

Township of Greene, PA
Thursday, April 9, 2026

Chapter 105. Zoning

Article III. District Use Regulations

§ 105-9. Community Commercial District (CC).

A. Permitted uses. All permitted uses as listed and regulated in the R-2 Residential District, except planned residential developments which are not permitted in Community Commercial Districts. The following uses are regulated in the (CC) Community Commercial District:

- (1) Single-family detached dwellings.
- (2) Individual mobile homes.
- (3) Two-family, semidetached dwellings.
[Amended 5-14-2013 by Ord. No. 2013-2]
- (4) Two-family, detached dwellings provided the lot area is 25% larger than the minimum required for single-family detached dwellings and in compliance with the yard and setback requirements for single-family detached dwellings.
- (5) Conversions of existing single-family detached dwellings into two-family detached dwellings. Conversions of existing single-family detached dwellings to three or more family dwellings, provided that each dwelling unit has two accessible points of entrance and exit and a minimum of one off-street parking space per dwelling unit. The minimum lot area shall be determined by the applicable lot size in § **105-18** for the first dwelling unit and shall have an additional 3,000 square feet for each subsequent dwelling unit. Setback requirements shall comply with the applicable provisions of § **105-18**. In the event that any conversion project is subject to state approvals, such approval must be obtained prior to Township approval.
- (6) Attached dwelling residences (townhouses).
- (7) Multifamily dwellings (garden apartments).
[Amended 3-28-2023 by Ord. No. 2023-2]
- (8) Churches or similar places of worship.
- (9) Agriculture and agriculturally related operations as follows:
 - (a) Forest reserves, tree farming and crop farming to include forage, sod, grain, and feed.
 - (b) Granaries, sawmills, and similar agriculturally related activities.
 - (c) Vineyards, orchards, greenhouses, nurseries, gardens, commercial production of fruits, vegetables, flowers, plants and similar products.
[Amended 4-27-1999 by Ord. No. 99-2]
 - (d) Animal husbandry, milk processing, livestock production including breeding of dairy and beef cattle, sheep, swine, horses, ponies, mules, goats, poultry, other birds, fowl, fur animals, associated farm animals including domestic cats and dogs, if the total amount of animals does not exceed the number as indicated on the following schedule. All birds and

animals are to be confined on the property limits owned or leased by their owner(s). Buildings housing animals shall have a minimum setback distance from any property line in accordance with the following schedule. In the event the proposed development proposes to construct storage for animal waste between the building housing animals and an adjoining property line within the minimum building setback line required for the building housing animals, there shall be added to the building setback line the distance between the building housing animals and the proposed storage facility for animal waste. [Amended 2-27-2004 by Ord. No. 2004-1; 12-27-2005 by Ord. No. 2005-6]

Type of Farm Animal	Total Number of Animals	Minimum Setback Distance (feet)
A. Swine (hogs and pigs)	Up to 50	100
B. Cattle (cows, steer, heifers, calves, and bulls)	up to 100	100
C. Sheep and goats	Up to 50	100
D. Horses (ponies, mules and donkeys)	Up to 20	100
E. Fowl (chicken, turkeys, ducks, other birds)	Up to 1,000	100
F. Domestic cats and dogs	Up to 10	N/A
G. Cervines (deer, elk or other members of the family cervidae)	Up to 20	100
H. Ratites (ostriches, emus, moas, kiwis, rheas, cassowaries and tnamous)	Up to 20	100
I. Camelidae (camels, llamas, alpacas, vicuñas, and guanacos)	Up to 20	100
J. Bovidae (buffalos, antelopes, oxen and other members of the Bovidae family, but not including domestic dairy cows or cattle)	Up to 20	100

(10) Animal hospitals.

(11) Public and private schools, day-care centers and similar institutions, provided that all outside, active play areas are screened from adjacent properties.

(12) Planned residential development in accordance with the provisions of Article VI.

(13) Federal, state, and local municipal buildings and uses and essential services and essential service facilities.

(14) Boarding, lodging, or rooming house.

(15) Stand-alone, off-grid wind power systems shall be permitted as an accessory use, provided these systems shall not project more than 10 feet above the actual roofline nor may they exceed the maximum building height of 40 feet. Only one wind turbine per residential use and up to three wind turbines per nonresidential use may be located on a single lot or tract of land. The units may not be located in the front or side yards and must be set back from the property line a distance of 1.5 times the total extended height of the system. The foregoing notwithstanding, no system may be located within the area established as the Appalachian Trail Overlay District.

[Added 7-27-2010 by Ord. No. 2010-6^[1]

[1] *Editor's Note: This ordinance also redesignated former Subsection A(15) as Subsection A(16).*

(16) Accessory buildings and uses customarily incidental to a permitted use.

B. The following uses in accordance with Community Commercial (CC) lot requirements:

[Amended 4-27-1999 by Ord. No. 99-2; 7-12-2011 by Ord. No. 2011-2; 5-26-2015 by Ord. No. 2015-6^[2]]

- (1) Small retail business shops not to exceed 1,500 square feet in sales floor space, but excluding establishments designed to provide drive-in facilities.
- (2) Business services, but excluding establishments designed to provide drive-in facilities.
- (3) Personal services, including, but not limited to, barbers/beauticians, seamstresses/tailors, laundry services, banking facilities, mail and parcel delivery services, and bakeries, but excluding establishments designed to provide drive-in facilities.
- (4) Repair services.
- (5) Professional services.
- (6) Photography, art and/or music studios.
- (7) Restaurants. Drive-through facilities shall not be permitted.
- (8) Manufacturing, assembling, converting, altering, finishing, cleaning or any other processing of products which is clearly incidental to a retail or service business and where goods so produced or processed are to be sold exclusively on the premises.
- (9) Multiple use buildings, provided that there is a minimum lot area of 10,000 square feet for the first use and 2,000 square feet for each additional use and in accordance with yard and setback requirements of community commercial uses.
- (10) Bed-and-breakfast inns. The rental of rooms on a temporary basis with an arrangement to provide breakfast to the renter, commonly known as "bed-and-breakfast inn." Such use may be granted as a conditional use provided that the bed-and-breakfast inn does not adversely affect the residential character of the neighborhood and that such use is carried on in an existing residential structure which was constructed prior to 1940.
 - (a) The building proposed for use as a bed-and-breakfast inn must have the operator of the bed-and-breakfast inn residing in the building as his/her principal residence.
 - (b) Primary use of the building shall remain residential.
 - (c) The quarters to be utilized by the guests and the occupants of the premises shall be in the principal residential structure. Separate structures, accessory buildings and garages are not permitted to be used as living units or sleeping rooms.
 - (d) One off-street parking space shall be provided for each sleeping area designated for guests.
 - (e) Serving of meals to overnight guests shall be limited to breakfast only.
 - (f) Each room that is designated for guest occupancy must be provided with a smoke detector.
 - (g) No exterior modifications or additions shall be made to a building or structure for additional sleeping area rooms for guests. Additions may be permitted for purposes such as kitchen areas, dining rooms, bathrooms, or additional living area for the operators living quarters only, necessary to accommodate the change of use to bed-and-breakfast inn.
 - (h) No more than two signs shall be placed upon the premises of this use, unless such property fronts on more than one street, in which event two additional signs may be erected on each additional street frontage. The size of these signs shall not exceed 10 square feet in sign area for each sign.

- (11) Solar energy conversion systems. Residential application of solar energy conversion systems shall be permitted subject to the following conditions. Commercial application of solar energy conversion systems shall be permitted as a conditional use subject to the same following conditions as well as the conditional use criteria set forth in Article X of this chapter. [Amended 4-10-2018 by Ord. No. 2018-1]
- (a) A solar energy system may be roof-mounted or ground-mounted.
- [1] The height of roof-mounted systems on the principal building shall not extend more than three feet above the finished roof to which it is mounted. In no instance shall any part of the system extend beyond the edge of the roof.
- [2] Solar energy systems are prohibited in front yards and shall not extend beyond the front wall of the principle building. Ground-mounted systems and systems attached to accessory buildings shall be set back not less than 15 feet from any side or rear property line.
- (b) There is no limit to the number of modules and arrays installed on each property that comprise a solar energy system, except for the restrictions contained herein in Subsection **B(11)(c), (d) and (e)** next following. Multiple solar panels and supporting equipment shall be considered as one system.
- (c) Solar energy commercial operations are prohibited as a principal use of land except within an industrial zoning district.
- (d) Ground-mounted solar energy systems shall not be categorized as accessory buildings.
- (e) The design of the solar energy system shall conform to applicable industry standards. A building permit shall be obtained for a solar energy system per the Pennsylvania Uniform Construction Code (UCC), Act 45 of 1999, as amended,^[3] and the regulations adopted by the Department of Labor and Industry. All wiring shall comply with the applicable version of the National Electric Code (NEC). The local utility provider shall be contacted to determine grid interconnection and net metering policies. The applicant shall submit certificates of design compliance obtained by the equipment manufacturer from a certifying organization, and any such design shall be certified by an engineer registered in the Commonwealth of Pennsylvania.
- [3] *Editor's Note: See 35 P.S. § 7210.101 et seq.*
- (f) All mechanical equipment associated with and necessary for the operation of the solar energy system shall comply with the following:
- [1] Mechanical equipment shall be screened from any adjacent property that is used for residential purposes. The screen shall consist of shrubbery, trees or other noninvasive plant species which provide a visual screen. In lieu of a planting screen, a decorative fence may be used.
- [2] Mechanical equipment shall not be located within the minimum front yard setback and must be set back not less than 15 feet from any other lot line.
- (g) Solar panels shall be placed such that concentrated solar radiation or glare shall not be directed onto nearby properties or roadways.
- (h) All power transmission lines from a ground-mounted solar energy system to any building or other structure shall be located underground.
- (i) A solar energy system shall not be used to display advertising, including signage, streamers, pennants, spinners, reflectors, ribbons, tinsel, balloons, flags, banners or similar materials. The manufacturer's and equipment information, warning or indication of ownership shall be allowed on any equipment of the solar energy system, provided it complies with the prevailing sign regulations.

(j) Public input.

- [1] Upon request, the Township Supervisors reserve to themselves the right to grant waivers of the setback or height requirements, provided the waiver will not present any undue hardships on the adjoining property.
- [2] In granting waivers under this section, the Township Supervisors shall take into consideration the support or opposition of adjacent property owners in granting waivers of setback or height requirements.

(k) Easements.

- [1] On new site development plans that propose to provide for solar energy systems, prior to the approval of the plan, there shall be a notation on the plan that restrictions have been placed on the lots in question concerning the placement of structures and vegetation as they relate to the small-scale solar energy systems.
- [2] On new site development plans that propose to provide for solar energy systems, the applicant must provide for an easement for solar access to be placed on the deeds of those lots proposed for a small-scale energy system and all adjoining lots in the approved development.

[2] *Editor's Note: This ordinance provided that it take effect 6-1-2015.*

C. Use standards. Commercial uses permitted in the Community Commercial Districts shall be subject to the following conditions:

- (1) Landscaping and screening shall be provided as defined in § 85-40.1 of the Township Code.
[Amended 5-26-2015 by Ord. No. 2015-6^[4]
[4] *Editor's Note: This ordinance provided that it take effect 6-1-2015.*
- (2) Any illumination or floodlighting shall be arranged so there will be no glare of lights upon a residence or residential district.
- (3) Loading areas or bays shall not be located in the front yard of the building or in any required yard adjacent to a residential district or an existing residence and which faces a street.

D. Conditional uses:

- (1) Animal husbandry, milk processing, livestock production, including breeding of dairy and beef cattle, sheep, swine, horses, ponies, mules, goats, poultry, other birds, fowl, fur animals, associated farm animal and domestic cats and dogs if the total amount of animals exceeds the amount as is indicated on the following schedule shall be permitted as a conditional use subject to the following conditions and performance standards:
[Amended 2-27-2004 by Ord. No. 2004-1; 12-27-2005 by Ord. No. 2005-6]

- (a) Buildings housing animals shall have a minimum setback distance from any property line in accordance with the following schedule. In the event the proposed development proposes to construct storage for animal waste between the building housing animals and an adjoining property line within the minimum building setback line required for the building housing animals, there shall be added to the building setback line the distance between the building housing animals and the proposed storage facility for animal waste.

Type of Farm Animal	Total Number of Animals	Minimum Setback Distance (feet)
A. Swine (hogs and pigs) ¹	Greater than 50	200
B. Cattle (cows, steer, heifers, calves, and bulls) ¹	Greater than 100	200
C. Sheep and goats ¹	Greater than 50	200

Type of Farm Animal	Total Number of Animals	Minimum Setback Distance (feet)
D. Horses (ponies, mules and donkeys) ¹	Greater than 20	200
E. Fowl (chicken, turkeys, ducks, other birds) ¹	Greater than 1,000	200
F. Domestic dogs and cats including in the aggregate ²	11 or More	50
G. Domestic dogs and cats in approved kennels regulated by the Pennsylvania Bureau of Dog Law Enforcement ²	N/A	25
H. Cervines (deer, elk or other members of the family cervidae)	Greater than 20	200
I. Ratites (ostriches, emus, moas, kiwis, rheas, cassowaries and tnamous)	Greater than 20	200
J. Camelidae (camels, Llamas, alpacas, vicuñas, and guanacos)	Greater than 20	200
K. Bovidaes (buffalos, antelopes, oxen and other members of the Bovidae family, but not including domestic dairy cows or cattle)	Greater than 20	200

NOTES:

¹Requires a manure management plan and a minimum of 20 acres for housing of animals.

²Requires a manure management plan.

(b) When the number of animals meets the specification for a conditional use above, the applicant shall prepare a manure management plan with the assistance and concurrence of the Franklin County Soil Conservation Service, the Pennsylvania State University Cooperative Extension office or such other professional who by training, certification and/or experience is qualified to advise concerning full compliance with the Pennsylvania Nutrient Management Act, the Pennsylvania Clean Streams Law, the Pennsylvania Domestic Animal Act and all other federal and state regulatory requirements and guidelines relating to the management of animal waste. All manure management plans shall, at a minimum, follow the guidelines and comply with the criteria set forth in the Pennsylvania Department of Environmental Protection publication entitled "Manure Management for Environmental Protection," dated October 1986, and all technical supplements thereto as revised and amended as of the date the newer management plan is submitted. If it is determined by a court of competent jurisdiction that amendments or revisions to said DEP publication and supplements cannot be incorporated herein by this subsection, then the said publication and technical supplements in effect on this date are hereby adopted.

[1] Such plan shall accompany any land development, land use or building permit application. It shall be reviewed, approved or rejected by the Planning Commission. The manure management plan shall include provisions for the control of runoff and, when buildings housing animals are within 200 feet of any property line, potable water supply, occupied residential dwelling, surface water body and stormwater drainage channel, excluding the property owner or lessee farmer's residence, the plan must specifically state what measures, if any, are included to insure stormwater flows will

not flow through or around the building and across property lines or in any other way flow off the property or affect potable water supplies on adjoining property. If the proposed conditional use is an expansion of an existing building housing farm animals, a plot plan shall be prepared by a registered professional engineer or registered professional land surveyor certifying that the minimum setback requirements have been met. If the proposed conditional use does not qualify as described above, a land development plan shall also be required for submission.
[Amended 7-27-2010 by Ord. No. 2010-3]

- [2] The manure management plan shall include a statement that periodic inspections by the Township Zoning Officer will be conducted to verify that conditions of the plan have been met and continue to be in compliance.
 - [3] When the manure management plan includes the use of leased or rented land for disposal of manure, a lease or rental agreement specifically stating that manure disposal is permitted on the leased or rented property shall be included.
 - [4] Disposal of dead animals must be in full compliance with the Pennsylvania Domestic Animal Act. In no event shall dead animals be piled or stored on the premises for a period in excess of 24 hours except in compliance with the Pennsylvania Domestic Animal Act and all other Pennsylvania Department of Health, Department of Environmental Protection and Department of Agricultural Regulations.
- (2) Kennels and animal care facilities for cats, provided that such animals are boarded, groomed, kept or maintained indoors and adequate provisions are made for sanitary disposal of animal waste.

§ 105-10. Highway Commercial District (HC).

A. Permitted uses:

- (1) All permitted uses listed and regulated in the (R-2) Medium-Density Residential District, except residential application of solar energy conversion systems only shall be permitted with commercial application of solar energy conversion systems continuing to be permitted as conditional uses only and with both type of systems remaining subject to the same conditions set forth in the (R-2) Medium-Density Residential District regulations. Planned residential developments shall not be permitted in Highway Commercial Districts. All permitted residentially zoned uses shall have a minimum lot area pursuant to the applicable requirements of §§ **105-19** and **105-20**.
[Amended 2-27-2004 by Ord. No. 2004-1; 4-10-2018 by Ord. No. 2018-1; 1-23-2024 by Ord. No. 2024-1]
- (2) Multiple use buildings, provided that there is a minimum lot area of 40,000 square feet for the first use and 2,000 square feet for each additional use in accordance with the yard and setback requirements of this District.
- (3) The following uses in accordance with the Highway Commercial lot requirements:
 - (a) Hotels, motels, tourist homes, (including bed-and-breakfast inns) restaurants, indoor commercial recreation facilities including pools, tennis or other court games, and exercise or spa type facilities and outdoor commercial recreation facilities including pools, tennis or other court games, driving ranges, golf courses, and exercise or playing field facilities.
 - [1] In no case shall these uses include automotive, aeronautical, or professional sports facilities. Any recreational use not specifically permitted above, shall be permitted as a conditional use subject to Article X.

- (b) Automotive, trailer, and mobile home sales and service, such as service stations, repair garages, new and used car dealers, excluding auto body shops:
 - [1] Entrance and exit driveways shall have an unrestricted width of not less than 12 feet and no more than 30 feet and shall be located not less than 20 feet from any property line.
 - [2] Vehicle lifts or pits, dismantled or non-operable vehicles and all parts or supplies shall be located within completely enclosed buildings or completely screened from adjacent properties. Storage shall not be within the clear-sight triangle, the right-of-way of any street or in the required front, side or rear yard setbacks.
 - [3] All service or repair of motor vehicles, other than such minor servicing as change of tires or sale of gasoline or oil, shall be conducted in a completely enclosed building. This requirement shall not be construed to mean that the doors to any repair shop must be kept closed at all times.
 - [4] The storage of gasoline or flammable oils in bulk shall be located fully underground and not nearer than 50 feet from any property line other than the street line.
- (c) Drive-in establishments.
- (d) Wholesaling and warehousing.
[Amended 4-13-2021 by Ord. No. 2021-2]
- (e) Shopping centers in accordance with the provisions of this chapter.
- (f) Retail business, such as variety stores, building materials and supply stores, apparel stores, drugstores, grocery stores, farm markets, eating establishments, antique shops, music shops, sporting goods stores, book, stationery, magazine, candy and tobacco shops and convenience stores.
[Amended 4-27-1999 by Ord. No. 99-2; 8-23-2016 by Ord. No. 2016-6]
- (g) Business services, such as banks, credit unions, loan companies and other financial institutions, real estate and insurance agencies, utility offices, government, business and professional offices, medical, dental or clinical facilities and veterinary clinics.
- (h) Personal services, such as barber shops, beauty salons, photographic studios, coin laundromats, tailor, dressmaking, millinery and dry-cleaning and laundry operations.
- (i) Repair services, such as radio, television, and appliance shops, plumbing shops, carpenter shops, upholstery shops, and shoe-repair shops.
- (j) Veterinary clinics, hospitals, kennels, animal care facilities.
- (k) Essential services and essential service facilities.
- (l) Agriculture and agriculturally related operations as follows:
 - [1] Forest reserves, tree farming and crop farming to include forage, sod, grain, and feed.
 - [2] Granaries, sawmills, and similar agriculturally related activities.
 - [3] Vineyards, orchards, greenhouses, nurseries, gardens, commercial production of fruits, vegetables, flowers, plants and similar products.
[Amended 4-27-1999 by Ord. No. 99-2]
 - [4] Animal husbandry, milk processing, livestock production including breeding of dairy and beef cattle, sheep, swine, horses, ponies, mules, goats, poultry, other birds, fowl, fur animals, associated farm animals, domestic cats and dogs, if the total amount of animals does not exceed the number as indicated on the following schedule. All birds and animals are to be confined on the property limits owned or leased by their owner(s). Buildings housing animals shall have a minimum setback distance from any

property line in accordance with the following schedule. In the event the proposed development proposes to construct storage for animal waste between the building housing animals and an adjoining property line within the minimum building setback line required for the building housing animals, there shall be added to the building setback line the distance between the building housing animals and the proposed storage facility for animal waste.

[Amended 2-27-2004 by Ord. No. 2004-1; 12-27-2005 by Ord. No. 2005-6]

Type of Farm Animal	Total Number of Animals	Minimum Setback Distance (feet)
A. Swine (hogs and pigs)	Up to 50	100
B. Cattle (cows, steer, heifers, calves, and bulls)	up to 100	100
C. Sheep and goats	Up to 50	100
D. Horses (ponies, mules and donkeys)	Up to 20	100
E. Fowl (chicken, turkeys, ducks, other birds)	Up to 1,000	100
F. Domestic cats and dogs	Up to 10	N/A
G. Cervines (deer, elk or other members of the family cervidae)	Up to 20	100
H. Ratites (ostriches, emus, moas, kiwis, rheas, cassowaries and tnamous)	Up to 20	100
I. Camelidae (camels, llamas, alpacas, vicuñas, and guanacos)	Up to 20	100
J. Bovidae (buffalos, antelopes, oxen and other members of the Bovidae family, but not including domestic dairy cows or cattle)	Up to 20	100

(m) Accessory uses customarily incidental to a permitted principal use.

(n) Mini storage/self-storage facilities and storage.

[Added 10-25-2022 by Ord. No. 2022-5]

- [1] Each building shall be a fully enclosed building built of durable materials on a permanent foundation. Truck trailers, shipping containers or similar impermanent structures shall not be used as buildings for self-storage units.
- [2] No door openings for any mini storage building unit shall be constructed facing any residentially zoned or used property.
- [3] Open storage areas shall only be permitted as accessory to a mini storage/self-storage facility. Area utilized for accessory open storage area cannot exceed 40% of the area occupied by buildings utilized for self-storage units within the facility. Open storage areas must comply with building setback requirements.
- [4] Parking, if an on-site manager/business office is included: minimum of four designated parking spaces required. Parking for storage units with individual exterior access shall be provided by parking/driving lanes adjacent to the buildings. Lanes shall be a minimum of 26 feet wide when storage units are single-loaded and 30 feet wide when storage units are doubled-loaded. Parking for storage unit structures with common interior building access shall be provided at one space per 25 units.

B. Conditional uses (additional requirements are in Article X):

- (1) Animal husbandry, milk processing, livestock production, including breeding of dairy and beef cattle, sheep, swine, horses, ponies, mules, goats, poultry, other birds, fowl, fur animals, associated farm animal and domestic cats and dogs if the total amount of animals exceeds the amount as is indicated on the following schedule shall be permitted as a conditional use subject to the following conditions and performance standards:

[Amended 2-27-2004 by Ord. No. 2004-1; 12-27-2005 by Ord. No. 2005-6]

- (a) Buildings housing animals shall have a minimum setback distance from any property line in accordance with the following schedule. In the event the proposed development proposes to construct storage for animal waste between the building housing animals and an adjoining property line within the minimum building setback line required for the building housing animals, there shall be added to the building setback line the distance between the building housing animals and the proposed storage facility for animal waste.

Type of Farm Animal	Total Number of Animals	Minimum Setback Distance (feet)
A. Swine (hogs and pigs) ¹	Greater than 50	200
B. Cattle (cows, steer, heifers, calves, and bulls) ¹	Greater than 100	200
C. Sheep and goats ¹	Greater than 50	200
D. Horses (ponies, mules and donkeys) ¹	Greater than 20	200
E. Fowl (chicken, turkeys, ducks, other birds) ¹	Greater than 1,000	200
F. Domestic dogs and cats including in the aggregate ²	11 or More	50
G. Domestic dogs and cats in approved kennels regulated by the Pennsylvania Bureau of Dog Law Enforcement ²	N/A	25
H. Cervines (deer, elk or other members of the family cervidae)	Greater than 20	200
I. Ratites (ostriches, emus, moas, kiwis, rheas, cassowaries and tnamous)	Greater than 20	200
J. Camelidae (camels, llamas, alpacas, vicuñas, and guanacos)	Greater than 20	200
K. Bovidae (buffalos, antelopes, oxen and other members of the Bovidae family, but not including domestic dairy cows or cattle)	Greater than 20	200

NOTES:

¹Requires a manure management plan and a minimum of 20 acres for housing of animals.

²Requires a manure management plan.

- (b) When the number of animals meets the specification for a conditional use above, the applicant shall prepare a manure management plan with the assistance and concurrence of the Franklin County Soil Conservation Service, the Pennsylvania State University

Cooperative Extension office or such other professional who by training, certification and/or experience is qualified to advise concerning full compliance with the Pennsylvania Nutrient Management Act, the Pennsylvania Clean Streams Law, the Pennsylvania Domestic Animal Act and all other federal and state regulatory requirements and guidelines relating to the management of animal waste. All manure management plans shall, at a minimum, follow the guidelines and comply with the criteria set forth in the Pennsylvania Department of Environmental Protection publication entitled "Manure Management for Environmental Protection," dated October 1986, and all technical supplements thereto as revised and amended as of the date the newer management plan is submitted. If it is determined by a court of competent jurisdiction that amendments or revisions to said DEP publication and supplements cannot be incorporated herein by this subsection, then the said publication and technical supplements in effect on this date are hereby adopted.

- [1] Such plan shall accompany any land development, land use or building permit application. It shall be reviewed, approved or rejected by the Planning Commission. The manure management plan shall include provisions for the control of runoff and, when buildings housing animals are within 200 feet of any property line, potable water supply, occupied residential dwelling, surface water body and stormwater drainage channel, excluding the property owner or lessee farmer's residence, the plan must specifically state what measures, if any, are included to insure stormwater flows will not flow through or around the building and across property lines or in any other way flow off the property or affect potable water supplies on adjoining property. If the proposed conditional use is an expansion of an existing farm animal housing building, a plot plan shall be prepared by a registered professional engineer or registered professional land surveyor certifying that the minimum setback requirements have been met. If the proposed conditional use does not qualify as described above, a land development plan shall also be required for submission.
[Amended 7-27-2010 by Ord. No. 2010-3]
- [2] The manure management plan shall include a statement that periodic inspections by the Township Zoning Officer will be conducted to verify that conditions of the plan have been met and continue to be in compliance.
- [3] When the manure management plan includes the use of leased or rented land for disposal of manure, a lease or rental agreement specifically stating that manure disposal is permitted on the leased or rented property shall be included.
- [4] Disposal of dead animals must be in full compliance with the Pennsylvania Domestic Animal Act. In no event shall dead animals be piled or stored on the premises for a period in excess of 24 hours except in compliance with the Pennsylvania Domestic Animal Act and all other Pennsylvania Department of Health, Department of Environmental Protection and Department of Agricultural Regulations.
- (2) Manufacturing, assembling, converting, altering, finishing, cleaning or any other processing of products which is clearly incidental to a retail or service business and where goods so produced or processed are to be sold exclusively on the premises, provided the site is not adjoining a residential use or residential district, unless such residential use or district is separated from the proposed site by a street or road.
- (3) Light manufacturing uses such as assembling, converting, and processing activities in accordance with the following standards:
- (a) Upon application for a land use or building permit, a report shall be submitted setting forth the reasons why such light manufacturing use is sufficiently compatible to the other uses permitted in the Highway Commercial District in terms of traffic generation, parking requirements and site demands. The report shall be subject to approval of the Township Supervisors before a building permit or land use permit is issued. The report shall be submitted to the Township at least 14 days prior to the next regularly scheduled meeting of

the Planning Commission in order for the Planning Commission to review the plan and make its recommendations to the Township Supervisors.

[Amended 7-27-2010 by Ord. No. 2010-3]

- (b) Light manufacturing uses shall not have a lot area in excess of 1.5 acres in this District.
 - (c) Light manufacturing uses shall not be permitted in a Highway Commercial District if the proposed site adjoins a residential use or a residential district, unless such residential use or district is separated from the proposed site by a street or road.
- (4) More than one energy conversion system will be permitted as a conditional use, subject to the following standards. The foregoing notwithstanding, no system may be located within the area established as the Appalachian Trail Overlay District.
[Added 7-27-2010 by Ord. No. 2010-6]
- (a) Required setbacks.
 - [1] Wind turbines shall be set back from all property lines, public rights-of-way and utility easements a distance equal to 1.5 times the total extended height.
 - [2] Wind turbines and tower bases shall be set back from all adjacent residences, residential subdivisions and land developments of a density of three or more dwelling units per acre a distance equal to three times the total extended height.
 - (b) Tower height.
 - [1] The total extended height of the wind energy conversion system shall not exceed 55 feet.
 - [2] No wind energy conversion system shall be constructed, altered or maintained so as to project above any imaginary air space surfaces described in the Federal Aviation Administration regulations.
 - [3] Stand-alone systems and wind-measuring devices shall be restricted to 55 feet for the maximum total extended height.
 - (c) Maximum sound levels.
 - [1] Sound produced by the wind turbine under normal conditions as measured at the property line shall not exceed 55 decibels. Sound levels, however, may be exceeded during short-term events such as severe wind storms or power utility outages.
 - [2] Methods for measuring and reporting sound levels from wind turbines and wind energy conversion systems shall be equal to or exceed the minimum precision operating standards described by the American Wind Energy Association.
 - (d) Equipment certification.
 - [1] Wind turbines must be certified by the American Wind Energy Association, the American National Standards Institute and the Equipment Manufacturers Underwriter Laboratories.
 - [2] Wind energy conversion systems shall depict on certified engineered drawings the tower, base, footings, foundation, guy wires, electrical components and soil conditions. The site plan shall also show the location of all existing buildings and structures within 150 feet of such system.
 - (e) Access limitations.
 - [1] No wind turbine blade at its lowest point shall be closer to the surface of the ground than 15 feet. Any foot pegs or rungs within 15 feet above ground surface of a freestanding tower with a wind turbine or electrical equipment shall be removed to

prevent unauthorized entry. For latticed or guy-wired towers, sheets of metal or wood may be fastened to the bottom section such that it cannot be readily climbed.

- [2] All access doors to wind turbines and electrical equipment shall be appropriately locked or fenced.
- (f) Accessory use prohibitions.
- [1] All signs except for identification of owner, manufacturer or installer and appropriate warnings shall be prohibited.
 - [2] No illumination of the wind turbine or tower shall be allowed unless required by the Federal Aviation Administration.
 - [3] Reasonable efforts shall be made to eliminate shadow flicker on adjacent property occupied buildings.
 - [4] No satellite or microwave discs and no television or radio antennas shall be attached to this system.
- (g) Abandonment.
- [1] If a wind turbine is inoperable for six consecutive months, the property owner will be notified to restore the wind energy conversion system to an operable condition within 30 days.
 - [2] If the property owner fails to do this, removal of the wind turbine from the tower will be required for public safety reasons.
- (5) Solar energy conversion systems, commercial application of solar energy conversion systems shall be permitted as a conditional use in the Highway Commercial District, subject to the following conditions:
[Added 7-12-2011 by Ord. No. 2011-2; amended 4-10-2018 by Ord. No. 2018-1]
- (a) A solar energy system may be roof-mounted or ground-mounted.
 - [1] The height of roof-mounted systems on the principal building shall not extend more than three feet above the finished roof to which it is mounted. In no instance shall any part of the system extend beyond the edge of the roof.
 - [2] Solar energy systems are prohibited in front yards and shall not extend beyond the front wall of the principle building. Ground-mounted systems and systems attached to accessory buildings shall be set back not less than 15 feet from any side or rear property line.
 - (b) There is no limit to the number of modules and arrays installed on each property that comprise a solar energy system, except for the restrictions contained herein in Subsection **B(5)(c), (d)** and **(e)** next following. Multiple solar panels and supporting equipment shall be considered as one system.
 - (c) Solar energy commercial operations are prohibited as a principle use of land except within an industrial zoning district.
 - (d) Ground-mounted solar energy systems shall not be categorized as accessory buildings.
 - (e) The design of the solar energy system shall conform to applicable industry standards. A building permit shall be obtained for a solar energy system per the Pennsylvania Uniform Construction Code (UCC), Act 45 of 1999, as amended,^[1] and the regulations adopted by the Department of Labor and Industry. All wiring shall comply with the applicable version of the National Electric Code (NEC). The local utility provider shall be contacted to determine grid interconnection and net metering policies. The applicant shall submit certificates of design compliance obtained by the equipment manufacturer from a certifying organization

and any such design shall be certified by an engineer registered in the Commonwealth of Pennsylvania.

[1] *Editor's Note: See 35 P.S. § 7210.101 et seq.*

- (f) All mechanical equipment associated with and necessary for the operation of the solar energy system shall comply with the following:
- [1] Mechanical equipment shall be screened from any adjacent property that is used for residential purposes. The screen shall consist of shrubbery, trees or other noninvasive plant species which provide a visual screen. In lieu of a planting screen, a decorative fence may be used.
 - [2] Mechanical equipment shall not be located within the minimum front yard setback and must be set back not less than 15 feet from any other lot line.
- (g) Solar panels shall be placed such that concentrated solar radiation or glare shall not be directed onto nearby properties or roadways.
- (h) All power transmission lines from a ground-mounted solar energy system to any building or other structure shall be located underground.
- (i) A solar energy system shall not be used to display advertising, including signage, streamers, pennants, spinners, reflectors, ribbons, tinsel, balloons, flags, banners or similar materials. The manufacturer's and equipment information, warning or indication of ownership shall be allowed on any equipment of the solar energy system, provided it complies with the prevailing sign regulations.
- (j) Public input.
- [1] Upon request, the Township Supervisors reserve to themselves the right to grant waivers of the setback or height requirements, provided the waiver will not present any undue hardships on the adjoining property.
 - [2] In granting waivers under this section, the Township Supervisors shall take into consideration the support or opposition of adjacent property owners in granting waivers of setback or height requirements.
- (k) Easements.
- [1] On new site development plans that propose to provide for solar energy systems, prior to the approval of the plan, there shall be a notation on the plan that restrictions have been placed on the lots in question concerning the placement of structures and vegetation as they relate to the small-scale solar energy systems.
 - [2] On the new site development plans that propose to provide for solar energy systems, the applicant must provide for an easement for solar access to be placed on the deeds of those lots proposed for a small-scale energy system and all adjoining lots in the approved development.
- C. Special exception uses (additional requirements are in § **105-57.1**).
[Amended 10-10-2023 by Ord. No. 2023-3]
- (1) Residential uses not otherwise provided for.
- (a) Whenever a residential use is neither specifically permitted nor prohibited by this chapter, an application shall be referred by the Zoning Officer to the Zoning Hearing Board to hear and decide such request as a special exception. Authority to permit or deny the proposed use shall be subject to the following standards in addition to those outlined in § **105-57.1**.
 - [1] The proposed use is similar to or compatible with permitted uses in the HC Zone.
 - [2] The proposed use is not permitted in any other zone under the terms of this chapter.

- [3] The use is proposed in a manner that complies with all applicable requirements imposed upon other uses that most closely reflect the likely impacts to be generated by the proposed use.
 - [4] The proposed use complies with all other applicable sections of this chapter and other Township ordinances.
 - [5] The proposed use does not conflict with the general purposes and intent of this chapter.
 - [6] The proposed use would not be detrimental to the public health, safety, and welfare of the neighborhood.
- (b) The burden of proof shall be upon the applicant to demonstrate that the proposed use meets the foregoing criteria and all other applicable regulations contained in this chapter including, but not limited to, those general special exception criteria and filing requirements found in § **105-57.1**.
- D. Use standards. The following use standards are applicable to all permitted uses, conditional uses and special exception uses in a Highway Commercial District:
[Added 10-10-2023 by Ord. No. 2023-3]
- (1) Landscaping and screening shall be provided as defined in § **85-40.1** of the Township Code.
 - (2) Any illumination or floodlighting shall be arranged so there will be no glare of lights upon a residence, street or residential district.
 - (3) No driveway entrance or exits shall be located within 75 feet of an intersecting street measured from the point of intersection of the center line. Where this intersection involves streets of two different classifications, this separation distance shall be increased by the amount any required right-of-way exceeds 50 feet.
 - (4) Loading areas or bays shall not be located in the front yard of the building or in any required yard adjacent to a residential district or an existing residence or which faces a street.