plot shall be property maintained including elimination of weeds and brush.

SECTION 1616 AIRPORT ZONING REGULATIONS

Any property located within the flight approach to an airport operated by the Lawrence County Airport Authority shall be further subject to airport zoning regulations governing the height of structures. Applicants for development within such flight approaches shall present written evidence to the Township of compliance with all applicable airport zoning regulations.

SECTION 1617 FLOODPLAIN REGULATIONS

Any property located within a flood hazard area designated on official maps prepared for the Township by the Federal Emergency Management Agency (FEMA) shall be further subject to the provisions of the Township's Flood Plain Management Ordinance No. 1982-2, amended by Ordinance No. 1986-3, as hereafter may be amended.

ARTICLE XVII

NONCONFORMING USES, STRUCTURES AND LOTS

SECTION 1700 APPLICABILITY

This Article shall apply to all nonconforming uses, structures and lots as defined by this Ordinance. Nothing contained herein shall require any change in the overall layout, plans, construction, size or designated use of any development, building, structure or part thereof for which official approval and required permits have been granted prior to the effective date of this Ordinance or any amendment thereto and for which construction is completed within one (1) year from the date of issuance of the permit.

SECTION 1701 NONCONFORMING USES

These regulations shall apply to any use of a structure or lot in any zoning district which is a nonconforming use as defined by this Ordinance. Whenever the boundaries of a district shall be changed so as to transfer an area from one district to another of a different classification, these regulations shall also apply to any uses which thereby become nonconforming.

1701.1 Continuation

Where, at the effective date of adoption or amendment of this Ordinance a lawful use of a lot or structure exists that is made no longer permissible under the terms of this Ordinance as enacted or amended, such use may be sold or otherwise transferred to other owners and may be continued as long as it remains otherwise lawful.

1701.2 Enlargement or Expansion

No nonconforming use of a lot or structure shall be enlarged or increased or extended to occupy a greater area than was occupied at the effective date of adoption or amendment of this Ordinance, unless the Zoning Hearing Board, after hearing, shall interpret that the enlargement or extension is necessary by the natural expansion and growth of trade of the nonconforming use. Any such enlargement or expansion shall conform to the area, height and yard requirements of the district in which it is located.

No nonconforming use shall be moved in whole or in part to any other portion of the lot occupied by such use at the effective date of adoption or amendment of this Ordinance.

Any nonconforming use may be extended throughout any part of a structure which was designed for such use at the time the use became nonconforming; however, a nonconforming use shall not be extended to occupy any structure, except on a lot or portion of a lot owned at the time the use became nonconforming.

1701.3 Change of Use

A nonconforming use of a lot or structure may be changed to a use of equal or more restrictive zoning classification when authorized by the Zoning Hearing Board. When a nonconforming use is changed to a more restrictive use, such use shall not thereafter be changed to a less restrictive use. When a nonconforming use is changed to a conforming use, the use thereafter shall not be changed to a nonconforming use. Any change from one nonconforming use to another shall comply with the parking requirements of Section 1608 for the use and shall be subject to the area, bulk and buffer area regulations for such use in the district where such use is authorized.

1701.4 Abandonment

When a nonconforming use of a structure and/or lot is discontinued or abandoned for twelve (12) consecutive months or for eighteen (18) months during any three (3) year period, the structure and/or lot shall not hereafter be used, except in conformance with the regulations of the zoning district in which it is located.

1701.5 Damage or Destruction

In the R-1, R-2 and R-2-A Districts, in the event that damage or destruction of a structure in which a nonconforming use is conducted involves seventy-five percent (75%) or less of the total floor area of the structure, repairs or reconstruction may be undertaken, provided that such restoration is started within twelve (12) months of the date of destruction. In the event that a structure in which a nonconforming use is conducted is damaged or destroyed by fire or other means to an extent of more than seventy-five percent (75%) of its total floor area, the structure shall be reconstructed only to house a conforming use.

In all other Zoning Districts, any structure in which a nonconforming use is conducted and which has been partially or completely damaged or destroyed by fire or other means may be repaired or reconstructed for the purpose of continuing the same nonconforming use in the rebuilt structure, provided that the repair, reconstruction and reoccupancy of the structure occurs within two (2) years of the date that the original structure was damaged or destroyed. Any enlargement or expansion of the structure or change from one nonconforming use to another shall be subject to approval by the Zoning Hearing Board in accordance with the requirements of §§ 1701.2 and 1701.3 of this Ordinance.

SECTION 1702 NONCONFORMING STRUCTURES

These regulations shall apply to all nonconforming structures as defined by this Ordinance in all zoning districts.

1702.1 Structural Alteration

No such structure may be enlarged or structurally altered in a way which increases its nonconformity, except when the Zoning Hearing Board, after public hearing, may determine undue hardship and may authorize a reasonable modification of such structure.

1702.2 Damage or Destruction

Any nonconforming structure which has been partially or completely damaged or destroyed by fire or other means may be rebuilt or repaired on its existing foundation even though such foundation may violate the setback requirements for the Zoning District in which the structure is located, provided that the repair or reconstruction and reoccupancy of the structure occurs within two (2) years of the date that the original structure was damaged or destroyed.

1702.3 Moving

Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the requirements of the zoning district in which it is located.

1702.4 Signs

A nonconforming sign may be repaired, reconstructed or replaced, provided that no structural alterations are made which increase the gross surface area of the sign, reduce the setbacks or increase the height of the sign. A changeable copy sign may be added to an existing nonconforming pole sign without a variance if all other applicable requirements for the changeable copy sign are met.

1702.5 Repair and Maintenance

Nothing in this Ordinance shall be deemed to prevent the strengthening or restoring to a safe condition of any structure or part thereof declared to be unsafe by any official charged with protecting the safety of the populace.

SECTION 1703 NONCONFORMING LOTS

Where two (2) or more adjacent lots of record with continuous frontage have less than the required area and width and are held by one owner, the lots shall be considered to be an undivided lot for the purpose of complying with this Ordinance. The lots shall be consolidated to meet the minimum lot area and lot width requirements of the District in which they are located, unless a structure is proposed in an application for a building permit which crosses the lot lines. Any lot that does not contain part of the proposed structure shall be consolidated in a recorded subdivision before any structures can be erected on the lots.

No division of any lot shall be made which does not comply with the requirements of this Ordinance. Any change in lot lines necessary to meet the minimum requirements of this Ordinance shall constitute a revision to the recorded plan and shall meet all applicable requirements of the Township Subdivision Regulations.

Any lot of record existing at the effective date of this Ordinance, and held in separate ownership different from the ownership of adjoining lots, may be used for the erection of a structure conforming to the use regulations of the district in which it is located even though its lot area and width are less than the minimum required by this Ordinance; however, such lot must comply with the yard, height and coverage standards of the zoning district wherein it is located.

SECTION 1704 REGISTRATION OF NONCONFORMITY

The owner of a nonconforming use, structure or lot shall make an application for registration of a nonconforming use, structure or lot and upon presentation of documentation acceptable to the Zoning Officer that the use, structure or lot was lawfully in existence prior to the effective date of this Ordinance or any amendment which created the nonconformity, the Zoning Officer shall register the same on a map and by Lawrence County Deed and Assessment Registry Block and Lot number as a legal nonconforming use, structure or lot.

ARTICLE XVIII

ZONING HEARING BOARD

SECTION 1800 GENERAL

The Supervisors shall appoint a Zoning Hearing Board in accordance with Article IX of the Pennsylvania Municipalities Planning Code. The Board may adopt rules to govern its procedures, including the requirements for giving notice as required by the Planning Code. The Board shall hold meetings, keep minutes, conduct hearings pursuant to notice, compel the attendance of witnesses, take testimony under oath and render decisions as required by law. Fees for the filing of any appeal or other proceeding before the Board shall be fixed by Resolution of the Supervisors.

SECTION 1801 POWERS AND DUTIES

The Board shall have all the powers and duties conferred upon it by the Pennsylvania Municipalities Planning Code. The Board has jurisdiction in the following matters:

1801.1 Appeals

Any person or Township Official aggrieved or affected by any provision of this Ordinance or by any decision of the Zoning Officer or other Township Official may file an appeal. Any appeal from the action of the Township Supervisors or the Zoning Officer to the Zoning Hearing Board shall be filed with the Board within thirty (30) days of the notice of such action.

1801.2 Jurisdiction of the Board

The Zoning Hearing Board shall have exclusive jurisdiction to hear and render final adjudication in the following matters:

- (a) Substantive challenges to the validity of any land use ordinance, except curative amendments brought before the Township Supervisors;
- (b) Challenges to the validity of a land use ordinance raising procedural questions or alleged defects in the process of enactment or adoption which challenges shall be raised by an appeal taken within thirty (30) days after the effective date of the ordinance.
- (c) Appeals from the determination of the Zoning Officer, including, but not limited to, the granting or denial of any permit, or failure to act on the application therefor, the issuance of any cease and desist order or the registration or refusal to register any nonconforming use, structure or lot.

- (d) Appeals from the determination by the Township Engineer or the Zoning Officer with reference to the administration of any flood plain or flood hazard ordinance or such provisions within a land use ordinance.
- (e) Applications for variances from the terms of this Ordinance and flood hazard ordinance or such provisions within a land use ordinance pursuant to §1801.3.
- (f) Applications for uses by special exception under this Ordinance or flood plain or flood hazard ordinance or such provisions within a land use ordinance pursuant to §1801.4 and Section 1601.
- (g) Appeals from the Zoning Officer's determination under §916.2 of the Pennsylvania Municipalities Planning Code.
- (h) Appeals from the determination of the Zoning Officer or Township Engineer in the administration of any land use ordinance or provision thereof with reference to sedimentation and erosion control and stormwater management insofar as the same relate to development not involving subdivision and land development or planned residential development.

1801.3 Variances

In accordance with Section 912 of the Pennsylvania Municipalities Planning Code, the Board shall have the power to authorize variances from the provisions of this Ordinance. The applicant must provide evidence to the Board regarding the need for the variance based upon the following criteria:

- (a) That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary hardship is not financial and is due to such unique physical conditions, and not the circumstances or conditions generally created by the provisions of the Zoning Ordinance in the neighborhood or district in which the property is located.
- (b) That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of this Zoning Ordinance and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.
- (c) That such unnecessary hardship has not been created by the appellant.
- (d) That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, not be detrimental to the public welfare.

- (e) That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

In granting a variance, the Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of this Ordinance and the Pennsylvania Municipalities Planning Code.

1801.4 Uses by Special Exception

The Board shall have the power to decide applications for uses by special exception as specified in this Ordinance, in harmony with its general purpose and intent, and in accordance with the standards set forth. The Board shall approve a use by special exception only if it meets all applicable requirements of this Ordinance and the express standards and criteria set forth in Article XVI. In granting a use by special exception, the Board may attach such reasonable conditions and safeguards in addition to those expressed in this Ordinance as it may deem necessary to properly implement this Ordinance and protect the public health, safety and welfare.

SECTION 1802 PROCEDURES

For all applications and appeals filed before the Board, the following procedures shall apply:

1802.1 Specificity

Every appeal or application shall refer to the specific provisions of this Ordinance which are involved, and shall set forth exactly the interpretation that is claimed, the use for which approval is sought, or the justification for the variance for which application is made.

1802.2 Hearings

The first hearing shall be scheduled within sixty (60) days of the applicant's request. Notice for hearings shall be given to the public, the applicant, the Zoning Officer, any person making a timely request and such other persons as the Board may designate. A notice of the hearing shall be posted conspicuously on the affected tract of land in a conspicuous location so that it is visible from the road.

1802.3 Conduct of Hearings

Generally, hearings shall be conducted in accordance with the provisions of Section 908 of the Pennsylvania Municipalities Planning Code, this Ordinance and the Rules of the Board. A Hearing Officer may be appointed consistent with the provisions of Section 908 of the Code.

1802.4 Decisions

The Board shall render a written decision within forty-five (45) days after the last hearing. Decisions shall be accompanied by findings of fact, conclusions based thereon and the reasons therefor. Any conclusions based upon this Ordinance or the Pennsylvania Municipalities Planning Code shall contain a reference to the appropriate provision, as well as the reasons why the conclusions are deemed appropriate in view of the facts found. All decisions will be made or findings rendered at a public meeting of the Board.

1802.5 Notice of Decision

A copy of the decision, or the findings, shall be delivered to the applicant personally or mailed to him not later than the day following the date of the signing of the decision. If the applicant is present at the meeting or hearing at which the decision is rendered, he will have been deemed to have received notice. A brief notice of the decision or findings shall be sent to all parties who have filed a timely appearance along with a statement that a full copy of the text thereof may be examined at the Township Building during regular office hours.

SECTION 1803 APPEAL FROM BOARD'S DECISION

Within thirty (30) days of the date of a decision, any party aggrieved by any decision of the Board, has the right of appeal to the Lawrence County Court of Common Pleas in accordance with Article X of the Planning Code or such other law of the Commonwealth as may apply.

ARTICLE XIX

ADMINISTRATION AND ENFORCEMENT

SECTION 1900 INTENT

It is the intent of this Article to describe the procedures for administration, enforcement and amendment of this Ordinance and the duties and responsibilities of the Zoning Officer.

SECTION 1901 ZONING OFFICER

The Township Supervisors shall appoint the Zoning Officer who shall have all the powers and duties conferred on him by this Ordinance and the Pennsylvania Municipalities Planning Code. The Zoning Officer shall administer this Ordinance in accordance with its literal terms, and shall not have the power to permit any construction or any use or change of use which does not conform to this Ordinance. The Zoning Officer's duties shall include the following:

1901.1 Receipt of Applications for Building Permits

The Zoning Officer shall receive applications for building permits filed in accordance with Section 1904 prior to the start of construction or development by a developer and which describes the proposed activity in sufficient detail to determine whether or not it meets the requirements of this and other applicable Township ordinances. Applications for Uses by Special Exception, Conditional Uses and Variances shall be filed in accordance with Section 1904 and shall be forwarded by the Zoning Officer to the appropriate decision-making body. In addition, the Zoning Officer shall receive and forward all applications for appeals to the Zoning Hearing Board.

1901.2 Issuance of Permits

It shall be unlawful to use or change the use of any structure or lot or erect, structurally alter or enlarge any structure without obtaining a Building Permit or Certificate of Occupancy.

- (a) Building Permit: It shall be unlawful to structurally alter, enlarge, move, remove or construct any structure without obtaining a Building Permit. All applications shall be submitted in accordance with § 1904.3. The Zoning Officer shall review all applications for compliance with applicable Codes and ordinances and shall issue a Building Permit or a written decision denying the permit which contains references to the ordinance requirements which have not been met within ninety (90) days of receipt of the application.

- (b) Permit for Temporary Structure: Permits for temporary structures related to construction work authorized under a valid Building Permit may be issued by the Zoning Officer only for the time that construction work is in progress and for a period not to exceed six (6) months. The permit may be renewed upon demonstration of continued need for the structures however, all temporary structures shall be removed upon completion of construction.
- (c) Certificate of Use and Occupancy: It shall be unlawful to use or occupy any structure or lot without a Certificate of Use and Occupancy. Upon completion of construction, reconstruction, alteration, or movement of any structure, the holder of the Building Permit shall notify the Zoning Officer that the work has been completed and the structure is ready to be used or occupied.

In all C, Commercial, B-P, Business Park, and I, Industrial Districts, any change in occupancy or use of any structure or lot shall require the issuance of a Certificate of Use and Occupancy, whether or not there is any construction, reconstruction, alteration or movement of a structure. Prior to occupying the building or structure in which the change of use or occupancy is established, the landowner or lessee shall be required to make an application for a Certificate of Use and Occupancy.

Upon inspection and a determination that all applicable ordinance regulations and any conditions attached to the issuance of any permits have been met, the Zoning Officer shall issue a Certificate of Use and Occupancy.

1901.3 Expiration of Permits

If, after approval of conditional use or a use by special exception, an application for a Building Permit to undertake work described in that application has not been submitted within twelve (12) months of the date of granting of approval by the Township, approval of the conditional use or use by special exception shall expire automatically without written notice to the applicant, unless the Supervisors extend the approval upon written request by the applicant prior to its expiration.

No Building Permit for the excavation, erection, demolition, alteration or removal of buildings or structures shall be valid after six (6) months from the date of issuance thereof, unless the work authorized by such permit shall have been substantially commenced within six (6) months from the date of issuance and proceeded with, with due diligence. If, however, the applicant has been delayed in proceeding with the work for which the permit was granted by virtue of any reasonable cause and not due to his own negligence, the permit may be renewed without additional cost to the applicant.

If, after commencement of construction, the work is discontinued for a period of three (3) months without reasonable cause outside the applicant's or contractor's control, such permits shall be void and work may not be commenced until a new permit shall have been issued.

1901.4 Revocation of Permits

A Building Permit or Certificate of Use and Occupancy for any structure or use shall be revoked and withdrawn by the Zoning Officer if the holder of such permit or certificate has failed to comply with the requirements of this Ordinance or with any conditions attached to the issuance of the permit or certificate. Upon revocation of a permit or certificate, the holder may also be subject to the penalties for violation specified in Section 1903 of this Ordinance.

1901.5 Inspections

The Zoning Officer or his duly authorized representative may examine, or cause to be examined, all structures and/or land for which a Building Permit or a Certificate of Use and Occupancy has been applied for or issued. Such inspections may be made from time to time during construction and shall be made upon the termination of construction, if any, and prior to the issuance of a Certificate of Use and Occupancy.

1901.6 Registration of Nonconforming Uses

The Zoning Officer shall prepare and keep up to date a register of all nonconforming uses and structures.

SECTION 1902 RESPONSIBILITIES OF THE APPLICANT

It shall be the responsibility of the applicant to apply for and secure all permits and certificates required by this Ordinance. The applicant shall be obligated to contact the Zoning Officer and secure a Certificate of Use and Occupancy after the completion of development and/or prior to the occupancy of any structure or lot. Failure to secure necessary permits or certificates or failure to apply for same in a timely fashion shall constitute a violation of this Ordinance and shall be subject to the penalties for violation specified in Section 1903 of this Ordinance.

SECTION 1903 ENFORCEMENT

1903.1 Violations

Failure to comply with any provision of this Ordinance, or to secure a Building Permit, prior to the erection, construction, extension, alteration, or addition to a building, or failure to secure a Certificate of Use and Occupancy for the use or change of use or occupancy of structures or land, shall be a violation of this Ordinance.

1903.2 Enforcement Notice

When it appears to the Township and/or the Zoning Officer that a violation has occurred, the Zoning Officer shall send an enforcement notice. The enforcement notice shall be sent to the owner of record of the parcel on which the violation has occurred, to

any person who has filed a written request to receive enforcement notices regarding the parcel and to any other person requested in writing by the owner of record. The enforcement notice shall state the following:

- (a) The name of the owner of record and any other person against whom the Township intends to take action.
- (b) The location of the property in violation.
- (c) The specific violation with a description of the requirements which have not been met, citing in each instance the applicable provisions of the Ordinance.
- (d) The date before which the steps for compliance must be commenced and the date before which the steps must be completed.
- (e) That the recipient of the notice has the right to appeal to the Zoning Hearing Board within a prescribed period of time in accordance with procedures set forth in this Ordinance.
- (f) That failure to comply with the notice within the time specified, unless extended by appeal to the Zoning Hearing Board, constitutes a violation, with possible sanctions clearly described.

1903.3 Causes of Action

In case any building, structure, landscaping or land is, or is proposed to be, erected, constructed, reconstructed, altered, converted, maintained or used in violation of this Ordinance, the Township or the Zoning Officer of the Township, in addition to other remedies, may institute any appropriate action or proceeding to prevent, restrain, correct or abate such building, structure, landscaping or land, or to prevent, in or about such premises, any act, conduct business or use constituting a violation.

District Justices shall have initial jurisdiction over proceedings brought under this Section.

1903.4 Remedies

Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this Zoning Ordinance shall, upon being found liable therefore in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than five hundred dollars (\$500.00) plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the District Justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation,

unless the District Justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating this Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the District Justice and thereafter each day that a violation continues shall constitute a separate violation. All judgments, costs and reasonable attorney fees collected for the violation of this Zoning Ordinance shall be paid over to the Township.

Nothing contained in this Section shall be construed or interpreted to grant any person or entity other than the Township and its Zoning Officer the right to commence any action for enforcement pursuant to this Section.

Nothing in this Section shall be interpreted to limit the rights and remedies of the Township to seek any other legal or equitable relief for any such violation as provided for by law. All such rights and remedies shall be cumulative.

SECTION 1904 APPLICATION PROCEDURES

All applications shall be submitted in a form and manner acceptable to the Township. All applications shall be accompanied by the required fee established by Resolution of the Supervisors.

All applications to be referred to the Planning Commission shall be filed at least six (6) working days prior to the regular meeting of the Planning Commission at which the application is to be considered.

1904.1 Applications for Conditional Uses

All applications for conditional use approval shall be submitted in writing on forms provided by the Township and shall include:

- (a)** The required fee.
- (b)** A site development plan, as required by § 1904.3 (a).
- (c)** A written statement indicating compliance with the applicable express standards and criteria of Section 1601 of this Ordinance.

The Supervisors shall conduct a public hearing pursuant to public notice to evaluate all applications for conditional use in accordance with the requirements of this Ordinance and the express standards and criteria for the conditional use contained in Section 1601. The Township Supervisors shall refer all applications for conditional use to the Township Planning Commission for review and written recommendation at least thirty (30) days prior to the public hearing at which the Township Supervisors considers the application.

In considering an application for conditional use, the Supervisors may prescribe reasonable and appropriate conditions and safeguards to protect the public health, safety and welfare.

If the Supervisors determine that the application for conditional use approval meets all the requirements of this Ordinance and receives assurances that any additional conditions deemed necessary shall be fulfilled, the Supervisors shall direct the Zoning Officer to issue a Building Permit for the conditional use.

1904.2 Applications for Uses by Special Exception

All applications for uses by special exception shall be submitted in writing on forms provided by the Township and shall include:

- (a) The required fee.
- (b) A site development plan, as required by § 1904.3 (a).
- (c) A written statement indicating compliance with the applicable standards and criteria of Section 1601. In considering a use by special exception, the Zoning Hearing Board shall conduct a hearing in accordance with Section 1802 and shall review the application in accordance with § 1801.4 and the applicable express standards and criteria in Section 1601. If the Zoning Hearing Board determines that the application for use by special exception meets all the requirements of this Ordinance and receives assurances that any additional conditions deemed necessary shall be fulfilled, the Board shall direct the Zoning Officer to issue a Building Permit for the use by special exception.

1904.3 Applications for Approval of a Site Plan

All applications for approval of a conditional use or use by special exception and all applications for a Building Permit for new construction or expansion of an existing structure in the C-1, C-2, C-3, B-P, I-1, I-1-A and I-P Districts and for all uses in the R-3 District, except two family dwellings, shall include a site development plan which contains the following information:

- (a) A site development plan shall be submitted which is based on a survey of the property and which shows:
 - [1] dates of preparation and revision;
 - [2] evidence of preparation by a registered surveyor, architect, landscape architect or engineer, if required to guarantee compliance with these requirements;

- [3] area location map;
- [4] existing and proposed contours;
- [5] existing and proposed structures;
- [6] feasibility of proposals for disposition of stormwater and sanitary waste;
- [7] location and dimensions of yards and evidence of compliance with other requirements of this Ordinance;
- [8] traffic circulation on the site, ingress and egress to and from the site and layout of the proposed parking areas and loading areas; and
- [9] landscaping plan.

1904.4 Application for Building Permits

All applications shall be made in writing to the Zoning Officer on forms provided by the Township. All applications shall include, as a minimum, building and plot plans of a satisfactory nature, in duplicate, and drawn to scale showing all of the following:

- (a) the location of all existing and proposed buildings and other structures;
- (b) the location of all adjoining streets, roads and alleys;
- (c) the location of all existing buildings on adjoining properties, within one hundred (100) feet of the side and rear lot lines of the subject property;
- (d) a statement regarding the proposed use of the building or structure;
- (e) for all applications other than single family dwellings, the Pennsylvania Department of Labor and Industry File Number; and
- (f) such other information as is necessary for the Zoning Officer to ascertain whether the proposed erection, alteration, use or change in use complies with the provisions of this Ordinance.

In approving an application, the Zoning Officer may require such changes in plans as may be necessary to assure compliance with this Ordinance.

1904.5 Fees

The Township Supervisors shall establish a schedule of fees by Resolution, as well as a collection procedure, for all applications submitted under the provisions of this Ordinance. The schedule of fees shall be posted in the office of the Zoning Officer.

SECTION 1905 PROCEDURE FOR AMENDMENTS

The Supervisors may introduce and/or consider amendments to this Ordinance and to the Zoning Map, as proposed by a member of the Supervisors, the Planning Commission, or by a petition of a person or persons owning property within the Township.

1905.1 Petitions

Petitions for amendments shall be filed with the Planning Commission at least six (6) working days prior to the meeting at which the petition is to be heard. The petitioners, upon such filing, shall pay an advertising deposit and a filing fee, in accordance with a schedule fixed by Resolution of the Supervisors. The Planning Commission shall review the proposed amendment and report its findings and recommendations in writing to the Supervisors.

1905.2 Referral

Any proposed amendment presented to the Supervisors without written findings and recommendations from the Planning Commission and the Lawrence County Planning Commission, shall be referred to these agencies for review at least thirty (30) days prior to public hearing by the Board of Supervisors. The Supervisors shall not hold a public hearing upon such amendments until required reviews are received or the expiration of thirty (30) days from the date of referral.

1905.3 Posting of Property

In the case where a proposed amendment involves a change to the Zoning District Map, notice of said public hearing shall be conspicuously posted at points along the street frontage or frontages of the property sufficient to notify potentially interested citizens for a minimum of seven (7) days prior to the date of the public hearing.

1905.4 Action

Before acting upon a proposed amendment, the Supervisors shall hold a public hearing thereon, as required by law. Notice of such hearing, containing a brief summary of the proposed amendment and reference to the place where copies of the same may be examined, shall be published in accordance with the provisions of the Pennsylvania Municipalities Planning Code.

1905.5 Curative Amendments

A curative amendment may be filed only by a landowner who desires to challenge, on substantive grounds, the validity of this Ordinance or the Zoning Map or any provision thereof, which prohibits or restricts the use of development of land in which he has an interest. The landowner may submit a curative amendment to the Supervisors with a

written request that this challenge and proposed amendment be heard and decided as provided in § 609.1 and Section 1004 of the Pennsylvania Municipalities Planning Code, Act 247, as amended. As with other proposed amendments, the curative amendment shall be referred to the Planning Commission and the Lawrence County Planning Commission at least thirty (30) days before the hearing is conducted by the Board of Supervisors. Public notice shall be given in accordance with Sections 610, 1004 and any other applicable provision of the Planning Code. The hearings shall be conducted in accordance with the provisions of §§ (4) through (8) of Section 908 of the Planning Code and all references in that Section to the Zoning Hearing Board shall be references to the Supervisors.

ARTICLE XX

PLANNED RESIDENTIAL DEVELOPMENT

SECTION 2000 PURPOSE

The purpose of these Planned Residential Development (PRD) regulations is to permit residential development which is more creative and imaginative than is generally possible under conventional zoning district controls and subdivision requirements. Further, these regulations are intended to promote more economical and efficient use of the land while providing a compatible blend of housing types, amenities and community facilities of high quality, oriented to the specific development site and preserving the natural scenic qualities of open space.

SECTION 2001 APPLICABILITY AND RELATIONSHIP TO OTHER ORDINANCES

The provisions of this Article for approval of a Planned Residential Development shall be a modification to and in lieu of procedures and criteria for approvals otherwise required in this Ordinance and the Township Subdivision and Land Development Ordinance. Failure to comply with the provisions of this Article with respect to a recorded Development Plan shall be deemed to constitute a violation of this Ordinance.

SECTION 2002 SITE AREA, OWNERSHIP, USE AND DENSITY REQUIREMENTS

2002.1 Site Area

In all cases, the minimum site required for a Planned Residential Development shall be thirty (30) contiguous acres. Public easements or rights-of-way and public or private streets shall not be construed as an interruption or division of a site proposed for a Planned Residential Development. Lots in a plat of subdivision previously recorded in a Plan Book Volume in the Lawrence County Recorder of Deeds Office and intended for construction of single family dwellings shall not be consolidated to comprise any portion of a PRD site.

2002.2 Site Ownership

The site proposed for a Planned Residential Development shall be under single ownership and control. Prior to submitting an application for Tentative Approval, the applicant shall demonstrate that he is the landowner, as defined by this Ordinance. Legal, as well as equitable, ownership shall be demonstrated coincident with approval of the Final Development Plan.

2002.3 Dwelling Units Authorized

In the R-2 Zoning District, single family detached and attached dwellings and two family dwellings may be included in a Planned Residential Development, provided that a minimum of thirty percent (30%) of the total number of dwelling units in the PRD are single family detached dwellings. In the case where a PRD adjoins an established neighborhood of single family detached dwellings, the single family detached dwellings proposed in the PRD shall be located along all common property lines with the established neighborhood.

2002.4 Recreational and Other Common Facilities for the Residents

In addition to the residential uses permitted in a Planned Residential Development, recreation facilities designed for the use of the residents of the Planned Residential Development shall be permitted, including, but not limited to, hiking, biking or exercise trails; tennis, paddle tennis, basketball, volleyball or other playing courts; swimming pool and related facilities; golf course or putting green; community building for meetings and social activities; picnic pavilions; other active and passive recreational uses deemed appropriate to the proposed residents of the Planned Residential Development by the Board of Supervisors.

2002.5 Maximum Dwelling Unit Density

Regardless of whether a Planned Residential Development is comprised of a mix of dwelling unit types or a single type of dwelling unit, the maximum dwelling unit density shall be six (6) units per acre.

2002.6 Minimum Lot Area

Where dwelling units are proposed to be on lots of record in a plan of subdivision, in no case shall the minimum lot area required for a single family detached dwelling or two family dwelling be reduced to less than the following minimums:

<u>Dwelling Type</u>	<u>Minimum Lot Area</u>
Single Family Detached Dwelling	15,000 square feet
Two Family Dwelling	12,500 square feet per dwelling unit

There shall be no minimum lot area required for single family attached dwellings proposed on property to be owned in common, provided maximum dwelling unit density and all other applicable requirements of this Article are met.

2002.7 Minimum Building Setback on the Perimeter of the Planned Residential Development Site

All single family detached dwellings shall be located at least fifty (50) feet from the boundary of the Planned Residential Development site. All single family attached dwellings, two family dwellings and all other principal structures shall be located at least seventy-five (75) feet from the boundary of the Planned Residential Development site. No accessory structure and no off-street parking shall be located in the minimum required perimeter setback area.

2002.8 Distance Between Buildings

Where two (2) or more principal buildings are proposed on one (1) lot, the minimum distance between the buildings shall be twenty (20) feet.

2002.9 Modifications to Otherwise Applicable Zoning and Subdivision Regulations

- a. The Design and Construction Standards of the Township Subdivision and Land Development Ordinance shall apply to all public improvements proposed in a Planned Residential Development unless a waiver or modification is granted by the Board of Supervisors in accordance with the procedure specified in the Township Subdivision and Land Development Ordinance.
- b. Except for maximum dwelling unit density, perimeter setback and maximum building height, any of the other requirements of the underlying Zoning District classification may be modified by the Board of Supervisors in granting Tentative Approval to a Planned Residential Development, if the Board determines that the requested modification or modifications will contribute to a more beneficial use of the site, will not be contrary to the public interest and are warranted owing to unique physical circumstances or conditions unique to the particular property.
- c. All requests for modification shall be in writing and shall accompany and be a part of the application for tentative and final approval. Such written request shall specify the ordinance section from which a modification is requested and shall state the grounds for the request, the unreasonable hardship on which the request is based and the minimum modification necessary to relieve the hardship.
- d. Whenever a request for modification is granted or denied, the reasons for such grant or denial shall be stated within the official written communication to the landowner. The grant of a modification request may be subject to reasonable conditions designed to promote the purposes set forth in this Article.

SECTION 2003 ACCESS AND AVAILABILITY OF PUBLIC SERVICES

2003.1 Access and Traffic Control

The street network within the site of a Planned Residential Development (PRD) shall connect directly to an arterial or collector street, as defined by this Ordinance or shall connect to an existing local street at a point that is no more than 2,000 feet from the intersection of the existing local street with an arterial or collector street. In no case shall any proposed street within the PRD site be connected to the existing street system through any property or any existing or proposed streets located in the A-1 District.

The projected traffic volumes associated with the proposed Planned Residential Development shall be capable of being accommodated by the adjacent street network. The developer shall demonstrate, by submission of a Traffic Study, that the projected traffic from the Planned Residential Development shall not materially increase congestion and impair safety on adjacent public streets.

Ingress and egress to and from the site shall be designed to comply with the minimum requirements of the Township Subdivision and Land Development Ordinance. All streets within the Planned Residential Development shall be dedicated to the Township.

2003.2 Public Water and Sewer Service

All dwelling units and other principal structures in a Planned Residential Development shall be connected to a public water supply and public sanitary sewer service.

2003.3 Storm Drainage

The developer shall provide a storm drainage system within a Planned Residential Development that shall be of sufficient size and design to collect, carry off and dispose of all predictable surface water runoff within the Planned Residential Development and shall be so constructed to conform with the statutes, ordinances and regulations of the Commonwealth of Pennsylvania and the Stormwater Management regulations contained in the Township Subdivision and Land Development Ordinance. All storm water management facilities shall be owned and maintained by the Homeowners Association or similar organization created to own and maintain the common open space with the PRD. The Homeowners Association documents shall contain provisions assigning the maintenance responsibility to the Association or similar organization, including a maintenance schedule that is reviewed and approved by the Township Engineer.

SECTION 2004 COMMON OPEN SPACE

2004.1 Areas Required

- a. Common open space shall comprise at least twenty percent (20%) of the total gross site area of the PRD.
- b. Of the required open space area, not more than fifty percent (50%) may be covered by water.
- c. Recreational facilities or structures and their accessory uses located in common open space areas shall be considered improved open space as long as the total impervious surface area constitutes no more than five percent (5%) of the total common open space.
- d. To the extent feasible, steep slopes, streams, lakes, ponds, woodlands and other environmentally sensitive areas shall be incorporated into the common open space; however, no more than twenty percent (20%) of the required open space area shall be in excess of a twenty-five percent (25%) slope.

2004.2 Protection of Common Open Space

Common open space in a Planned Residential Development shall be protected by adequate covenants running with the land or by conveyances or dedications. A Planned Residential Development shall be approved subject to the submission of a legal instrument or instruments setting forth a plan for the permanent preservation, care and maintenance of such common open space, recreational areas and other facilities owned in common. No such instrument shall be acceptable until approved by the Board of Supervisors as to legal form and effect. In cases where the Township will not be accepting dedication of recreation areas or common open spaces, the developer shall provide for an organization or trust for ownership and maintenance of the common open space and common facilities.

2004.3 Common Open Space Maintenance

In the event that the organization established to own and maintain the common open space, or any successor thereto, shall at any time after establishment of the Final Development Plan fail to maintain the common open space, including all streets, driveways and recreational facilities, in reasonable order and condition in accordance with the Development Plan granted Final Approval, the Township may take remedial action to cause the common open space and common facilities to be properly maintained, as provided for in Section 705(f) of the Pennsylvania Municipalities Planning Code.

SECTION 2005 BUFFER AREAS

A Buffer Area, as defined by this Ordinance, at least ten (10) feet in depth as measured from the property line shall be provided along all property lines on the perimeter of a Planned Residential Development site adjoining an A-1, R-1, R-2 or R-2-A District.

SECTION 2006 ADMINISTRATION AND PROCEDURE

The Planned Residential Development provisions of this Ordinance shall be administered by the Board of Supervisors. The Planning Commission shall review all applications on the basis of the standards specified in this Article and make a recommendation to the Board of Supervisors. The Board of Supervisors shall conduct the public hearings required by the Pennsylvania Municipalities Planning Code and shall have the final authority to approve, approve with conditions or disapprove a Planned Residential Development.

2006.1 Pre-Application Conference

Prior to filing an application for Tentative Approval, the applicant or his representative may meet with Township staff to obtain application forms and to discuss application procedures and applicable ordinance requirements.

In addition, the developer may request a pre-application conference with the Planning Commission to discuss the conceptual design for the development of the property and the feasibility and timing of the application. The applicant shall contact the Township Zoning Officer at least five (5) calendar days prior to the regular meeting of the Planning Commission to request a pre-application conference with the Planning Commission.

The pre-application conference with the Planning Commission is voluntary and no formal application or fee is required. This opportunity is afforded to the developer to obtain information and guidance before entering into binding commitments or incurring substantial expenses for plan preparation.

While no formal application is required for a pre-application conference, the applicant should provide one (1) copy of readily available information with the request for a pre-application conference which shows the location of the property and any special features such as streams, floodplains or other conditions that may affect the development of the property. Readily available resources which may be used include the deed for the property, a property survey, the Tax Parcel Maps prepared by the Lawrence County Assessor's Office, U.S.G.S. Quadrangle Map showing natural features and topography, the National Flood Insurance Administration (NFIA) Flood Hazard Boundary Maps, Natural Resources Conservation Service Maps of soil types and the U.S. Bureau of Mines coal mine maps.

A pre-application conference shall not constitute formal filing of any application for approval of a Planned Residential Development, shall not bind the Planning Commission to approve any concept presented in the pre-application conference and shall not protect the application from any subsequent changes in ordinance provisions that may affect the proposed development between the pre-application conference and the official date of filing of an application for Tentative Approval of a Planned Residential Development under the terms of this Ordinance.

2006.2 Application for Tentative Approval

At least thirty (30) calendar days prior to the regular meeting of the Planning Commission, fifteen (15) copies of an Application for Tentative Approval shall be submitted. The application shall be in sufficient detail for the Planning Commission to determine compliance with the standards of this Article and shall contain, at a minimum, the following information:

- a. A legal description of the total tract proposed for development, including a statement of present and proposed ownership.
- b. A written statement of planning objectives to be achieved by the Planned Residential Development through the particular approach proposed by the developer. The statement shall include a description of the character of the proposed development and its relationship to the immediate area in which it is to be located.
- c. A written statement setting forth the reasons why the proposed Planned Residential Development would be in the public interest and would be consistent with the Township's Comprehensive Plan.
- d. A written statement of the requested modifications to Township Zoning and Subdivision regulations otherwise applicable to the property, if any.
- e. A location map which clearly shows the location and area of the site proposed for development with relation to all lands, buildings and structures within two hundred (200) feet of its boundaries, the location and distance to existing streets and highways and the names of landowners of adjacent properties.
- f. A Development Plan prepared at a scale no smaller than one inch equals fifty feet (1"=50') showing the following information:
 - 1. Existing contours at intervals of five (5) feet; watercourses; floodplains; wetlands; woodlands; soils; steep slopes; and other natural features.
 - 2. Proposed lot lines and subdivision plat, if any.

3. The location of all existing and proposed buildings, structures and other improvements, including maximum heights, types of dwelling units and dwelling unit density. Preliminary elevations and architectural renderings shall be provided.
 4. The location and size in acres or square feet of all areas to be conveyed, dedicated or reserved as common open space.
 5. The existing and proposed vehicular circulation system of local and collector streets, including off-street parking areas, service areas, loading areas and major points of access from the Planned Residential Development to public rights-of-way.
 6. The existing and proposed pedestrian circulation system, including its interrelationship with the vehicular circulation system and proposed treatment for any points of conflict between the two (2) systems.
 7. The existing and proposed utility systems, including sanitary sewers, storm sewers and water, electric, gas and telephone lines.
 8. Subsurface conditions, including slope stability.
 9. A minimum of three (3) cross-sections showing existing and proposed contours and their relationship to proposed buildings, structures, highways, streets, parking areas, walkways and existing woodlands.
 10. A general landscaping plan indicating the treatment and materials proposed to be used in Buffer Areas and common areas on the site.
 11. Information required by the Township Subdivision and Land Development Ordinance including application filing and application review fees.
- g.** In the case of development plans which call for development over a period of years, a schedule for phasing the development shall be provided. This phasing schedule shall be reviewed annually with the Planning Commission on the anniversary of Tentative Approval or as each phase is completed, whichever occurs first.

2006.3 Review of Application by Zoning Officer and Planning Commission

The Zoning Officer shall review the application to determine whether it is complete and properly filed in accordance with all requirements of this Ordinance. If the Zoning Officer determines that the application is not complete and properly filed, written notice shall be provided to the applicant specifying the defects in the application and returning the application for resubmission. If a revised application is resubmitted within sixty (60) days of the date of the written notice from the Zoning Officer, an application filing fee

shall not be required. Any application submitted after sixty (60) days shall be considered a new application and shall be accompanied by the required application filing fee.

If the Zoning Officer determines that the application is complete and properly filed, the date that the application is received by the Zoning Officer shall constitute the Official Date of Filing. Within five (5) days of receipt of a complete and properly filed application, the Zoning Officer shall transmit a copy to the Lawrence County Planning Commission for review and comment and shall refer the application to the Township Planning Commission for review and recommendation.

If, during review by the Planning Commission, the applicant revises the application to address comments from the Planning Commission or to demonstrate compliance with this Ordinance, a new application shall not be required. If, during review by the Planning Commission, the applicant initiates revisions to the application which are not the result of Planning Commission comments and which are not mandated to demonstrate compliance with this Ordinance, the applicant shall withdraw the application and submit a new application which shall be subject to the payment of the required application filing fee.

The Planning Commission shall forward a written recommendation on the application for Tentative Approval to the Board of Supervisors in time for the Board of Supervisors public hearing required by §2006.4 of this Ordinance.

2006.4 Board of Supervisors' Public Hearing on Application for Tentative Approval

Within sixty (60) days following the Official Date of Filing of an application for Tentative Approval of a Planned Residential Development which contains all of the required documentation, a public hearing pursuant to public notice shall be held by the Board of Supervisors.

The public hearing shall be conducted in the manner prescribed in Article IX of the Pennsylvania Municipalities Planning Code and all references to the Zoning Hearing Board in Article IX shall apply to the Board of Supervisors. The public hearing or hearings shall be concluded within sixty (60) days of the first hearing.

The Township may offer mediation as an aid in completing these proceedings, provided that, in exercising such an option, the Township and the mediating parties shall meet the stipulations and follow the procedures set forth in the Pennsylvania Municipalities Planning Code (Act 247 of 1968, as amended).

2006.5 Tentative Approval

Within sixty (60) days following the conclusion of the public hearings or within one hundred eighty (180) days of the date of filing of the application, whichever occurs first, the Board of Supervisors shall, by official written communication to the landowner, either:

- a. Grant Tentative Approval of the Development Plan, as submitted;
- b. Grant Tentative Approval of the Development Plan, subject to specified conditions not included in the Development Plan as submitted; or
- c. Deny Tentative Approval.

Failure to act within said period shall be deemed to be a grant of Tentative Approval of the Development Plan as submitted. In the event, however, that Tentative Approval is granted subject to conditions, the landowner may, within thirty (30) days after receiving a copy of the official written communication of the Board of Supervisors, notify the Board of Supervisors of his refusal to accept all said conditions, in which case, the Board of Supervisors shall be deemed to have denied Tentative Approval of the Development Plan. In the event that the landowner does not, within said period, notify the Board of Supervisors of his refusal to accept all said conditions, Tentative Approval of the Development Plan, with all said conditions, shall stand as granted.

SECTION 2007 CRITERIA FOR TENTATIVE APPROVAL

The Board of Supervisors shall grant Tentative Approval if, and only if, all applicable requirements of this Article are met and all of the following criteria are met.

2007.1

The proposed application for Tentative Approval complies with all standards, restrictions, criteria, requirements, regulations and procedures of this Ordinance; preserves the Community Development Objectives of this Ordinance; and is found by the Board of Supervisors to be compatible with the public interest and consistent with the Township's Comprehensive Plan.

2007.2

Where the proposed application for Tentative Approval provides standards which vary from this Ordinance and the Township Subdivision and Land Development Ordinance otherwise applicable to the subject property, such departure shall promote protection of the environment, and public health, safety and welfare and shall be in the public interest.

2007.3

The proposals for the maintenance and conservation of any proposed common open space are reliable and meet the standards of this Ordinance and the amount and extent of improvements within the common open space are appropriate with respect to the purpose, use and type of the residential development proposed.

2007.4

The physical design of the proposed Development Plan adequately provides for public services, traffic facilities and parking, light, air, recreation and visual enjoyment.

2007.5

The proposed Development Plan is beneficially related to the immediate area in which it is proposed to be located.

2007.6

The proposed Development Plan will afford adequate protection of natural watercourses, floodplains, wetlands, topsoil, woodlands, steep slopes and other natural features and will prevent erosion, landslides, siltation and flooding.

2007.7

In the case of a Development Plan which proposes development over a period of years, the terms and conditions thereof are sufficient to protect the interests of the public and of the residents of the Planned Residential Development in the integrity of the Final Development Plan.

SECTION 2008 APPLICATION FOR FINAL APPROVAL

Unless extended by the Board of Supervisors for good cause shown, the developer shall submit fifteen (15) copies of the application for Final Approval which shall consist of detailed plans for any phase or section of the Development Plan, within one (1) year after the Development Plan is granted Tentative Approval by the Board of Supervisors. No building permit shall be issued until Final Approval has been granted by the Board of Supervisors for the phase or section in which the proposed development is located. Final Approval for any phase or section shall expire if construction is not initiated for the phase or section within one (1) year of the date of Final Approval of the phase or section by the Board of Supervisors, unless extended by the Board of Supervisors for good cause shown.

2008.1 Review of Application by Zoning Officer and Planning Commission

The Zoning Officer shall review the application to determine whether it is complete and properly filed in accordance with all requirements of this Ordinance. If the Zoning Officer determines that the application is not complete and properly filed, written notice shall be provided to the applicant specifying the defects in the application and returning the application for resubmission.

If the Zoning Officer determines that the application is complete and properly filed, the date that the application is received by the Zoning Officer shall constitute the Official Date of Filing. Within five (5) days of receipt of a complete and properly filed application, the Zoning Officer shall refer the application to the Planning Commission for review and recommendation.

Within thirty (30) days of receipt of a complete and properly filed application for Final Approval, the Planning Commission shall forward a written recommendation to the Board of Supervisors.

A public hearing on an application for Final Approval shall not be required, provided the development plan is in compliance with the development plan given Tentative Approval and with any specified conditions attached thereto.

2008.2 Action by Board of Supervisors on Application for Final Approval

In the event that an application for Final Approval has been filed, together with all drawings, specifications and other documentation in support thereof, in accordance with the requirements of this Ordinance and the official written communication granting Tentative Approval, the Board of Supervisors shall, within forty-five (45) days of the Official Date of Filing, grant Final Approval to the Development Plan.

2008.3 Variations from the Plan Granted Tentative Approval

In the event that the development plan submitted contains variations from the development plan granted Tentative Approval, the Board of Supervisors may refuse to grant Final Approval and may, within forty-five (45) days of the Official Date of Filing of the application for Final Approval, advise the applicant, in writing, of said refusal, setting forth in said notice the reasons why one (1) or more of the variations are not in the public interest. In the event of such refusal, the landowner may either:

- a. Refile the Application for Final Approval without the variations objected; or
- b. File a written request with the Board of Supervisors that it hold a public hearing on the Application for Final Approval.

If the landowner wishes to take either alternate action, he may do so at any time within which he shall be entitled to apply for Final Approval, or within thirty (30) additional days, if the time for applying for Final Approval shall have already passed at the time when the landowner was advised that the Development Plan was not in substantial compliance.

If the landowner fails to take either of these alternate actions within said time, he shall be deemed to have abandoned the Development Plan.

2008.4 Optional Public Hearing on Final Application That Varies from Plan Granted Tentative Approval

Any public hearing held on an Application for Final Approval shall be held pursuant to public notice within thirty (30) days after the request for the hearing is made by the landowner and the hearing shall be conducted in the manner prescribed in this Article for public hearings on an application for Tentative Approval.

Within thirty (30) days after the conclusion of the public hearing, the Board of Supervisors shall, by official written communication, either grant or deny Final Approval. The grant or denial of Final Approval of the Development Plan shall, in cases where a public hearing is required, be in the form and contain the findings required for an application for Tentative Approval.

2008.5 Changes in the Approved Plan

Changes in the location and siting of buildings and structures deemed minor by the Board of Supervisors may be authorized without additional public hearings, if required by engineering or other circumstances not foreseen at the time of Tentative Approval. However, gross and net density established at the time of Tentative Approval shall not be changed without a public hearing.

2008.6 Application for Final Approval

The application for Final Approval shall comply with all applicable ordinance provisions and the Development Plan shall include, as a minimum, the following information:

- a. All data required by the Township Subdivision and Land Development Ordinance for a Final Plan, including application filing, application review and inspection fees.
- b. Accurately dimensioned locations for all proposed buildings, structures, parking areas and common open space.
- c. The number of families to be housed in each residential building or structure and the intended use of each non-residential building or structure.

- d. Building elevation drawings for all principal structures, other than single family dwellings.
- e. A lighting plan, showing the location, height and type of any exterior lighting fixtures proposed and a photometric plan showing the distribution of lighting on the site and at the site boundaries.
- f. A Landscaping Plan, as defined by this Ordinance, including the location and types of materials of plant materials, sidewalks, trails and recreation facilities authorized by this Ordinance.
- g. Supplementary data, including any covenants, grants of easements or other restrictions to be imposed on the use of the land, building and structures and for the organization proposed to own, maintain and operate the common open space facilities.
- h. An engineering report which shall include the following data, wherever applicable:
 - 1. Profiles, cross-sections and specifications for proposed public and private streets.
 - 2. Profiles and other explanatory data concerning installation of water distribution systems, storm sewers and sanitary sewers.
 - 3. Feasibility of the sanitary sewerage system in terms of capacity to serve the proposed development.
- i. A grading plan prepared in compliance with the requirements of the Township Grading Ordinance.
- j. An Erosion and Sedimentation Control Plan which shall specifically indicate all erosion and sedimentation control measures to be utilized on the site. The Erosion and Sedimentation Control Plan shall be designed to prevent accelerated erosion and sedimentation. The Plan shall include but not be limited to, the following:
 - 1. The topographic features of the site;
 - 2. The types, depth, slope and extent of the soils by area;
 - 3. The proposed alterations to the site;
 - 4. The amount of runoff from the site area and the upstream watershed;
 - 5. The staging of earthmoving activities;

- 6. Temporary control measures and facilities during earthmoving;
 - 7. Permanent control measures and facilities for long-term protection;
 - 8. A maintenance program for the control facilities, including disposal of materials removed from the control facilities or site area.
- k. A stormwater management plan prepared in compliance with the requirements of the Township Stormwater Management Ordinance.
 - l. Performance Bond and Development Agreement as required by the Township Subdivision and Land Development Ordinance.

2008.7 Recording

A Final Development Plan, or any part thereof, which has been granted Final Approval shall be so certified without delay by the Board of Supervisors and shall be filed of record in the Office of the Recorder of Deeds before any development shall take place in accordance therewith. Approval for recording shall be subject to posting of the financial security required by the Township Subdivision and Land Development Ordinance for public and private improvements in the Development Plan.

2008.8 Revocation of Final Approval

In the event that a Development Plan, or section thereof, is given Final Approval and thereafter the landowner shall abandon such plan, or section thereof, that has been finally approved, and shall so notify the Board of Supervisors in writing; or, in the event that the landowner shall fail to commence and carry out the Planned Residential Development in accordance with the time provisions stated in Section 508 of the Pennsylvania Municipalities Planning Code after Final Approval has been granted, no further development shall take place on the property included in the Development Plan until a new application for Tentative Approval of a Planned Residential Development is submitted for said property or the property is developed in accordance with the then applicable Zoning District regulations.

ORDAINED AND ENACTED THIS 16th DAY OF July, 2013.

BOARD OF SUPERVISORS
 /s/ Ralph R. Sheen, Jr.
 /s/ Joseph G. Gerlach
 /s/ Edwin G. Stevens

ATTEST:

/s/ Leslie S. Bucci
 Township Secretary-Treasurer

APPENDIX I

ILLUSTRATION OF LOT AREA AND YARD REQUIREMENTS

TYPICAL LOT

Public or Private Street
Right of Way Line

Cartway

Centerline

Front Lot Line
(Right of Way Line)

Front Yard

Lot Width
(measured at
building line)

Rear Yard Setback

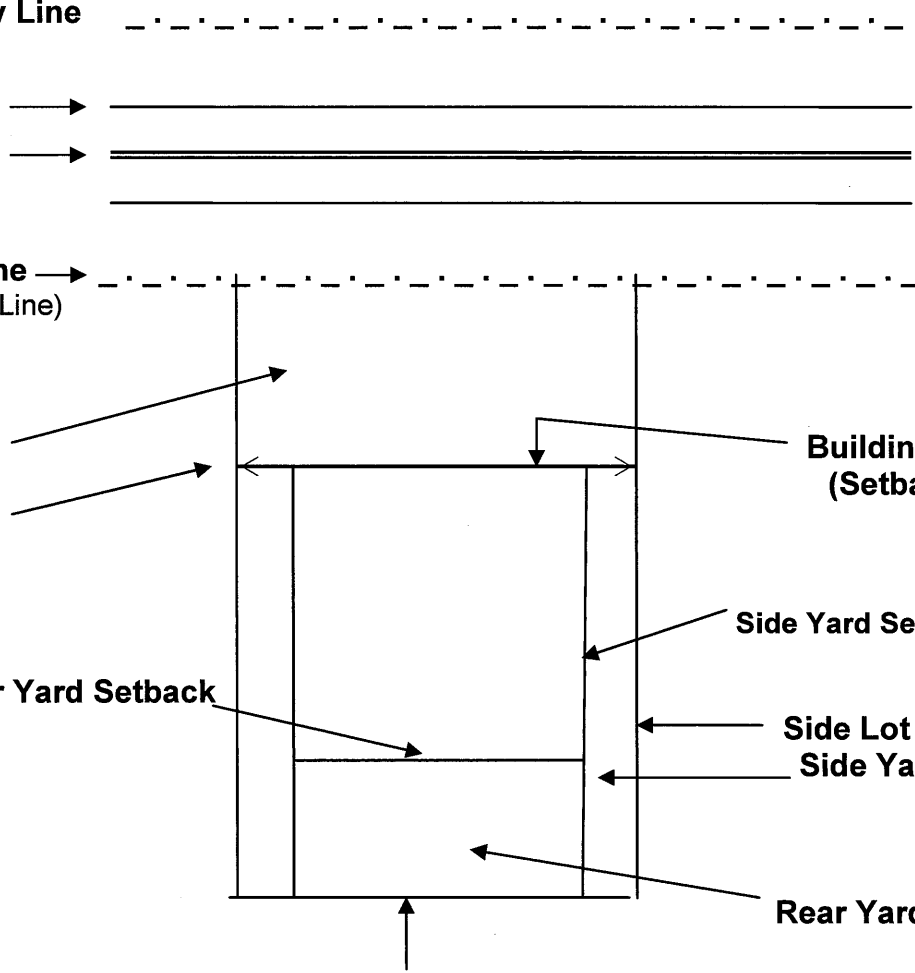
Rear Lot Line

Building Line
(Setback)

Side Yard Setback

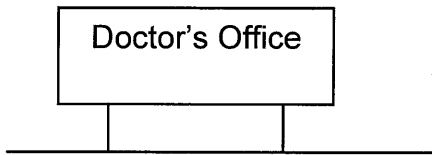
Side Lot Line
Side Yard

Rear Yard

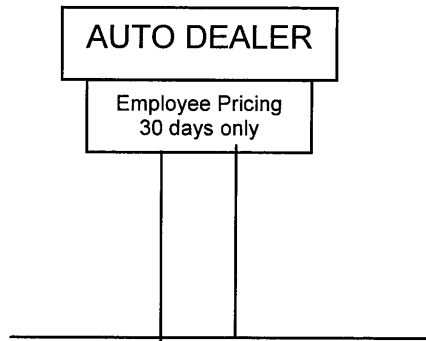


APPENDIX II
ILLUSTRATION OF SIGN TYPES AND CLASSES
(See § 1609.1)

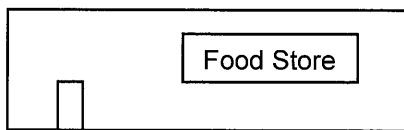
Freestanding Ground Sign



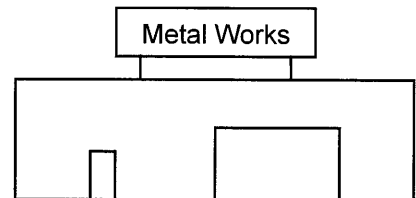
**Freestanding Pole Sign
with Changeable Copy Sign
Attached to Pole**



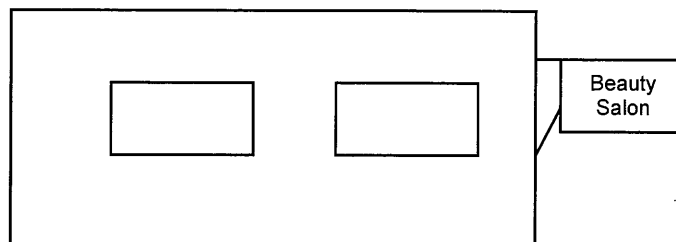
Wall Sign



Roof Sign



Projecting Sign



APPENDIX III

TABLE OF AUTHORIZED USES – AGRICULTURAL AND RESIDENTIAL DISTRICTS

	A-1 Agricultural District	R-1 Residential Urban District	R-2 Residential Rural District	R-2-A Special Residential Rural District	R-3 Residential High Density District
PRINCIPAL USES					
Multi Family Dwellings	N	N	N	N	P
Single Family Attached Dwelling	N	N	PRD	N	P
Single Family Detached Dwelling	P	P	P & PRD	P	P
Two Family Dwellings	N	SE	PRD	N	P
Agriculture	P	N	P	P	N
Bed and Breakfast	CU	N	N	N	N
Billboards	P	N	P	P	N
Cemetery	N	CU	CU	CU	N
Churches	N	SE	SE	SE	SE
Communications Antenna on an existing building or an existing public utility storage or transmission structure	N	N	P	N	N
Essential Services	P	P	P	P	P
Fire Departments, excluding rental facilities	N	P	P	P	P
Forestry	P	P	P	P	P
Golf Course or Country Club	N	CU	CU	CU	N
Group Home	P	P	P	P	P
Hunting or Fishing Club	P	N	N	N	N
Impoundment	CU	N	CU	CU	N

NOTE: This Table is not complete in every detail and must be used in conjunction with Articles IV through VIII. Where there is a conflict, Articles IV through VIII supersede this Table.

P = Permitted CU = Conditional Use SE = Special Exception N = Not Permitted
PRD = Planned Residential Development

**APPENDIX III
TABLE OF AUTHORIZED USES – AGRICULTURAL AND RESIDENTIAL DISTRICTS**

PRINCIPAL USES	A-1 Agricultural District	R-1 Residential Urban District	R-2 Residential Rural District	R-2-A Special Residential Rural District	R-3 Residential High Density District
Libraries	N	SE	SE	SE	N
Mineral Removal	CU	N	N	CU	N
Mobile Home Park	N	N	N	CU	N
Municipal Building	N	P	P	P	P
Natural Gas Compressor Station	CU	N	N	N	N
Nursing Home	N	N	N	N	N
Oil and Gas Operations	CU	N	CU	CU	CU
Personal Care Boarding Home	N	N	N	N	CU
Planned Residential Developments	N	N	CU	N	N
Private Non-Profit Multi-Purpose Sports and Recreation Facilities	N	N	N	N	N
Private Schools	N	N	N	N	CU
Public Parks and Playgrounds	N	CU	CU	CU	N
Public Schools	N	CU	CU	CU	CU
Public Utility Buildings	SE	P	CU	CU	N
Radio, TV and Microwave Towers	CU	SE	SE	SE	SE
Riding Academy	SE	N	N	N	N

NOTE: This Table is not complete in every detail and must be used in conjunction with Articles IV through VIII. Where there is a conflict, Articles IV through VIII supersede this Table.

P = Permitted CU = Conditional Use SE = Special Exception N = Not Permitted
PRD = Planned Residential Development

**APPENDIX III
TABLE OF AUTHORIZED USES – AGRICULTURAL AND RESIDENTIAL DISTRICTS**

	A-1 Agricultural District	R-1 Residential Urban District	R-2 Residential Rural District	R-2-A Special Residential Rural District	R-3 Residential High Density District
PRINCIPAL USES					
Uses Not Specifically Listed	SE	N	N	N	N
Veterinary Clinic	SE	N	N	N	N
ACCESSORY USES					
Domiciliary Care	P	P	P	P	P
Hobby Farm	P	N	P	P	N
Home Gardening	P	P	P	P	P
Home Occupation	P	P	P	P	P
Individual Wind Energy System	SE	N	SE	SE	N
No Impact Home-Based Business	P	P	P	P	P
Private Burial Plots	P	N	P	P	N
Riding Academy	SE	N	N	N	N
Signs	P	P	P	P	P
Veterinary Clinic	SE	N	N	N	N
Accessory uses customarily incidental to and on the same lot with any permitted use, conditional use or use by special exception authorized in this District.	P	P	P	P	P

NOTE: This Table is not complete in every detail and must be used in conjunction with Articles IV through VIII. Where there is a conflict, Articles IV through VIII supersede this Table.

P = Permitted CU = Conditional Use SE = Special Exception N = Not Permitted
PRD = Planned Residential Development

**APPENDIX III
TABLE OF AUTHORIZED USES – NONRESIDENTIAL DISTRICTS**

USE	C-1 Limited Commercial District	C-2 Highway Commercial District	C-3 Special Commercial District	B-P Business Park District	I-1 General Industrial District	I-1-A Special Industrial District	I-P Industrial Park District
PRINCIPAL USES							
Adult Business	N	N	N	N	N	CU	N
Agriculture	N	N	N	CU	N	N	N
Ancillary Commercial	N	N	N	CU	N	N	N
Automotive Sales, Rental and Services	P	P	N	N	N	N	N
Bakeries	P	P	P	N	N	N	N
Bakery, Confectionery or Food Shop, including food preparation	N	P	P	N	N	N	N
Banks	P	P	P	N	N	N	N
Billboards	N	N	P	N	P	N	P
Builder's Supply	N	N	N	N	P	P	N
Car Wash	SE	SE	SE	N	P	P	P
Cemetery	N	P	N	N	N	N	N
Church	N	P	N	N	N	N	N
Clinics, other than Methadone Clinic	N	P	P	N	N	N	N
Club	N	SE	N	N	N	N	N
Commercial Amusement	N	P	N	N	N	N	N
Communications Tower	N	CU	CU	CU	CU	N	N
Contractor's Yard	N	N	N	N	P	P	N

NOTE: This Table is not complete in every detail and must be used in conjunction with Articles IX through XV. Where there is a conflict, Articles IX through XV supersede this Table.

P = Permitted CU = Conditional Use SE = Special Exception N = Not Permitted

**APPENDIX III
TABLE OF AUTHORIZED USES – NONRESIDENTIAL DISTRICTS**

USE	C-1 Limited Commercial District	C-2 Highway Commercial District	C-3 Special Commercial District	B-P Business Park District	I-1 General Industrial District	I-1-A Special Industrial District	I-P Industrial Park District
PRINCIPAL USES							
Conversion Apartment	SE	N	N	N	N	N	N
Day Care Center	SE	P	N	N	N	N	N
Dental Lab	N	P	N	N	N	N	N
Drug and/or Alcohol Counseling Center	N	CU	N	N	N	N	N
Emergency Services	N	N	N	CU	N	CU	CU
Essential Services	P	P	P	P	P	P	P
Fire Departments, excluding rental facilities	P	P	N	N	N	N	N
Forestry	P	P	P	P	P	P	P
Funeral Homes	P	P	N	N	N	N	N
Health Club or Fitness Center	N	N	N	P	P	P	P
Heavy Manufacturing	N	N	N	N	P	P	N
Hospital	N	CU	CU	N	N	N	N
Impoundment	N	N	N	N	N	N	N
Internet Café	N	N	SE	N	SE	N	N
Junkyard	N	N	N	N	CU	CU	N
Kennel	N	SE	N	N	N	N	N
Landfill	N	N	N	N	CU	CU	N
Library	N	P	N	N	N	N	N

NOTE: This Table is not complete in every detail and must be used in conjunction with Articles IX through XV. Where there is a conflict, Articles IX through XV supersede this Table.

P = Permitted CU = Conditional Use SE = Special Exception N = Not Permitted

**APPENDIX III
TABLE OF AUTHORIZED USES – NONRESIDENTIAL DISTRICTS**

USE	C-1 Limited Commercial District	C-2 Highway Commercial District	C-3 Special Commercial District	B-P Business Park District	I-1 General Industrial District	I-1-A Special Industrial District	I-P Industrial Park District
PRINCIPAL USES							
Light Manufacturing	N	N	N	P	P	P	P
Methadone Clinic	N	CU	N	N	N	N	N
Mineral Removal	N	N	N	N	CU	CU	N
Motel/Hotel	N	P	P	N	N	N	N
Multifamily Dwellings	P	N	N	N	N	N	N
Municipal Buildings	P	P	N	CU	N	N	N
Music and Art Studios	P	P	N	N	N	N	N
Natural Gas Compressor Station	N	N	N	N	CU	N	N
Natural Gas Processing Plant	N	N	N	N	CU	N	N
Nursing Home	N	CU	N	N	N	N	N
Offices, including Corporate Offices	P	P	P	P	P	P	P
Oil and Gas Operations	N	CU	CU	CU	CU	CU	CU
Outdoor Amusement	N	CU	N	N	N	N	N
Personal Care Boarding Home	CU	N	CU	N	N	N	N
Personal Services	P	P	N	P	P	P	P
Pet Grooming	N	P	N	N	N	N	N
Pet Services	N	P	N	N	N	N	N

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**APPENDIX III
TABLE OF AUTHORIZED USES – NONRESIDENTIAL DISTRICTS**

USE	C-1 Limited Commercial District	C-2 Highway Commercial District	C-3 Special Commercial District	B-P Business Park District	I-1 General Industrial District	I-1-A Special Industrial District	I-P Industrial Park District
PRINCIPAL USES							
Private Schools	N	N	N	P	N	N	N
Public Parks and Playgrounds	N	P	N	N	N	N	N
Public Schools	N	N	N	P	N	N	N
Public Utility Building	SE	SE	SE	SE	SE	SE	SE
Recycling Collection	N	N	N	CU	N	N	N
Repair Garage	N	P	N	N	P	P	P
Research and Testing Labs, not involving the processing or production of any toxic or hazardous materials	N	N	N	P	P	P	P
Research and Testing Labs, involving the processing or production of any toxic or hazardous materials	N	N	N	N	P	P	P
Residence in Combination with Commercial	SE	N	N	N	N	N	N
Restaurant, Fast Service	P	P	P	P	P	P	P
Restaurant, Full Service	P	P	P	P	P	P	P
Retail Stores	P	P	P	N	N	N	N
Semi-Conductor Industries and Related Industries	N	N	N	P	P	P	P
Service Station	SE	SE	SE	SE	SE	SE	SE

NOTE: This Table is not complete in every detail and must be used in conjunction with Articles IX through XV. Where there is a conflict, Articles IX through XV supersede this Table.

P = Permitted CU = Conditional Use SE = Special Exception N = Not Permitted

**APPENDIX III
TABLE OF AUTHORIZED USES – NONRESIDENTIAL DISTRICTS**

USE	C-1 Limited Commercial District	C-2 Highway Commercial District	C-3 Special Commercial District	B-P Business Park District	I-1 General Industrial District	I-1-A Special Industrial District	I-P Industrial Park District
PRINCIPAL USES							
Single Family Attached Dwellings	P	N	N	N	N	N	N
Single Family Detached Dwellings	P	N	N	N	N	N	N
Storage Buildings, Storage Rental Facilities	N	N	N	N	P	P	P
Theaters	N	P	P	N	N	N	N
Truck Stop	N	N	N	N	N	N	SE
Truck Terminals	N	N	N	N	P	P	N
Two Family Dwellings	P	N	N	N	N	N	N
Uses Not Specifically Listed	SE	SE	SE	SE	SE	SE	SE
Veterinary Clinic	N	SE	N	N	N	N	N
Warehousing	N	N	N	P	P	P	P
Wind Farm	N	N	N	N	CU	N	N

ACCESSORY USES

Communications Antennas on an approved Communications Tower or on an existing building or an existing public utility storage or transmission structure	N	N	P	P	P	P	N
Home Occupation	P	P	P	P	P	P	P

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**APPENDIX III
TABLE OF AUTHORIZED USES – NONRESIDENTIAL DISTRICTS**

USE	C-1 Limited Commercial District	C-2 Highway Commercial District	C-3 Special Commercial District	B-P Business Park District	I-1 General Industrial District	I-1-A Special Industrial District	I-P Industrial Park District
ACCESSORY USES							
Individual Wind Energy System	N	N	N	CU	CU	CU	CU
No Impact Home-Based Business	P	P	P	P	P	P	P
Signs	P	P	P	P	P	P	P
Accessory uses customarily incidental to and on the same lot with any permitted use, conditional use or use by special exception authorized in this District.	P	P	P	P	P	P	P

NOTE: This Table is not complete in every detail and must be used in conjunction with Articles IX through XV. Where there is a conflict, Articles IX through XV supersede this Table.

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APPENDIX IV

SUMMARY TABLE OF AREA AND BULK REGULATIONS

(NOTE: This summary table is not complete in every detail and should be used in combination with the detailed district and supplementary regulations contained in Articles IV through XVI of this Ordinance.)

ZONING DISTRICT	MIN. LOT SIZE	MIN. LOT WIDTH	FRONT YARD	SIDE YARD (each)	REAR YARD	MAX. HGT.	MAX. LOT COVER.
A-1 Farm Single Dwelling	10 acres 10 acres	100' 100'	75' * 75' *	30' 30'	50' 50'	35' 35'	20% 20%
R-1 Water & Sewer Water OR Sewer No Water & Sewer	7,500 s.f. 15,000 s.f. 20,000 s.f.	75' 75' 100'	55' * 75' * 75' *	10' 15' 15'	20' 50' 50'	35' 35' 35'	30% 30% 30%
R-2 Farm Single Dwelling without Sewers Single Dwelling with Sewers	10 acres 40,000 s.f. 20,000 s.f.	100' 100' 100'	75' * 75' * 75' *	15' 15' 15'	50' 50' 50'	35' 35' 35'	30% 30% 30%
R-2-A Single Dwelling Mobile Home Park Mobile Home Lot	20,000 s.f. 10 acres 6,000 s.f.	100' None 60'	75' * See §1601.11 See §1601.11	15' See §1601.11 See §1601.11	50' See §1601.11 See §1601.11	35' - -	30% - -
R-3 Two Family Multifamily 3-9 units 10 + units All Other Uses	11,000 s.f. 20,000 s.f. 40,000 s.f. 20,000 s.f.	75' 100' 100' 100'	55' * 75' * 75' * 75' *	10' 15' 15' 15'	20' 50' 50' 50'	35' 35' 35' 35'	35% 35% 35% 35%
* Front yard requirement is measured from the centerline of the street right-of-way, except on Route 18 where the front yard is measured from the centerline of the existing cartway.							

APPENDIX IV - CONTINUED

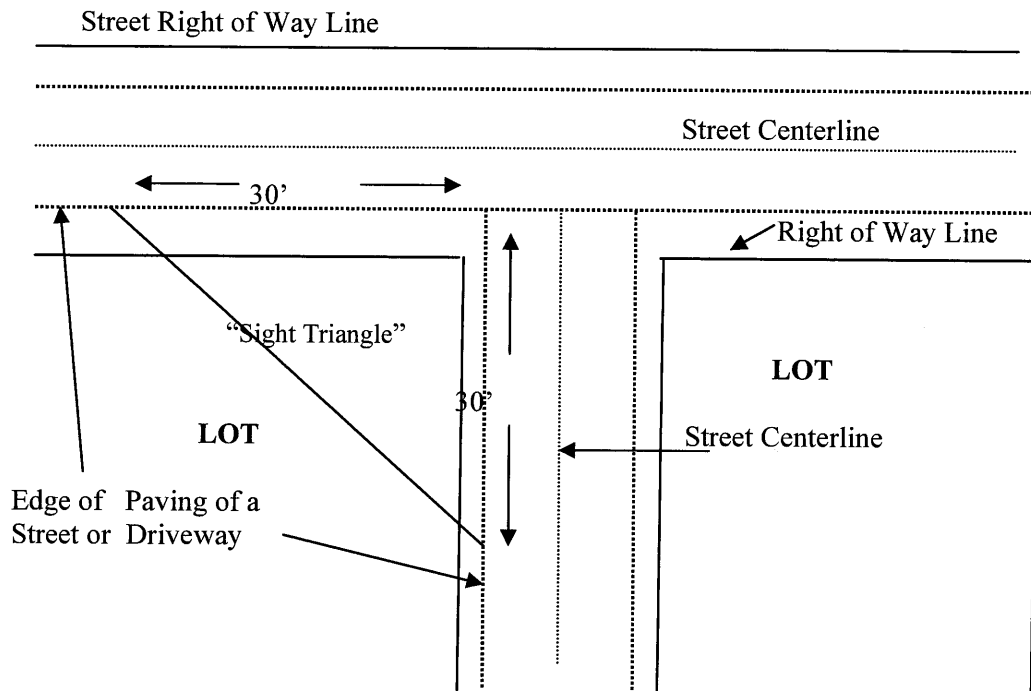
(NOTE: This summary table is not complete in every detail and should be used in combination with the detailed district and supplementary regulations contained in Articles IV through XVI of this Ordinance.)

ZONING DISTRICT	MIN. LOT SIZE	MIN. LOT WIDTH	FRONT YARD	SIDE YARD (each)	REAR YARD	MAX. HGT.	MAX. LOT COVER.
C-1 Single Dwelling Two-Family Multifamily 3-9 units 10+ units Non-Residential Uses	7,500 s.f.	75'	55' *	10'	25'	100'	40%
	11,000 s.f.	75'	55' *	10'	25'	100'	40%
	20,000 s.f.	75'	55' *	10'	25'	100'	40%
	40,000 s.f.	75'	55' *	10'	25'	100'	40%
	7,500	75'	55' *	10'	25'	100'	40%
C-2	15,000 s.f.	100'	55' *	10'	30'	100'	40%
C-3	3 acres	400'	50' *	20'	50'	100'	40%
I-1	40,000 s.f.	150'	75' *	50'	50'	100'	40%
I-1-A	40,000 s.f.	150'	50' *	50'	50'	100'	40%
B-P	1 acre	150'	50' *	20'	50'	100'	35%
I-P	2 acres	200'	75' *	50'	50'	100'	30%

* Front yard requirement is measured from the centerline of the street right-of-way, except on Route 18 where the front yard is measured from the centerline of the existing cartway.

APPENDIX V

ILLUSTRATION OF CLEAR SIGHT TRIANGLE



VISIBILITY AT INTERSECTIONS

