

For uses permitted within the PC district, see Section 308.

TYPES OF USES

(See definitions in Article II)

BUSINESS DISTRICTS

VC C LI/B¹ ME/I C2

AGRICULTURAL USES

Crop Farming	P	P	P	P	N
Crop Storage, Commercial as Principal Use (S.402)	N	P	P	P	N
Commercial Forestry (S. 402)	P	P	P	P	P
Composting as a principal or accessory use – See the provisions of Section 403					
Raising of Livestock (S. 402): - "Intense"	N	P	P	P	N
Other	P	P	P	P	N
Retail Sales of Agricultural Products as an Accessory Use (S. 403)	P	P	P	P	N
Sale or Mixing of Agricultural Fertilizers, Seeds or Animal Feed (not involving bulk manufacturing for sale)	P	P	P	P	N
Sewage Sludge, Land Application of (S.402)	N	N	SE	SE	N

RESIDENTIAL USES

Single Family Detached Dwelling (including manufactured/mobile home [S. 402])	3	3	N ⁴	N	N
Semi-Detached Dwelling (twin)	3	3	N	N	N
Two-Family Detached Dwelling	3	3	N	N	N
Townhouse (SW) (S. 402)	3	3	N	N	N
Low-Rise Apartments (SW) (S. 402)	3	3	N	N	N
Manufactured/Mobile Home Park (SW)	N	N	N	N	N
Boarding House (SW) (S. 402)	N	SE	N	N	N
Group Home within a permitted dwelling unit, not including a Treatment Center (S. 402)	3	3	P ²	P ²	N
Residential Conversions (S. 402) (other than one accessory apartment within an existing Single Family Detached Dwelling)	SE	SE	N	N	N
One Dwelling Unit within a Permitted Principal Non-Residential Building	P	P	N	N	N

P = Permitted by right (zoning decision by Zoning Officer)

C = Conditional use (decision by the Board of Supervisors with review by Planning Commission)

SE = Special exception use (decision by Zoning Hearing Board)

N = Not Permitted

(S. 402) = See Additional Requirements in Section 402

(S. 403) = See Additional Requirements in Section 403

(SW)= Approved central sewer & public water service both required

1 = See additional conditions in Section 309.

2 = If such dwelling lawfully exists prior to the adoption of this ordinance

3 = In the VC and C Districts, residential uses shall be permitted under the same standards, limitations, lot and setback requirements as the VR District, except mobile/manufactured home parks shall be prohibited in the VC and C districts.

4 = Except a single family detached dwelling is permitted on a lot with a minimum lot area of two acres if such lot would be adjacent to residentially-zoned land or abut a lot containing an existing single family detached dwelling. If such dwelling is approved after the adoption of this Ordinance, then the presence of such dwelling shall not, by itself, cause a non-residential use to be required to provide plant screening or additional setbacks from such dwelling.

TYPES OF USES (See definitions in Article II)	BUSINESS DISTRICTS				
	VC	C	LI/B ¹	ME/I	C2
COMMERCIAL USES					
Adult Bookstore, Adult Movie Theater, Adult Live Entertainment Use or Massage Parlor (S. 402)	N	SE	N	N	N
After Hours Club - prohibited by State Act 219 of 1990	N	N	N	N	N
Airport, Private or Public (S. 402)	N	N	SE	SE	N
Auditorium, Commercial or Nightclub (S. 402)	N	P	SE	N	C
Auto Repair Garage (S. 402)	N	SE	SE	SE	N
Auto Service Station, other than a truck stop (S.402)	N	SE	SE	SE	C
Auto, Boat or Mobile/Manufactured Home Sales (S. 402), which may include outdoor storage and display of vehicles for sale or rental	N	P	P	P	C
Bakery	SE	P	P	P	C
Bed and Breakfast Use (S. 402)	P	P	P	P	C
Betting Use (S.402)	N	SE	N	N	C
Beverage Distributor, which may include retail and/or wholesale sales	SE	P	P	P	C
Business Services	P	P	P	P	C
Bus Terminal (S. 402)	N	P	P	P	N
Campground (S. 402)	N	P	P	P	N
Car Wash (W) (S. 402)	N	P	P	C	C
Commercial Indoor Recreation (S. 402) (includes bowling alley, roller or ice skating, batting practice and closely similar uses)	SE	P	P	P	C
Commercial Outdoor Recreation (including miniature golf course, golf driving range, amusement park, boating, fishing, and closely similar uses)	N	P	P	P	C
Communications Tower, Commercial (S. 402)	N	SE	SE	SE	N
Conference Center	N	P	P	P	C
Construction Company, Tradesperson's Headquarters/ Storage or Landscape Contractor (see also as Home Occupations)	P ²	P	P	P	C
Convenience Store	SE	P	N	SE	C
Crafts or Artisan's Studio	P	P	P	P	C
Exercise Club	P	P	P	P	C
Financial Institution (S. 402), with or without drive-thru	P	P	P	P	C
Flea Market/Commercial Auction House	N	P	P	N	N
Funeral Home (S. 402)	SE	P	P	P	C
Golf Course (S. 402)	P	P	P	P	N
Heliport (S. 402)	N	N	SE	SE	N
Kennel (S. 402)	N	P	P	P	N

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SE = Special exception use (zoning decision by Zoning Hearing Board)

N = Not Permitted

(S. 402) = See Additional Requirements in Section 402

(S. 403) = See Additional Requirements in Section 403

(SW) = Central sewer & public water service both required for a new use

1 = See additional conditions in Section 309.

2 = Without outdoor storage.

TYPES OF USES (See definitions in Article II)	BUSINESS DISTRICTS				
	VC	C	LI/B ¹	ME/I	C2
COMMERCIAL USES (cont.)					
Laundromat	P	P	P	P	C
Laundry, Commercial or Industrial (SW)	N	P	P	P	N
Lumber Yard	N	P	P	P	C
Medical Office or Clinic	P	P	P	N	C
Micro-brewery - See Tavern					
Motel or Hotel (S. 402)	SE	P	P	N	C
Office	P	P	P	P	C
Personal Services (includes tailoring, custom dress-making, haircutting/styling, dry-cleaning, shoe repair and closely similar uses) (See also as accessory use in this table)	P	P	N	N	C
Plant Nursery, which may include Retail Sale of Garden Items not primarily grown on the premises (S. 402)	P	P	P	P	C
Race Track (S. 402)	N	N	N	SE	N
Repair Service, Household Appliance	P	P	P	P	C
Restaurant with drive-thru service and/or that primarily involves delivery of ready-to-eat food (S. 402)	SE	P	N	N	C
Restaurant, other than above	SE	P	SE ³	N	C
Retail Store (5,000 sq. feet or less) (not including commercial uses not individually in this table, and not including a shopping center)	P ²	P	P ²	N	C
Retail Store (greater than 5,000 sq. feet) (not including commercial uses not individually in this table, and not including a shopping center)	N	P	SE	N	C
Shopping center (S. 402)	N	P	N	N	C
Stable, Non-household - See "Livestock, Keeping of"					N
Storage, Indoor, as a principal or accessory use within an existing barn that existed prior to January 1, 1981 ⁴	P	P	P	P	N
Target Range, Firearm:					
- Completely Indoor and Enclosed (S.402)	N	P	P	P	N
- Other than above	N	N	N	SE	N
Target Range, Archery	P	P	P	P	N
Taxi Headquarters	SE	P	P	P	C

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(SW) = Approved central sewer & public water service both required for a new use

1 = See additional standards in Section 309.

2 = Limited to a maximum total retail building floor area of 5,000 square feet for retail sales and its accessory uses.

3 = Provided the use has access through a coordinated interior road system which provides access to a traffic signal.

4 = Such storage space within a barn may be rented. Such use shall be limited to storage of the following: motor vehicles, recreational vehicles, farm equipment, construction materials, construction equipment, boats and closely similar routine materials. Such storage shall be completely indoors. Such use shall not involve any of the following: 1) manufacturing, 2) retail sales, or 3) storage of hazardous materials other than amounts and types typically found in a dwelling.

TYPES OF USES (See definitions in Article II)	BUSINESS DISTRICTS				
	VC	C	LI/B ¹	ME/I	C2
COMMERCIAL USES (Cont.)					
Tavern which may include a State-licensed micro-brewery	N	SE	N	N	C
Theater, Indoor	N	P	N	N	C
Theater, Outdoor Movie (S. 402)	N	P	N	N	N
Trade/ Hobby School	P	P	SE	P	N
Truck Stop (S. 402)	N	N	N	SE	N
Veterinarian Office (S. 402)	SE	P	P	P	C
Wholesale Sales - see under Industrial Uses					
INDUSTRIAL USES					
Assembly of Materials Manufactured Elsewhere	N	N	P	P	N
Asphalt Plant	N	N	N	SE	N
Beverage Bottling (SW)	N	P	P	P	N
Building Supplies and Building Materials, Wholesale Sales of	SE	P	P	P	N
Distribution as a principal use (other than (other Trucking Company Terminal)	N	N	P	P	N
Finishing of Previously Prepared Resin, Vinyl, Polymer or Rubber Products	N	N	P	P	N
Industrial Equipment Sales, Rental and Service, other than vehicles primarily intended to be operated on public streets	N	P	P	P	N
Junk - outdoor storage, display or processing of, other than within an approved junkyard or solid waste disposal area	N	N	N	N	N
Junk Yard (S. 402)	N	N	N	SE	N
Liquid Fuel Storage for off-site distribution and use, other than: auto service station, propane distributor, pre-packaged sales or fuel tanks for company vehicles	N	N	SE	SE	N
Manufacture and/or bulk processing of the following, provided manufacturing occurs only indoors:					
- Agricultural Chemicals, Fertilizers or Pesticides	N	N	SE	SE	N
- Animal Feed, Bulk Manufacture for Off-Site Use	N	N	P	P	N
- Apparel, Textiles, Shoes and Apparel Accessories	N	N	P	P	N
- Cement, actual manufacture of	N	N	N	SE	N
- Cement, Gypsum, Concrete or Plaster Products, other than actual manufacture of cement	N	N	P	SE	N
- Ceramics Products	N	N	P	P	N

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TYPES OF USES (See definitions in Article II)	BUSINESS DISTRICTS				
	VC	C	LI/B ¹	ME/I	C2

INDUSTRIAL USES (cont.)

Manufacture and/or bulk processing of the following, provided that manufacturing occurs only indoors:					
- Chemicals, Bulk Manufacture or Bulk Storage of Highly Hazardous or Toxic Chemicals	N	N	N	N	N
- Chemical Products that are not highly hazardous or toxic, other than fertilizers or pesticides	N	N	SE	SE	N
- Coke or Potash Work, including Coke Oven	N	N	N	N	N
- Creosote, including Treatment with	N	N	N	SE	N
- Electrical and Electronic Machines, Supplies and Equipment	N	P	P	P	N
- Fabricated Metal Products (except Ammunition or Explosives)	N	N	SE	SE	N
- Food Products, at an industrial scale as opposed to a clearly retail scale (not					
- Furniture and Wood Products (not including raw paper pulp)	N	P	P	P	N
- Glass and Glass Products (see crafts studio)	N	N	P	P	N
- Incineration, Reduction, Distillation, Storage Garbage, Bones, Dead Animals or Offal (other than	N	N	N	N	N
- Jewelry and Optical Goods	P	P	P	P	C
- Leather, Clay and Pottery Products (see also crafts studio)	N	N	P	P	N
- Limestone Processing	N	N	N	P	N
- Manufactured or Modular Housing	N	N	P	P	N
- Metal Products, Primary	N	N	N	SE	N
- Microelectronic Components	N	N	P	P	N
- Oilcloth	N	N	N	SE	N
- Paper and Cardboard Products (not including manufacture of raw paper pulp)	N	N	P	P	N
- Paper - Raw Pulp	N	N	N	N	N
- Paving or Roofing Materials, other than bulk manufacture of asphalt	N	N	SE	SE	N
- Pharmaceuticals	N	N	P	P	N
- Plastics, Polymers, Resins or Vinyl	N	N	P	P	N

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TYPES OF USES (See definitions in Article II)	BUSINESS DISTRICTS				
	VC	C	LI/B ¹	ME/I	C2
INDUSTRIAL USES (cont.)					
Manufacture and/or bulk processing of the following, provided that manufacturing occurs only indoors:					
- Products from Previously Manufactured Materials, such as glass, leather, plastics, cellophane, textiles, rubber or synthetic rubber	N	N	P	P	N
- Rubber, Natural or Synthetic	N	N	SE	SE	N
- Scientific, Electronic and Other Precision Instruments	P	P	P	P	N
- Soaps, Detergents, Paints, Varnishes or Enamels	N	N	SE	SE	N
- Tar, including tar distillation	N	N	N	SE	N
- Tire Retreading	N	N	N	SE	N
- Transportation Equipment	N	N	P	P	N
Mineral Extraction (S. 402) and related processing, stockpiling and storage	N	N	N	SE	N
Packaging	N	N	P	P	N
Package Delivery Services Distribution Center	N	N	P	P	N
Photo Processing, Bulk	SE	P	P	P	C
Printing or Bookbinding	SE	P	P	P	C
Propane Distribution	N	N	N	SE	N
Reclamation of former quarry and mineral extraction uses- See uses such as commercial outdoor recreation in this table					
Recycling Collection Center (S. 402)	SE	P	P	P	N
Recycling Center, Bulk (other than a solid waste disposal or transfer facility)	N	N	P	P	N
Research and Development, Engineering or Testing Facility or Laboratory	N	N	P	P	N
Sawmill/ Planing Mill	N	N	P	P	N
Self-Storage Development (S. 402)	N	P	P	P	N
Sewage Plant meeting all State and Township requirements:					
- New Central, serving three or more lots**	C	C	C	C	N
- Other than above	P	P	P	P	N
Slaughterhouse or Stockyard (S. 402)	N	N	N	SE	N
Solid Waste Facility (S. 402), including Sanitary Landfill, Solid Waste Transfer Facility or Solid Waste to Energy Facility	N	N	N	C	N
Trucking Company Terminal (S. 402)					
- involving more than 10 loading/unloading bays	N	N	N	SE	N
- involving 10 or less loading/unloading bays	N	N	P	P	N

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2 = A 100 feet wide setback shall be required for all wastewater storage and treatment structures from any residential lot line.

TYPES OF USES (See definitions in Article II)	BUSINESS DISTRICTS				
	VC	C	LI/B	ME/I	C2
INDUSTRIAL USES (Cont.)					
Warehousing (other than truck terminal) (S.402), not including storage of explosives, fireworks, ammunition or gunpowder (except within a government-owned facility)	N	P	P	P	N
Wastewater Treatment Plant - see Sewage Plant					
Welding	N	N	P	P	N
Wholesale Sales	N	P	P	P	N
MISCELLANEOUS USES					
See text at beginning of this Section 306 regarding "Similar Uses"					
All Uses that would have a serious threat of being unable to comply with the performance standards standards of this ordinance, especially including the "Environmental Protection" requirements of Article V	N	N	N	N	N
Parking Lot as the Principal Use of a Lot, not including or accessory to a Trucking Company Terminal	P	P	P	P	N
INSTITUTIONAL USES					
Animal Cemetery (S. 402)	N	N	SE	SE	N
Cemetery without Crematorium	N	P	P	P	N
Crematorium	N	N	N	SE	N
College or University - Educational and Support Buildings, not including a dormitory unless specifically permitted	SE	P	P	P	C
Community Center or Library	P	P	P	P	C
Cultural Center or Museum	P	P	P	P	C
Day Care Center, Adult (S. 402)	P	P	P	P	C
Day Care, Child (S. 402) (See also as an accessory use)					
- Day Care Center or Group Day Care Home	P	P	P	N	C
Dormitory as an accessory use to an approved College, University or Primary or Secondary School	N	N	SE	N	N
Hospital (S. 402)	N	P	P	N	N
Institutional Group Home (S. 402)	N	SE	N	SE	N
Membership Club, other than an "After Hours Club" or "Tavern"	P	P	P	P	C
Nursing Home or Personal Care Home (SW) (S. 402)	P	P	P	N	C

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	VC	C	LI/B ¹	ME/I	C2
Place of Worship (S. 402)	P	P	P	P	C
Picnic Grove, Private (S. 402)	P	P	P	P	N
Prison or Similar Correctional Institution	N	N	N	C	N
School, Public or Private, Primary or Secondary (S.402)	P	P	P	N	C
Treatment Center (S. 402)	N	N	N	SE	N

PUBLIC/SEMI-PUBLIC

Government Facility, other than: offices, Township-Owned Uses, public schools and other uses listed separately anywhere in this Section 306	SE	SE	SE	SE	N
Emergency Services Station, which may include a supporting social club building or facility	P	P	P	P	C
Nature Preserve	P	P	P	P	N
Publicly-Owned Recreation	P	P	P	P	N
Public Utility Facility, other than: Facilities Exempted by Section 103 or permitted by Section 306.E.	SE	SE	SE	SE	N
Swimming Pool, Non-household (S. 402)	P	P	P	P	N
Township-Owned Uses	P	P	P	P	N
U.S. Postal Service Facility, which may include a leased facility	P	P	P	P	C

ACCESSORY USES

**See Additional Requirements in Section 403 for Specific
Accessory Uses. See list of additional permitted
accessory uses in the following sections.**

Accessory Apartment, One, Within an Existing Single-Family Detached Dwelling or Semi-Detached Dwelling ("Twin") (S. 403)	P	P	P	P	N
Day Care Center accessory to a lawful Place of Worship	P	P	P	P	C
Day Care: Family Day Care Home as accessory to a lawful dwelling unit (S. 403)	P	P	P	P	N
Heliport - see under principal uses					
Home Occupation, General or Light (S. 403)	P	P	P	P	N
Residential Accessory Structure or Use (S. 403)					
Retail Sales and/or Personal Services Limited to 5% or 5,000 square feet, whichever is less, of the Building Floor Area of an Industrial or Office Building and that are clearly primarily intended to: a) serve workers within that building, b) serve persons visiting offices in that building and/or c) sell items produced within that building or adjacent buildings operated by the same company.	P	P	P	P	C
Seasonal Farm Worker Housing (S. 403)	N	N	N	SE	N

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306.C. Permitted Accessory Uses in All Districts. An accessory use of a dwelling is only permitted if such use is customarily incidental to the residential use and is specifically permitted by this Ordinance. The following are permitted by right as accessory uses to a lawful principal use in all districts, within the requirements of Section 403 and all other requirements of this Ordinance:

1. Air Conditioning, Heating and Ventilation Equipment
2. Adult Day Care Center as an accessory use, including care of a maximum of four persons at any time of day
3. Standard Antennae, including antennae used by contractors to communicate with their own vehicles* **
4. Basketball backboard, which may be within a required setback area, provided the pole and backboard are both a minimum of five feet from any lot line of an abutting residence **
5. Crop Storage as an Accessory Use to Crop Farming
6. Family Day Care Home as an accessory use, within the standards of Section 403 * or any day care of up to three children
7. Fence* or Wall*
8. Flag Pole **
9. Garage, Household
10. Garage Sale* **
11. Indoor Storage that is customarily accessory to a permitted use
12. Keeping of Pets* **
13. Loading, Off-Street, only to serve a use that is permitted in that district **
14. Parking, Off-Street, only to serve a use that is permitted in that district **
15. Recreational Facilities, non-commercial, limited to use by employees of a lot or a development and their occasional invited guests **
16. Recreational Facilities, non-commercial, limited to use by: residents of a development or students at a primary or secondary school or center for the care and treatment of youth, and their occasional invited guests **
17. Recreational Vehicle, Storage of One or Two* **
18. Residential accessory structure (see definition in Article II) (includes standards for skateboard ramps) *
19. Satellite Antennae* **
20. Signs, as permitted by Article VII
21. Solar Energy System **
22. Stable, Household* (see "Keeping of Pets"*)
23. Swimming Pool, Household *
24. Tennis/ Racquetball Court
25. Volleyball Court
26. Windmill **
27. Such other accessory use or structure that the applicant proves to the satisfaction of the Zoning Officer is clearly customary and incidental to a permitted by right, special exception or conditional principal use. For a skateboard ramp, see "Residential Accessory Structures" in Section 403.

* See standard for each in Section 403.

** These permitted by right accessory uses shall not be required to file any type of permit with the township if they comply with all sections of this ordinance and any other North Whitehall Township zoning ordinances.

306.D. Permitted Accessory Uses to Business and Institutional Uses. The following are permitted by right accessory uses only to a permitted by right, special exception or conditional commercial, industrial or institutional use, provided that all requirements of this Ordinance are met:

1. Amusement machines, coin or token operated as accessory uses
2. Collection Bins to benefit a bona fide IRS-recognized incorporated non-profit charitable organization, provided: a) the bins comply with minimum principal building setbacks, b) safe sight distance is not obstructed, c) the property is kept in an orderly and sanitary manner, d) the activity does not generate nuisances, and e) the applicant provides a written agreement from the landowner of record granting permission for the bins to be placed on the property.
3. Outdoor or indoor food, beverage and toy machines, coin operated*
4. Outdoor or indoor newspaper sales machines, coin operated*
5. Outdoor or indoor telephones, coin operated*
 - * Such uses completely inside an enclosed building are permitted by right accessory uses to any use.
6. Recycling Collection Center as an accessory use
7. Storage of fuels for on-site use or to fuel company vehicles
8. The following accessory uses, provided that the use is clearly limited to employees, patients, residents and families of employees of the use and their occasional invited guests:
 - a. Standard or fast-food restaurant without drive-thru service,
 - b. Day care center,
 - c. Noncommercial recreational facilities or
 - d. Meeting facilities.

306.E. Permitted Essential Services. The following are "Essential Services" that are permitted by right as a principal or as an accessory use in all districts:

1. Essential Services Exempt from Lot Area and Setback Requirements. The following essential services are not required to meet the accessory or principal structure setback, lot area or other lot requirements of this Ordinance, except that any newly created lot shall meet the applicable lot requirements if future building or subdivision of the lot would reasonably be possible for a different use.
 - a. Oil pipelines and natural gas transmission and distribution lines.
 - b. Electrical transformers as an accessory use to dwellings.
 - c. Electrical, telephone and street light poles.
 - d. Electrical transmission and distribution lines and meters.
 - e. Wells, standpipes, water transmission lines, cisterns and meters.
 - f. Sewage pumping stations, but not including a central sewage treatment plant, provided that such use be setback a minimum of 75 feet from any dwelling or any residential lot line.
 - g. Cable television and telephone lines.
 - h. Storm water pipes, out-falls, detention basins, swales and catch basins.
 - i. Shelters and benches for buses that transport school children or that are owned, operated or financed by a public transit authority.
 - j. U.S. mailboxes.
 - k. Boxes for receiving individual newspapers.
 - l. Railroad lines.
 - m. Fire hydrants and emergency call boxes.
 - n. Engineered retaining walls that are clearly necessary to hold back slopes.
 - o. Sidewalks and curbs.
 - p. Ramps primarily intended for handicapped access.

- q. For ground level porches, see Section 803.B.
- r. Steps leading into the entrance of a building. See Section 803.B.
- s. On-lot septic disposal systems in accordance with State regulations except as required by 505.B Steep Slopes. 2007-3
- t. Construction. Temporary storage of vehicles and materials and/or construction office trailers that are clearly needed and being actively used for current construction on the same or an adjacent lot or within the same development, provided all of the following conditions are met:
 - 1) such items are removed from the site within 30 days of completion of the portion of the construction that they relate to;
 - 2) such items shall only be stored on a lot while the related Township building permit or zoning permit is actively still in effect; and
 - 3) such items shall be kept a minimum of 30 feet from an occupied primarily residential lot.

2. Essential Services Required to Comply with Lot Area and Setback Requirements.

The following are permitted by right essential services that are required (except as may otherwise be approved under Section 114) to meet all of the applicable requirements of this Ordinance:

- a. Electrical substations and bulk industrial or commercial transformers that are not an accessory use to dwellings. See "Utility Sub-stations" in Section 402.
- b. Water towers (see height exemption in Section 802), water filtration plants and pressure stations.
- c. Emergency and other electrical generators and compressors as accessory to a lawful principal use.
- d. Solid waste bulk dumpsters and bulk compactors as accessory to a lawful principal use.
- e. Telephone switching stations.
- f. Industrial or commercial central air conditioning equipment as accessory to a lawful principal use.

3. See also exemptions for certain projections into yards in Section 803.B.

306.F. Prohibited Accessory Uses. An accessory use shall not be permitted unless: a) the use is specifically permitted by this Ordinance, or b) the applicant proves to the satisfaction of the Zoning Officer that the use is customarily incidental to a lawful principal use.

307. TABLE OF LOT AND SETBACK REQUIREMENTS BY DISTRICT

307.A. For the purposes of this Section 307, the following abbreviations shall have the following meanings:

sq.ft. = square feet
 ft. = linear feet
 SFD = single family detached dwelling

Central Sewer = service at the time of occupancy by "central sewage service" as defined in Article II

Public Water = service at the time of occupancy by "public water service" as defined in Article II, except:

the Board of Supervisors may approve non-public central water service in place of public water service if central water service is needed because of a public health hazard and if public water service reasonably cannot be extended; in which case the central water system shall be designed so that it can be incorporated into the public water system in the

future.

Central Water = service at the time of occupancy by "central water service" as defined in Article II

NA = Not applicable.

307.B. The following requirements shall apply for each respective district, **unless a more restrictive requirement is listed for a particular use** in Sections 402 or 403 or elsewhere in this Ordinance. For a "**Cluster Development**" which is an option allowing smaller lots in certain residential districts, see Article IX. See also the **steep slope regulations** of Section 505 which may require larger lots in areas of 15 percent or greater slope.

1. Table of Lot and Setback Requirements for the CR, AR, AR-L, AR-I, SR and VR districts (see also Cluster Option in Article IX) **for uses other than townhouses, low-rise apartments or manufactured/ mobile home parks** (for those uses see Section 402):

Type of Requirement (See definition of terms in Article II)	CR District	AR, AR-I & AR-L Districts	SR District	VR District
a. Minimum Lot Area (sq.ft.) (per dwelling unit for residential purposes)				
1) SFD without either central sewer or public water	All lots:	1)50,000	1)50,000	1)50,000
2) SFD with public water but not central sewer	87,120,	2)40,000	2)30,000	2)30,000
3) SFD with central sewer but not public water	except as	3)40,000	3)30,000	3)30,000
4) SFD with both central sewer and public water	provided by	4)25,000	4)10,000	4) 8,000
5) Semi-detached dwelling or Two Family Detached Dwelling with both central sewer and public water	note "A" below.	5) NA	5) 7,000	5) 5,000
6) Other Permitted Principal Uses	Also see note "B" below.	6)40,000	6)40,000	6)40,000, except 15,000 with both central water and central sewage.

A If a lot, as of December 6, 1995, included 10 acres or greater of lot area, then a maximum of 10 percent of such parent lot may be subdivided into lots with a minimum lot area of 43,560 square feet (one acre). Unless otherwise stated on approved final subdivision plans, in case of subdivision, any right to develop such one acre lot(s) shall be retained by the lot that retained the same County lot identification number as the original parent lot.

B A lot existing and fronting on one or more public roads existing at the time of adoption of the 2002 North Whitehall Township Zoning Ordinance, may be subdivided into a maximum of two new lots which front on those roads. All other lots shall front on new roads constructed by the developer. Lots fronting on these new roads and abutting existing public roads shall comply with the buffer yard requirements of Section 803.D.1.

Type of Requirement (See definition of terms in Article II)	CR District	AR, AR-I & AR-L Districts	SR District	VR District
b. Minimum Lot Width at the Minimum Front Yard Building Setback Line in feet, see Exceptions below. 1) Lot required to be 40,000 sq. ft. or larger 2) Lot required to be 20,000 sq. ft. or larger, but less than 40,000 sq. ft. 3) Lot permitted to be less than 20,000 sq. ft. - other than semi-detached dwelling 4) Semi-detached dwelling - per dwelling unit Exceptions: 1) On the curve of a cul-de-sac street, this minimum width may be reduced by 40%. 2) On the outside of curves over 300 ft. radius but less than 600 ft. radius, this minimum lot width may be reduced by 10%. 3) On the outside of curves of up to 300 ft. radius, this minimum lot width may be reduced by 20%.	1) 250 2) NA 3) NA 4) NA	1) 150 2) 120 3) NA 4) NA	1) 120 2) 100 3) 80 4) 50	1) 120 2) 100 3) 80 4) 40
c. Minimum Lot Width at the Street Right-of-Way Line (ft. - after development) - For a lot that will have direct vehicle access onto an Arterial Street - For any other lot (may be 30 feet minimum for a lot on the curve of a cul-de-sac street)	200 50	200 50	150 40	150 30
d. Minimum Width and Length of a Dwelling (ft.)	20	20	14	14
e. Minimum Setback for Principal Structure (ft.) 1) Front Yard 2) Side Yard - each ¹ 3) Rear Yard 4) Absolute minimum for any Yard adjacent to a Public Street 5) For any permitted new or expansion of a non-residential principal building from a "residential lot line" (see definition in Article II) 6) For any new principal dwelling from existing buildings currently being used for the housing of livestock on another lot, unless a written and signed waiver from this setback is provided by the owner of the lot including the livestock buildings. This setback requirement shall not apply to additions to an existing dwelling.	1) 30 2) 20 3) 50 4) 30 5) 50 6) 100	1) 30 2) 20 3) 50 4) 30 5) 50 6) 100	1) 30 2) 10 3) 40 4) 30 5) 50 6) 100	1) 30 2) 10 3) 30 4) 30 5) 30 6) 100
f. Minimum Setback for Accessory Structures (ft.) Accessory structures are not permitted within the required ¹ minimum front yard setback for principal buildings. 1) For a vehicle garage with a maximum floor area of 1000 sq.ft. from the right-of-way of an existing or proposed street or alley along a side or rear lot line 2) For a storage shed with a maximum floor area of 200 sq. ft. and a maximum of one story ² from any side or rear	1) 15 2) 5 3) 15	1) 15 2) 5	1) 15 2) 5 3) 10	1) 15 2) 5 3) 5

1 Except 0 ft. at a lot line along which two semi-detached dwellings are attached.

2 All storage sheds shall be durably constructed and neatly maintained.

Type of Requirement (See definition of terms in Article II)	CR District	AR, AR-I & AR-L Districts	SR District	VR District
lot line ¹ 3) For any other permitted accessory building or structure from a side or rear lot line not listed above ¹ See Section 603.D. concerning minimum driveway setbacks.		3) 15		
g. Maximum Height (ft.; See exceptions in Section 802 and in definition of "Height") - Principal Building - Accessory Building- plus an additional non-habitable floor that shall be restricted to storage.	40 25	40 25	35 25	35 25
h. Maximum Number of Stories - Principal Building - Accessory Building	2 1/2 1	2 1/2 1	2 1/2 1	2 1/2* 1
i. Maximum Building Coverage	15%	20%	30%	35%
j. Maximum Impervious Coverage for lots with permitted non-residential principal uses	30%	40%	50%	65%

* Except that 3 1/2 stories are permitted for Townhouses and Low Rise apartments in the PC District. 2007-3

Type of Requirement (See definition of terms in Article II)	VC District ¹	C and C-2 District ¹	LI/B District	ME/I District	PC District ^{1, 2}
primary or secondary school - For any non-residential principal structure other than a portion of a building used for manufacturing to an abutting lot line of: a) a residential lot line (see definition in Article II) or b) a primary or secondary school.	50	60	75	75	75
f. Minimum Setback for Accessory Structures (ft.): Accessory structures are not permitted within a required minimum front yard setback for principal buildings, including any such yard abutting a public street. 1) Side Yard 2) Rear Yard 3) For a non-residential accessory structure to an abutting: a) residential lot line (see definition in Article II) or b) lot line of a primary or secondary school.	1) 5 2) 5 3) 30	1) 5 2) 5 3) 30	1) 20 2) 20 3) 75	1) 20 2) 20 3) 75	1) 100 2) 100 3) 75
g. Maximum Height (ft.; See exceptions in Section 802) 1) Principal Building or Accessory Building Meeting the Required Setbacks for a Principal Building 2) Other Accessory Building	1) 35 2) 25	1) 35 2) 25	1) 50 2) 50	1) 50 See note "2" below 2) 50 See note "2" below	1) 35 2) 35
h. Maximum Number of Stories 1) Principal Building or Accessory Building Meeting the Required Setbacks for a Principal Building 2) Other Accessory Building	1) 2 1/2 2) 1	1) 3 2) 1	1) 4 2) 1	1) 4 2) 1	1) 3 2) 1
i. Maximum Building Coverage	40%	40%	40%	40%	40%
j. Maximum Impervious Coverage 1) a lot that existed of record as of January 1, 1995 with a lot area of less than two acres ³ 2) any other lot	1) 80% 2) 75%	1) 80% 2) 75%	1) 80% 2) 75%	Any Lot: 75%	1) 80% 2) 75%

1 In the VC and C Districts, residential uses shall be permitted under the same standards, limitations, lot and setback requirements (and with the same accessory residential uses) as the VR District instead of the regulations of the VC or C District, except mobile/manufactured home parks shall be prohibited in the VC and C districts.

2 Except a maximum height of 120 feet shall apply to machinery and structures as part of a permitted mineral extraction use or construction materials plants.

3 If such lot is subdivided after January 1, 1995, then the above right to develop at the 80 percent impervious coverage may apply to any parent and/or new lot created from such original lot.

2. Table of Lot and Setback Requirements for the VC, C-2, PC, LI/B and ME/I districts:

Type of Requirement (See definition of terms in Article II)	VC District ¹	C and C-2 District ¹	LI/B District	ME/I District	PC District ^{1, 2}
a. Minimum Lot Area (sq.ft.) 1) Without central sewage or public water 2) With central sewage but not public water 3) With public water but not central sewage 4) With both public water and central sewage	1) 43,560 (1 acre) 2) 25,000 3) 40,000 4) 8,000	1) 43,560 2) 25,000 3) 40,000 4) 12,000	87,120, except 43,560 for a lot that is permanently deed restricted to non-industrial uses	87,120, except 130,000 for any conditional or special exception industrial use	1) 43,560 2) 30,000 3) 40,000 4) 20,000
b. Minimum Lot Width at the Minimum Front Yard Building Setback Line (ft.) 1) For a lot required to have a lot area of one acre or greater 2) For a lot permitted to have a lot area of less than one acre	1) 120 2) 80	1) 120 2) 100	1) 150 2) 120	1) 200 2) N.A.	1) 120 2) 100
c. Minimum Lot Width at the post - development Street Right-of-Way Line (ft.) - For a lot that will have direct vehicle access involving left-hand turns onto or off of an arterial street - For any other lot	200 50	250 50	250 50	250 50	250 50
d. Minimum Setback for Principal Structure (ft.) except as provided in "e." below. 1) Front Yard 2) Side Yard - each 3) Rear Yard 4) For any Yard adjacent to a public street	1)50 2)10 3)30 4)50	1)50 2)15 3)30 4)50	1)50 2)25 3)30 4)50	1)50 2)40 3)40 4)50	1)50 2)20 3)30 4)50
e. Minimum Setback for Principal Structure (ft.) - For a portion of a building used for manufacturing or an area routinely used for the parking, storage or loading/ unloading of tractor-trailer trucks or refrigerated trucks to an abutting: a) residential lot line (see definition in Article II) or b) lot line of a	80	120	150	150	120

1 In the VC and C Districts, residential uses shall be permitted under the same standards, limitations, lot and setback requirements (and with the same accessory residential uses) as the VR District instead of the regulations of the VC or C District, except mobile/manufactured home parks shall be prohibited in the VC and C districts.

2 Except a maximum height of 120 feet shall apply to machinery and structures as part of a permitted mineral extraction use or construction materials plants.

- C. See also additional Requirements in the following sections:
1. Additional Requirements for Specific Types of Principal Uses - Section 402
 2. Additional Requirements for Specific Types of Accessory Uses - Section 403
 3. Off-Street Parking - Article VI (including paved area setbacks in Section 603)
 4. Signs - Article VII
 5. Buffer Yards - Section 803
 6. Steeply Sloped Areas - Section 505
 7. Environmental Protection - Article V
 8. Temporary Structures - Section 807
 9. Site Plan Review for Certain Uses - Sections 116 and 117
 10. Exceptions to Setbacks - See Section 803
 11. Areas Subject to Flooding – See Article X

308. **USE, ACCESS AND OTHER REQUIREMENTS WITHIN THE PC DISTRICT.**

308.A. Purposes. See Section 301.

308.B. Definition of a "Planned Commercial Development". A Planned Commercial Development shall be a land development and/or subdivision that includes principal non-residential uses in the PC district, which is approved as a conditional use by the Board of Supervisors and which meets all of the applicable requirements of this Section 308. Such approval is intended to occur over the same time period or an overlapping time period as review and approval of a preliminary subdivision or preliminary land development plan.

308.C. Uses.

1. The same uses as are permitted by right, by special exception or by conditional use in the VR district are also permitted in the PC district in the same manner and with the same regulations as would apply within the VR district, except:
 - a. The following uses shall specifically not be permitted anywhere within the PC district: manufactured home parks, boarding houses, adult uses, industrial laundry, and institutional group home.
2. In addition, as an option, the same non-residential uses that are permitted by right, by special exception or by conditional use shall also be permitted in the PC district in the same manner and with the same regulations as would apply within the C district, only if all such uses are within a "Planned Commercial Development" approved as a conditional use. (For example, once a Planned Commercial Development is approved, then an applicant could receive approval for an individual retail store by right on one lot and a tavern as a conditional use on another lot, if so provided by Section 306.)
3. Where a use is permitted in both the VR and the C district, the regulations of the VR district shall apply for that particular use in the PC district. However, once a lot in the PC district is approved for a use under the regulations that would apply in the VR district, the current and future lot owners shall have automatically abandoned any privilege of developing that lot for a principal non-residential use that is not permitted in the VR district. For example, if a lot is approved for a single family detached dwelling, the owner may not later seek to develop such lot or building into a retail store.

4. The development of a wide range of commercial and other non-residential principal uses in this PC district represents an option that is offered to applicants. If an applicant is unable or unwilling to meet the additional requirements of this Section that pertain to uses permitted in a "C" district, then such applicant shall be limited to uses permitted in the VR district and shall be required to comply with the standards of the VR district.

308.D. Minimum Tract Area and Lot Area for the PC District.

1. a. For existing or new lots not approved as part of a Planned Commercial Development, which shall be restricted to uses permitted in the VR district - all of the regulations of the VR district shall apply, except as may be specifically provided below.

b. For any uses permitted in the C district that are not permitted in the VR district, approval as a Planned Commercial Development is required. Such Planned Commercial Development shall include an initial minimum lot area of two acres. Such tract (as defined in Article II) may then be subdivided into lots meeting the minimum lot area specified in the C district if the tract is approved as a Planned Commercial Development.

2. Provisions for Certain Existing lots of record.

a. Previously Approved Business Lots. An existing lot of record that was granted final subdivision approval as a lot permitting principal business uses prior to January 1, 1995 and which includes a minimum lot area of one acre may be used for a use permitted in the C district under the regulations of the C district without needing to be re-approved as a Planned Commercial Development if sections 308.E.1. and 4. below are met.

b. Merger of Existing Lots. Two or more lots within the PC district that each existed as a lot of record and each included less than two acres of lot area as of January 1, 1995 may be merged together to result in a lot of at least one acre. In such case, the resulting merged lot may be used for a use permitted in the C district under the regulations of the C district without needing to be re-approved as a Planned Commercial Development if sections 308.E.1. and 4. below are met.

c. Smaller Existing Residential Lots. This sub-section "c." applies to a lot within the PC district that at the time of adoption of this Ordinance met the following three criteria: (a) existed as a lot of record, (b) included less than one acre of lot area, and (c) included a single family detached dwelling. Such a lot may be utilized for a use permitted in the C district without needing to be approved as a Planned Commercial Development provided that: (a) sections 308.E.1., 2. and 4. below are met and (b) the applicant proves that the properties will have vehicle access only from the side or rear of the lot and not from a major arterial street.

(1) If this sub-section "c." applies, the applicant shall provide evidence that such access will: (a) meet the same Township requirements as if a new driveway for a commercial use would be newly constructed, (b) be paved and (c) provide for adequate sight distance where the access enters onto a public street. If the vehicle access is shared by more than one property-owner, the applicant shall provide evidence of a permanent legal right to use such access.

(2) If this sub-section "c." applies, buildings that existed on the lot at the time of adoption of this Ordinance on a lot with a minimum lot area of 10,000 square feet may be utilized for a use permitted in the C district. The lot area, setback and other dimensional requirements of the C district shall only apply in such case if new or expanded buildings are developed.

308.E. Access Requirements. The following requirements shall apply to any Planned Commercial Development, any lot within such development, and any other lot that would permit uses to be developed under the regulations of the C district:

1. See access provisions in Section 810. All development shall make the absolute maximum use possible of interior streets and common interconnected driveways to limit the number of access points entering and exiting onto an arterial street. Interconnected and/or shared parking lots are also strongly encouraged. (See possible reduction of parking requirements in Section 601.) As needed to meet this requirement, deed restrictions limiting the point(s) of vehicle access shall be placed on any individual lots that are created or approved for development.
2. No lot in the PC district intended to be developed under the optional regulations of the C district shall have any vehicle access or egress directly from or to the lot from or to a major arterial street, except at a location served by an existing traffic signal or where sufficient financial security has been established to ensure the installation of such traffic signal and where such signal location has been approved by PennDOT pending the generation of specified traffic volumes. If such requirement is not met, the lot may be developed under the regulations of the VR district.
 - a) The Township shall permit a clearly defined right-hand turn only entrance and/or right-hand turn only exit onto a major arterial street if authorized PennDOT officials specifically state in writing that it is both desirable to provide proper traffic flow and will be permitted by PennDOT.
3. As part of any application for a subdivision, land development or zoning permit that is intended to result in more than 25,000 square feet of business building floor area, if a point of vehicle access for such development would be within 2,000 feet of an unsignalized intersection of two arterial streets, then prior to such development being approved, the applicant shall prove to the satisfaction of the Board of Supervisors that at the time such development is approved to be open for business:
 - a) all vehicles movements at such intersection of two arterial streets would have a level of service at A.M. and P.M. peak hours of at least "D" following professional traffic engineering standards, and
 - b) that the point of access from such development onto a public street, and the intersection of that public street with an arterial street would not result in serious conflicts of turning movements and back-ups with the intersection of the two arterial streets.
4. Any lot or tract in the PC district intended to be developed under the regulations of the C district (such as is described in Section 308.D.2.) shall include the provision of whatever cross-easements, stub street extension or other form of guarantee access is determined by the Board of Supervisors to be needed to any abutting lot(s) to provide coordinated access towards a location where a traffic signal exists or is proposed in the Township Comprehensive Plan or Township-sponsored Traffic Study.

5. See Section 810.I. which provides for the posting of security to ensure that traffic improvements will be completed when warranted.
 6. After considering any traffic studies, any comments of PennDOT, the Township Engineer, any traffic consultants and the Planning Commission and any recommendations of the Township Comprehensive Plan, the Board of Supervisors may require an applicant to dedicate sufficient land and to construct a realignment of an intersection abutting the tract that is needed to ensure proper coordination with existing or planned traffic signal locations. Such realignment might be in lieu of requiring the applicant to reconstruct an existing local street abutting or within the applicant's development to all Township standards as might otherwise be required by the Subdivision and Land Development Ordinance. In partial compensation for such realignment, the Board of Supervisors may vacate to the abutting lot owner any pre-existing public right-of-way that as a result may become unneeded.
- 308.F. Staged Construction. If development is to occur in stages, each stage shall be planned and occur in a fully coordinated manner so that the purposes and requirements of this Ordinance are fully complied with at the completion of each stage and after the entire development is completed. Each stage shall be shown on the plan.
- 308.G. Information. The applicant shall present whatever information is available on the types of tenants or uses that are intended or expected in different portions of the development.
- 308.H. Relationship to Surroundings. The applicant shall show how the development will be coordinated with access and utilities of adjoining areas of land and with traffic along any abutting streets.
1. Limit on Residential Street Extension. As a condition of a conditional use approval within the PC district, a primarily residential local street shall not be extended to provide vehicle access to commercial uses within a PC district if such PC district abuts a total of two or more collector and/or arterial streets. This sub-section shall not prohibit access from a local street that is limited to emergency vehicles, pedestrians and/or bicycles.
- 308.I. Landscaping. An application for a Planned Commercial Development shall include an overall plan or program of landscaping. This plan shall be carried out by the subdivider and/or through a system of deed restrictions on each lot. Such landscaping at a minimum shall include street trees and landscaping around detention basins.
-  309. **ADDITIONAL REQUIREMENTS WITHIN THE LI/B DISTRICT.**
- 309.A. The number of access points onto any major arterial street (such as Rt. 309) shall be held to an absolute minimum. The maximum feasible use shall be made of internal streets.
- 309.B. A minimum 50 feet buffer yard meeting the requirements of Section 803 shall be provided abutting any residential district. However, such buffer yard is not required adjacent to an expressway, except as may be required to screen outdoor storage areas, truck parking and loading docks as provided in Section 803.
- 309.C. All utility lines (other than electric transmission lines) shall be placed underground.
- 309.D. If development is to occur in stages, each stage shall be planned and occur in a fully coordinated manner so that the purposes and requirements of this Ordinance are fully complied with at the completion of each stage and after the entire development is completed. Each stage shall be shown on the plan.

- 309.E. At an absolute minimum, adequate right-of-way for street extensions shall be provided to provide future access to adjoining tracts of land. Under the Subdivision and Land Development Ordinance, the Board of Supervisors may require the actual construction of such stub streets where reasonable and necessary.
- 309.F. Lighting and Glare - see Section 511.
- 309.G. A developer of a business subdivision in the LI/B district is requested to place reasonable deed restrictions or covenants on each lot to ensure an attractive, orderly and well-maintained development. The developer is requested to provide a description of the substance of the intended restrictions to the Township prior to development approval.