

WEST BRUNSWICK TOWNSHIP

SCHUYLKILL COUNTY PENNSYLVANIA

THE WEST BRUNSWICK TOWNSHIP ZONING ORDINANCE 1 OF 2009, as revised

Originally enacted January 7, 2009

As revised by the following ordinances:
Ordinance No. 1 of 2015 dated January 7, 2015,
Ordinance No. 1 of 2017 dated May 2, 2017,
Ordinance No. 4 of 2017 dated September 6, 2017

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TOWNSHIP OF WEST BRUNSWICK

ORDINANCE NO. 1 of 2009

This is an Ordinance regulating the location, erection, construction, alteration, removal, and size of buildings, structures, and signs and regulating the use of land. Zoning Districts, with their applicable regulations, and general regulations are restated and amended herein to accomplish these purposes. Provision is made for the amendment, enforcement and administration of this zoning ordinance.

ARTICLE I

TITLE, PURPOSE, INTERPRETATION, AND APPLICATION

Section 100. **TITLE**

This Ordinance shall be known and may be cited as "The West Brunswick Township Zoning Ordinance of 2009."

Section 101. **PURPOSE**

This Ordinance is enacted to restate and implement the West Brunswick Township Comprehensive Plan and to promote the public health and safety and the general welfare of the residents and occupants of the Township by encouraging the most appropriate use of land and buildings; preventing the overcrowding of land; avoiding undue congestion of population; providing for adequate areas for vehicular parking and loading; providing for adequate light and air; conserving the value of land and buildings; securing safety from fire, panic, flood and other dangers; facilitating the adequate provision of transportation, water, sewerage, school and other public facilities; encouraging the harmonious and orderly development of land; and lessening congestion of the roads and highways.

This Ordinance is enacted in accordance with the Community Development Objectives as set forth in the West Brunswick Township Comprehensive Plan. Those Objectives are incorporated herein by reference.

Section 102. **INTERPRETATION**

In interpreting and applying the provisions of this Zoning Ordinance, they shall be held to be the minimum requirements adopted for the promotion of the public health and safety and the general welfare of the residents and occupants of the Township. Where the provisions of this Ordinance impose greater restrictions than those of any other Township statute, ordinance or regulation, the provisions of this Ordinance shall be complied with. Where the provisions of any other Township statute, ordinance, or regulation impose greater restrictions than this Ordinance, the provisions of such other Township statute, ordinance, or regulation shall be complied with.

Section 103. **APPLICATION**

Except as hereinafter provided, no building, structure, land, or parts thereof in West Brunswick Township shall be used or occupied, erected, constructed, assembled, moved, enlarged, removed, reconstructed, or structurally altered unless in conformity with the provisions of this Ordinance.

ARTICLE II

DEFINITIONS

Section 200. GENERAL

For the purpose of this Ordinance, certain terms and words are defined below. Words used in the present tense shall include the future tense. Words in the singular shall include the plural and words in the plural shall include the singular. Words in the masculine include the feminine and the neuter. The word "shall" is mandatory. The word "may" is permissive. The word "person" includes "individual", "company", "unincorporated association", or other similar entities. The words "used for" include "designed for", "arranged for", "intended for", "maintained for", or "occupied for". The word "building" shall be construed as if followed by the phrase "or part thereof".

Section 201. SPECIFIC TERMS

Abut or Abutting — Areas of contiguous lots that share a common lot line, except not including lots entirely separated by a street or a perennial waterway. See definition of "adjacent."

Accessory Building (Garage, Pole Barn, Etc.) - A building subordinate to the principal building on a lot and used for purposes customarily incidental to those of the principal building.

Accessory Use - A subordinate use of a portion of a lot which is customarily incidental to the main or principal use of the land or of a building on a lot.

Adjacent - Two or more lots that share a common lot line or that are separated only by a street or waterway from each other.

Admission - A monetary exchange or charge of any character whatsoever, including donations, contributions, dues, and membership fees (periodical or otherwise) charged, paid, or in any other manner received by a landowner or producer and obtained from the general public, or a limited or selected number thereof, directly or indirectly, for the privilege of attending or engaging in any form of amusement, entertainment, or recreation. Provided, however, that any form of amusement, entertainment, or recreation, the proceeds of which after payment of reasonable expenses, inure exclusively to the benefit of religious, educational, or charitable institutions, societies or organizations, veterans' organizations or police or firemen's organizations, or which is conducted by or on behalf of a government body, shall not be considered a commercial form of amusement, entertainment, or recreation within the meaning of this Ordinance.

Adult Bookstore - A use with a significant portion of the market value of, or over fifteen (15) square feet of total floor area occupied by, items for sale or rent being books, films, magazines, video tapes, coin- or token-operated films or video tapes, paraphernalia, novelties or other periodicals which are distinguished or characterized by a clear emphasis on matter depicting, displaying, describing or relating to uncovered male or female genitals or "specified sexual activities." This shall include but not be limited to materials that would be illegal to sell to persons under age eighteen (18) under State law.

Adult Business – Any commercial establishment which, as one of its principal purposes, offers for sale or rental for any form of consideration any form of sexually explicit material (i.e. books, magazines, periodicals or other printed matter, or photographs or film, motion pictures, video cassettes or video reproductions, slides, or other visual representations which are characterized by the depiction or description of sexual activities or display of human genital and/or other anatomical areas and/or instruments, devices, or paraphernalia which are designed for use in connection with sexual activities.) and/or which offers to provide, for entertainment purposes, persons who appear in a state of nudity or semi-nudity (i.e. go-go dancers, erotic and/or exotic dancers, erotic and/or exotic entertainers, etc). This definition is a broad overall definition which includes, but is not limited to the following:

- (A) Adult arcade.
- (B) Adult bookstore, adult novelty store, or adult video store.
- (C) Adult cabaret, adult dance hall, adult theatre, adult club, adult bar, adult tavern, adult night club, adult restaurant or any other similar type of adult establishment.
- (D) Adult drive-in theatre.
- (E) Adult materials rentals and sales.
- (F) Adult mini motion picture theatre.
- (G) Adult motel.
- (H) Adult motion picture theatre.
- (I) Adult peep shows.
- (J) Any type of sexual encounter center.
- (K) Massage parlor.
- (L) Nude model studio.

Adult Day-Care Facility – Any premises operated for either, profit or, not for profit in which older adult daily living services, as defined herein, are simultaneously provided for four (4) or more adults who are not relatives of the operator of said facility. The following types of adult day-care facilities are regulated through this definition and Ordinance.

- A. Adult Day-Care Home – Any adult day-care facility in which services are provided to between four (4) and eight (8) adults and where the day-care areas are being primarily used as a family residence.
- B. Adult Day-Care Center – Any adult day-care facility in which services are provided to eight (8) or more adults and where the day-care areas are not being primarily used as a family residence.

Adult Live Entertainment Facility - A use including live entertainment involving persons (which may include waiters, waitresses, dancers, clerks, bartenders, contractors or others) displaying uncovered male or female genitals or nude or almost nude female breasts or engaging in simulated or actual “specified sexual activities” related to some form of monetary compensation paid to a person, company or organization operating the use or to persons involved in such activity.

Adult Movie Theater - A use involving the presentation typically to 3 or more persons at one time in a room of motion pictures, video tapes or similarly reproduced images distinguished or characterized by an emphasis on depiction of “specific sexual activities” for observation by patrons therein and that is related to some form of monetary compensation by the persons viewing such matter.

Adult Use - This term shall include any of the uses described in Adult Business.

Agriculture - The cultivation, raising, and harvesting of the products of the soil and water and the raising of animals typically found on agricultural lands, including, but not limited to (a) crop farming, orchards and vineyards (b) silviculture and horticulture associated with nursery activities, but excluding Forestry, (as defined in this Ordinance); (c) animal husbandry, poultry farming, and dairy farming, excluding Kennels and the keeping of animals solely as pets and excluding the keeping, breeding, and/or raising of any type of game animals (eg; deer, elk, antelope etc.) and/or any type of dangerous predatory animals (eg; wolves, lions, wolverines etc.) (d) aquaculture, fish farming, fish hatchery; (e) bees and apiary products; and (f) composting facility (as defined in this Ordinance). The practice of Agriculture in West Brunswick Township is a regulated use for those agricultural activities which may be for the personal enjoyment as an activity, and/or for the personal consumption of those products raised and harvested, as well as those activities which may be commercial in nature. These activities are further defined as follows:

- A. General Agriculture - Those activities meeting the definition of Agriculture, as defined in this Ordinance, which may be for the personal enjoyment as an activity, and/or for the personal use and consumption of those products raised and harvested. This term includes the keeping of domestic farm animals as part of the practice of General Agriculture and as pets, both of which are regulated by this Ordinance. General Agriculture is an accessory to a residential use and shall be practiced on a non-commercial basis except for Market Gardens as defined in this Ordinance.
- B. Agricultural Operations - An enterprise that is actively engaged in the commercial production and preparation for market of crops, livestock and livestock products and in the production, harvesting, and preparation for market or use of agricultural, agronomic, horticultural, silvicultural (as it relates to nursery activities), and aquacultural crops and commodities. The term includes an enterprise that implements changes in production practices and procedures or types of crops, livestock, livestock products or commodities produced consistent with practices and procedures that are normally engaged by farmers or are consistent with technological development within the agricultural industry. Agricultural Operations are allowed on Farms (as defined) where permitted in West Brunswick Township. Agricultural Operations may include Intensive Agriculture but only as permitted in this Ordinance.
- C. Intensive Agriculture - Specialized agricultural activities including but not limited to certain swine, mushroom, poultry, and dry lot livestock production, which due to the intensity of production necessitate special control of operation, raw material storage and processing, housing, and the disposal of liquid and solid wastes. Intensive Agriculture may only be conducted on Farms of twenty-five (25) acres or more in certain Zoning Districts.

Unless stated otherwise in this Ordinance this includes the following:

- 1. a swine operation in excess of one thousand (1000) pounds/acre.
- 2. the raising and ownership of horses, cattle, sheep, goats, poultry, rabbits or similar animals in excess of three (3.0) animal units per acre.
- 3. the production, processing or cultivation of mushrooms.
- 4. mink farms.

Agricultural Annexation Parcels – A tract of land, within those Zoning Districts which allocate Development Units, which are created by a subdivision after the date of Adoption of this Ordinance, meeting the requirements of both the West Brunswick Township Zoning Ordinance and SALDO, the sole purpose of which is to transfer land to increase the size of a lot where both the Parent Tract from which the land is taken and the lot to which the land is added will be greater than ten (10) acres in size after said subdivision has occurred.

Agricultural Buildings – Any building or structure, whether principal or accessory, the use of which is devoted in whole or in part to an agricultural use. This may include, but not be limited to, the storage of agricultural equipment, produce or products, the housing of livestock or poultry, or the processing of agricultural products. This definition also includes but is not limited to barns, silos, corncribs, implement sheds and other similar types of agricultural structures.

Agricultural Lot – As defined in this Ordinance, a parcel of land greater than ten (10) contiguous acres within those Zoning Districts which allocate Development Units, which was created after the date of Adoption of this Ordinance by an approved subdivision plan meeting the requirements of both the West Brunswick Township Zoning Ordinance and SALDO, which may be used for Agriculture as defined in this Ordinance. Development of an Agricultural Lot is regulated by both the West Brunswick Township Zoning Ordinance and SALDO.

Agricultural Operation- (see Agriculture).

All-Weather Surface - A surface comprised of asphalt, bituminous concrete and/or cementitious concrete or other similar material that will not render a driveway, parking lot, or loading area unusable because of inclement weather conditions.

Alteration, Structural - Any enlargement of a building or structure; the moving of a building or structure from one location to another; any change in or addition to the structural parts of a building or structure; any change in the means of egress from or access to a building or structure.

Amusement and Entertainment – The state of being amused or entertained; for purposes of this Ordinance, Amusement and Entertainment is primarily a spectator activity (the enjoyment of a performance or exhibit of some kind) and is more passive and not as overtly interactive as Recreation (as defined in this Ordinance) is. Amusement and entertainment conducted within the Township, includes, but is not limited to theatrical performances, operatic performances, folk festivals, musical concerts or festivals, carnivals, circuses, campgrounds, spectator sports events, vaudeville shows, side shows, amusement parks, exhibitions, craft or antique shows. Any manner or form of Amusement and Entertainment, for which admission is charged, paid or required (see Admission) shall be considered either Commercial or Private forms of Amusement and Entertainment. For purposes of this Ordinance, Amusement and Entertainment is considered Indoor or Outdoor as well as an Accessory and Primary. This use shall not include the terms Tavern, or Restaurant, although food and beverages may be served if the serving of said items is clearly incidental to the primary Amusement and entertainment use. This use shall not include the terms Adult Business or Adult Establishment or activities meeting said definition.

- A. Indoor Amusement and Entertainment - A facility where Amusements are conducted entirely within the confines of a permanent building regularly used for such amusement.
- B. Outdoor Amusement and Entertainment - A facility or parcel of land where Amusements are totally or partially conducted outside of a permanent building.
- C. Commercial Amusement and Entertainment Facilities – Amusement and Entertainment facilities and / or land which are owned and operated by a private entity as a commercial business and are open to the general public for a fee.
- D. Public Amusement and Entertainment Facilities – Amusement and Entertainment facilities and / or land operated as a not for profit enterprise by the Township, municipality, or other governmental entity, and which are open to the general public.
- E. Private Amusement and Entertainment Facilities – Amusement and Entertainment facilities and / or land which are only open to members and guests of the private Club, Lodge, or Fraternal Organization which owns said facility , or as an accessory use when clearly limited to residents of a development and their occasional invited guests.
- F. Amusement and Entertainment, Primary Use -
 - 1. Where Amusement and Entertainment is the primary function and purpose of the premises.
 - 2. Where Amusement and Entertainment is offered more frequently than three (3) times in any seven (7) day period.
- G. Amusement and Entertainment, Accessory Use - Where Amusement and Entertainment is clearly accessory to the primary use of the premises and is offered less frequently than three (3) times in any seven (7) day period.

Amusement Device – A device, other than a jukebox, that is used or designed to be used to provide amusement or entertainment to the user for a fee, and shall include, but not necessarily be limited to, pinball machines, video display games, simulated sport machines and billiard tables. This term shall not include any activities defined as an Adult Business by this Ordinance.

Animal Hospital/Veterinary Clinic – An establishment offering veterinary services for all types of animals which may include short term indoor and/or outdoor overnight boarding of animals related to the medical care of said animals.

Animal Manure Storage Facility – A permanent structure or facility, or portion of a structure or facility, utilized for the primary purpose of containing manure. Examples include liquid manure structures, manure storage ponds, component reception pits and transfer pipes, containment structures built under confinement buildings, permanent stacking and composting facilities and manure treatment facilities. The term does not include the animal confinement areas or poultry houses, horse stalls, freestall barns or bedded pack animal housing systems.

Animal Shelter – A governmental or a non-profit private organization that provides temporary homes for stray, surrendered, abandoned or abused pet animals. Animal shelters may also offer veterinary care.

Animal Unit – One thousand (1,000) pounds live weight of livestock or fowl, regardless of the actual number of animals comprising the unit.

Animal Unit/Acre – A mathematical figure representing the number of animal units per acre. For example, 125 pounds of animals per acre = 0.125 animal units/acre.

Annexation Parcel – A subdivision of land, which shall not be used as a separate building lot, but shall be incorporated into the legal description of the lot which is receiving said annexation parcel.

Antenna Height - The vertical distance measured from the base of the antenna support structure at grade to the highest point of the structure. If the support structure is on a sloped grade, then the average between the highest and lowest grades shall be used in calculating the antenna height.

Antenna Support Structure - Any pole, telescoping mast, tower, tripod or any other structure which supports or helps to support, any type of device used in the transmitting or receiving of any type of telecommunication transmissions.

Apartment Unit - A dwelling unit (as defined in this Ordinance) within a building, structure or part thereof, leased to an occupant for residential purposes. Three (3) or more such dwelling units must be present in order for said building or structure to be considered as an Apartment Building (see also Dwelling).

Applicant – A Record, or Equitable landowner and/or the agent of either, and/or a Developer as defined in this Ordinance, who has filed an application for subdivision or land development, including his heirs, successors and assigns.

Application for Development- Every application, whether preliminary, tentative, or final, required to be filed and approved prior to the start of construction or development including, but not limited to, an application for a building permit, for the approval of a subdivision plat or plan or for the approval of a development plan.

Approved Private Street - (see Private Street, Approved/Improved)

Aquaculture – A form of agriculture which is the controlled cultivation of aquatic plants, animals, and microorganisms.

Assisted Living Facility - A building or series of buildings containing residential living facilities for older persons and which provides personal and health care services, 24-hour supervision, and various types of assistance (scheduled and unscheduled) in daily living.

Auction House – Establishment for the public sale of property to the highest bidder.

Automobile - (see Vehicle).

Automobile and Motor Vehicle Service Station - An area of land, including structures thereon, used primarily for the sale of gasoline or motor vehicle fuel, but which may be used secondarily for supplying services generally required for the operation and maintenance of Vehicles, as defined, meeting the criteria of "Automobile and Motor Vehicle".

A. Minor Repair

Sale and servicing of spark plugs and batteries; tire repair and servicing, not to include tire recapping; replacement of mufflers and tailpipes, water hose, fan belts, brake and transmission fluids, light bulbs, floor mats, seat covers, windshield wipers, grease retainers and wheel bearings; radiator cleaning and flushing; washing and polishing, (including mechanical and/or automatic car wash facilities); installation of fuel pumps and fuel lines; minor servicing and replacement of carburetors; adjustment and installation of brakes; tuning engines, except for the machining of engine parts, cleaning of carbon from the engine or the removal of the head of engines and/or the crankcases of same; tuning engines, except for the machining of engine parts, cleaning of carbon from the engine or the removal of the head of engines and/or the crankcases of same; greasing and lubrication; emergency wiring repairs; the sale of retail convenience items as a clearly secondary activity; any similar minor service or repair not listed below under “Major Repair”.

B. Major Repair

In addition to those repairs and services listed above as “minor repair”, any general repair, rebuilding or reconditioning not listed above; collision service including body, frame or fender straightening or repair; machining of engine parts, cleaning carbon or removing the head of engines and/or crankcases; painting or paint shops; but not including any operations which require the heating or burning of rubber.

Baby-Sitting – The regular care of not more than three (3) children not related to the person giving care which takes place at the home of the person giving care.

Basement – The overall area beneath the main floor level in any type of building

Bed and Breakfast - A single family detached dwelling and/or its accessory structures which include the rental of overnight sleeping accommodations and bathroom access for temporary overnight guests, and that meets the maximum number of overnight guests specified in Section 673 for this use, and which does not provide any cooking facilities for actual use by guests, and which only provides meals to overnight guests, employees and residents of the dwelling. Overnight stays shall be restricted to transient visitors to the area, employees and their family. See requirements in Section 673.

Bicycle Moto Cross or BMX Facility - A form of cycling on bicycles specially designed for this activity. The activity includes races on earthen tracks as well as the performances of tricks.

Board - Any body granted jurisdiction under a land use ordinance or under the Municipalities Planning Code (MPC) to render final adjudication.

Board of Supervisors - Board of Supervisors of the Township of West Brunswick, Schuylkill County, Pennsylvania.

Boarding House - A single-family dwelling occupied by the landowner thereof (and the landowner’s family, if applicable) and in which the landowner provides, for compensation, one or more rooms for the lodging of individuals for five (5) or more consecutive days, where the maximum number of such persons residing in the building is restricted to the landowner and landowners immediate family, and no more than three (3) unrelated boarders. A boarding house may provide meals to residents, but the Boarding House shall not include the

establishment of a Restaurant or Tavern as defined in this Ordinance. A Boarding House does not include the use of Group Homes, convalescent or nursing home, or treatment centers.

Boarding School – A private school where pupils are provided with meals and lodging.

Buffer Strip - A continuous strip of landscaped land which is clear of all buildings and paved areas.

Building - A structure enclosed within exterior walls or firewalls, built, erected and framed of component structural parts, comprised of any combination of building materials, which is erected upon the ground, upon a foundation or piers, and which may be permanently affixed thereto. This definition includes buildings which are designed for the enclosure and support of individuals, animals or property of any kind.

Building Area - The total area taken on a horizontal plane at the main grade level of any principal or accessory building on a lot, excluding unroofed porches, paved terraces, steps, eaves and gutters, but including all enclosed extensions of a building.

Building Coverage - A percentage which is obtained by dividing the maximum horizontal cross-section of all principal and accessory buildings on a lot (including balconies and decks, covered porches, carports, breezeways, and patios) by the total net area of the lot upon which the buildings are located (See also “Impervious Coverage”).

Building Height - The vertical distance measured from the average elevation of the finished grade at the two front corners of the building to the highest point of the roof. Chimneys, spires, cupolas, antennas, and other similar projections shall not be included in calculating the height of a building.

Building Setback - The minimum distance a building or structure must be set back from a street right-of-way line (except the right-of-way of a service street).

Building Setback Line - The line within a property establishing the minimum required distance between any building or structure or portions thereof to be erected or altered and a street right-of-way (except the right-of-way of a service street). The distance shall be measured at right angles from the street right-of-way line which abuts the property and the building setback line shall be parallel to said right-of-way line.

A building setback line may be established farther from a street right-of-way line than the minimum building setback established for a zoning district.

Business, Trade or Vocational School – A secondary school that offers instruction in jobs relating to either, office settings or, in skilled trades.

Camp – Any organized establishment which provides food or lodging accommodations of tents or cabins for groups of children or adults engaged in organized recreational or educational programs. The term “camp” shall include, but shall not be limited to, camps with special program emphasis, such as horseback riding (if permitted in the underlying Zoning District), conservation, music and sports, as well as “retreat camps”. The term “camp” shall not include manufactured home parks, migrant labor camps or recreational vehicle parks.

Campground/Recreational Vehicle Park – Any parcel or tract of land upon which two (2) or more individual recreational vehicle or camping sites are located, established or maintained

for occupancy by individual recreation vehicles or camping units as temporary living quarters for recreation or vacation purposes. This definition does not include a property upon which the owner of same may choose to camp and provide potable water and sanitary sewage facilities within the subject property's boundary lines.

Cartway - The portion of a street right-of-way, whether paved or unpaved, intended for vehicular use.

Car Wash- (see Motor Vehicle Washing Facility).

Catering Kitchen - A facility in which food is prepared and cooked in quantity and then transported from the premises by the caterer for off-premises serving and consumption at special events, receptions, parties or similar activities.

Cemetery – A tract of land used for the purpose of the burial of deceased human beings (including columbariums and mausoleums, when operated in conjunction with the cemetery and when said facilities are located entirely within the boundaries of the cemetery).

Certificate of Use and Occupancy - A statement based on an inspection signed by the Zoning Officer, setting forth that a building, structure, sign and/or land complies with the Zoning Ordinance, and that a building, structure, sign, and/or land may be lawfully employed for a specific use, as provided in this Ordinance.

Child Day-Care Facility – The following types of child day-care facilities are hereby defined and regulated by this Ordinance:

- A. Family Day-Care Home – Any single- family detached dwelling, the premises meeting the requirements of this Ordinance, in which child care is provided, at any one time, for less than twenty-four (24) hours/day to a maximum of six (6) children who are not relatives of the caregiver, and where the child-care areas are being primarily used as a family residence.
- B. Group Day-Care Home – Any single- family detached dwelling, the premises meeting the requirements of this Ordinance, in which care is provided for less than twenty-four (24) hours/day for more than seven (7) but fewer than twelve (12) children, not related to the care-giver, at any one time, where the child-care areas are being used primarily as a family residence, and is registered with the applicable state agency.
- C. Day-Care Center – A facility in which care is provided for seven (7) or more children, unrelated to the caregiver, at any one time, for less than twenty-four (24) hours/day where the child-care areas are not being used as a family residence, and is registered with the applicable state agency.

“Baby-Sitting” as defined in this Ordinance, is not considered to be a Child Day-Care Facility.

Christmas Tree Farm or Tree Farm - A type of crop farming involving the raising and harvesting of evergreen trees for commercial purposes. This may include the retail sale of trees that were produced on the premises.

Church/Place of Worship – A building structure, or group of buildings or structures, including accessory uses, designed or intended for public worship. This definition shall include rectories, convents, parsonages, and church-related educational and/or day-care facilities. Cemeteries are separately defined and regulated.

Cinema- (see Theater).

Clear Cutting - A logging method that removes all trees from a tract of land or portion thereof.

Club, Lodge, Fraternal Organization - Associations of persons for some common non-profit activity, not including groups organized primarily to render a service which is customarily carried on as a business. The associations are primarily organized for a common purpose to pursue common goals, interests or activities, and they cater exclusively to their members and their guests on premises or buildings for social, recreational, and administrative purposes which are not conducted for profit; provided, there are not conducted therein any commercial vending stands, commercial merchandising or commercial activities. These associations are usually characterized by certain membership qualifications, payment of fees and dues, regular meetings and a constitution and bylaws, which is not an adjunct to or operated by or in connection with a public tavern, cafe or other public place. Clubs shall include, but not be limited to, service and political organizations, labor unions, as well as social and athletic clubs. This use shall not include a target range for outdoor shooting of firearms, tavern, or restaurant unless that particular use is permitted in the underlying Zoning District and the requirements of that use are met within this Ordinance.

Cluster Development - A type of residential development wherein, for the purposes of this Ordinance, single family detached dwellings are permitted on lot sizes which may be reduced to smaller than what is normally required, although with little or no increase in overall density, thereby preserving an area of the parent tract's land for common open space, agriculture purpose, or some other use specified by the regulations of this Ordinance.

College

- (1). An institution of higher learning, which usually provides students with living quarters and meals, that grants a bachelor's degree in liberal arts or science, or both.
- (2). An undergraduate division or school of a university.
- (3). A school, sometimes but not always a university, offering special instruction in professional or technical subjects.

Commercial - Having the objective of supplying goods and services for a profit. For purposes of this Ordinance, the term Commercial does not include the activities within the definition of Industrial when in the context of land and building use.

Commercial Business Services – A business which provides services not included in the definition of “Personal Service”, “Professional Service” or “Retail Business.” Examples include but are not limited to, the businesses of contractors and tradesmen; commercial trade and businesses which provide services to other business (eg; cleaning services, cafeteria services, temp staffing etc.). Specifically excluded from this definition are Adult Business Establishments as defined by this Ordinance.

Commercial Contractor Service – A business which provides services not included in the definition of “Personal Service”, “Professional Service”, or “Retail Business.” Examples

include but are not limited to, the businesses of contractors and tradesmen; commercial trade and businesses which provide services to other business (eg; cleaning services, cafeteria services, temp staffing etc.). Specifically excluded from this definition are Adult Business Establishments as defined by this Ordinance. The term "Commercial Contractor Services" is further defined as:

- A. Commercial Contractor Service Offices are where the principal activities are associated with the term "Office", as defined in this section. Commercial Contractor Service Offices where permitted do not include Commercial Contractor Service Yards.
- B. Commercial Contractor Service Yards- A site one half (1/2) acre or larger where the principal activities are those associated with plumbers, masons, carpenters, heating contractors, home builders, and similar personnel associated with the construction industry including, but not limited to, shipping, receiving, and storage of materials and/or the loading and unloading of said materials by employees and personnel into vehicles which are used in the providing of the services associated with the particular business. Vehicles and construction machines associated with Commercial Contractor Services may be stored and maintained on the premises. Commercial Contractor Service Offices shall be allowed on the same premises where Commercial Contractor Service Yards are the principal permitted activity.

Commercial School – Schools which are owned and operated privately for profit and that offer a very specific vocational curriculum. Commercial Schools may principally offer training in such occupations as:

- (1). Truck driving.
- (2). Engine repairs.
- (3). Building construction and general contracting.
- (4). Woodworking.
- (5). Masonry.
- (6). Plumbing.
- (7). Electrical contracting.
- (8). Beauty schools.

Commercial Schools are classified as:

- (1). Indoor –All instruction, practice, demonstration and other related activities are conducted within a building(s), including automobile driving schools where all practice and demonstration is conducted on public and/or private roads.
- (2). Outdoor –All or part of the instructions, demonstrations, practice and other related activities are conducted outdoors, including but not limited to instruction in the operation of vehicles and other heavy equipment.

Common Open Space - A parcel or parcels of land or an area of water, or a combination of land and water, within the development site designed and intended for use or enjoyment of all residents of the development in which it is located. Land included within the right-of-way lines of streets shall not be classified as common open space. Common open spaces shall not include required open areas between buildings and between buildings and street rights-of-

way, driveways, parking areas and property lines of the development. No dwelling unit, residential accessory buildings, or parking areas may be located within common open spaces.

Common Parking Area - A parking facility other than those provided within the lot lines of a lot on which one single family detached dwelling, one single family semi-detached dwelling, or one townhouse is located.

Community College – A Junior College, usually without residential facilities that is often funded by the government.

Composting Facility – A facility for the composting of organic matter in a manner consistent with Local, State and Federal Laws; and processes consistent with accepted compost industry standards that will consistently produce materials for beneficial uses. The feedstocks for composting shall be non-liquid categories of uncontaminated wastes including manure, yard waste, source separated food scraps, from food markets, grocery stores, food banks, food distribution centers, school cafeterias, institutions and restaurants; source-separated newspaper; and source-separated corrugated paper (cardboard). The beneficial uses of finished compost include use as soil substitute, soil conditioner, soil amendment, fertilizer or mulch.

Conditional Use - A use which may be permitted by the Township Supervisors pursuant to the provisions of this Ordinance.

Congregate Care Facility - A building or series of buildings containing residential living facilities intended as housing for older persons and which offers the residents of such facility the opportunity to receive their meals in a central dining facility, to receive housekeeping services and to participate in activities, health services, and other services offered through a central management structure/service.

Construction Yard – (see Commercial Contractor Service).

Convalescent Home - An establishment providing nursing, dietary and other similar personal services to convalescents, invalids, or aged persons, but excluding mental cases, cases of contagious or communicable disease, surgery, or other treatments which are customarily provided in sanitariums and hospitals (see Healthcare Facility).

Convenience Store - A retail business housed in a building having less than ten thousand and five hundred (10,500) square feet of gross floor area which specializes in providing household products and foods, and which is open more than fourteen (14) hours a day. “Convenience Stores” may also provide any or all of the following accessory uses:

- A. Retail sales or rental of books, magazines, videos, and video games provided that any, and all, of the uses defined in this Ordinance as an Adult Business are expressly prohibited.
- B. Take-out or Fast-food Restaurants provided that rest rooms are made available to the public.
- C. Amusement devices with a maximum of two (2).
- D. Automatic bank teller machines.
- E. Photomarts and film development drop-off sites.

- F. Lottery sales, State and/or Federally approved.
- G. Propane fuel sales with no larger than twenty (20) pound tanks, which must be stored outside of the building, within a locked enclosure at all times.
- H. Dispensing of automobile fuels, oils, compressed air, kerosene, washer fluid and other auto-related items.
- I. Car washes, subject to the requirements of this Zoning Ordinance.

Corner Lot - A lot abutting two or more intersecting public or private streets, or at the point of abrupt change of direction of a single street (an interior angle of less than 135 degrees). Any yard adjoining a street shall be designated the front yard and must meet the front yard requirements of the applicable zoning district and the yard opposite that yard shall meet the side yard requirements of the applicable zoning district. In the case of a building to be placed on a corner lot such that the front of the building will not be parallel to a street line, yards shall be provided so that no portion of the building will be placed closer to a street than the front yard requirement of the applicable zoning district, so that no portion of the rear of the building will be placed closer to a lot line than the rear yard requirement of the applicable zoning district, and so that no portion of a side of the building will be placed closer to a lot line than the side yard requirement of the applicable zoning district.

Country Club - An outdoor amusement comprised of a combination of uses which include a golf course and one or more buildings used for a clubhouse, restaurant, banquet facilities, or other similar uses, and which may include facilities for other types of sports events.

Crematorium – A building with a specially designed and Federally permitted furnace where corpses are cremated.

Day School – A private school for pupils living at home.

Decision - Final adjudication of any board or other body granted jurisdiction under any land use ordinance or the Municipalities Planning Code (MPC) to do so, either by reason of the grant of exclusive jurisdiction, or by reason of appeals from determinations. All decisions shall be appealable to the Court of Common Pleas of the county and judicial district wherein the municipality lies.

Determination - Final action by an officer, body or agency charged with the administration of any land use ordinance or applications thereunder, except for the following:

- A. The Board of Supervisors.
- B. The Zoning Hearing Board.
- C. The Planning Agency, only if and to the extent the planning agency is charged with final decision on Preliminary or Final plans under the SALDO or Planned Residential Development provisions.

Developer – Any Record or Equitable landowner, agent of any such landowner or tenant with the permission of any such landowner who makes or causes to be made a subdivision or land development.

Development Unit – A unit of development which is allocated to a Parent Tract, or portion thereof, which is situate in those Zoning Districts in West Brunswick Township which regulate the subdivision and development of land by regulating the total number of lots or dwellings (or any other structure which may qualify to be regulated by this Ordinance) permitted to be created from the Parent Tract. The number of lots and dwellings (or other structure as may be regulated) allocated is dependent upon the total number of acres within the Parent Tract. The Parent Tract are those contiguous tracts of land deeded either as a single tract or as one deed with multiple purparts prior to the effective date of this Ordinance, that are situate within the Zoning Districts which allocate Development Units. In cases where individually deeded tracts of land are under single ownership, each individually deeded tract will be considered to be its own Parent Tract.

Distribution Center – A type of warehouse for the short term storage, and the distribution of, goods and materials for a specific commercial establishment (also see Warehouse). A “Distribution Center” is not a “Truck Terminal” or a “Truck Stop” as defined in this Ordinance.

Drive-Through Facility- Any portion of a building or structure from which business is transacted or is capable of being transacted, directly with customers who are seated within, or are riding upon, a motor vehicle during such business transactions. Examples include, but are not limited to, drive-up windows at fast-food restaurants, drive-up tellers at financial institutions, drive-up windows at a pharmacy etc.

Dry-Cleaning / Laundry (retail): An apparel service establishment of less than three thousand five hundred (3,500) square feet in floor area that offers laundry and dry-cleaning service primarily to retail customers who bring their clothing and other articles to the premises. The establishment may include on-premises laundering and dry-cleaning equipment. In addition to servicing walk-in retail customers, the establishment may also include laundering/dry-cleaning of articles delivered from other drop-off locations.

Dry-Cleaning / Laundry Plant (institutional): Any establishment that has in excess of three thousand five hundred (3,500) square feet in floor area engaged in laundering and dry-cleaning services; or is engaged primarily in providing on-premises laundering and dry-cleaning services for large commercial or institutional accounts. This type of operation is also characterized by extensive truck traffic.

Dwelling - A building or structure or portion thereof arranged, intended, designed or used as the living quarters for one or more families living independently of each other. Such buildings as hospitals, hotels, boarding, rooming, lodging houses, nursing homes, motels, group homes and institutional residences are not included in the definition of dwelling. The following are various types of dwellings.

- A. Apartment Building - A building on a single lot arranged, intended or designed to be occupied as a residence for three or more families, and in which the dwelling units may be separated horizontally and/or vertically.
 - 1. Garden Apartment - A building that includes three (3) or more dwelling units that are separated by only horizontal floors or by a combination of horizontal floors and vertical walls. This shall include buildings with a maximum height of three and one-half (3 1/2) stories or thirty-five (35) feet, whichever is less.

2. Mid-Rise Apartment- An entirely residential building that includes three (3) or more dwelling units and that is higher than three and one-half (3 1/2) stories or thirty-five (35) feet, but is less than six (6) stories or forty-eight (48) feet.
- B. Manufactured Home or Mobile Home - A type of transportable (usually towed) manufactured home, meeting the definition of a single family dwelling intended for permanent occupancy contained in one unit, or in two units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations. The term "manufactured home" specifically refers to a home built entirely in a protected environment under a federal code set by the US Department of Housing and Urban Development (HUD). Manufactured homes are not mobile homes; "mobile home" describes factory-built homes produced prior to the 1976 HUD Code enactment.
- C. "Modular" Home - A type of dwelling that meets a definition of single family detached dwelling, single family semi-detached dwelling, townhouse or low-rise apartment that is substantially but not wholly produced in two or more major sections off the site and then is assembled and completed on the site, and is supported structurally by its exterior walls and rests on a permanent foundation. Producers of modular homes must abide by state and local building codes. Housing units defined as Manufactured Homes or Mobile Homes are excluded from this definition.
- D. Single Family Detached Dwelling - A building arranged, intended or designed to be occupied exclusively as a residence for one family and having no common or party wall with an adjacent building.
- E. Single Family Semi-Detached Dwelling - A building arranged, intended or designed to be occupied exclusively as a residence for two families, one family living on each side of a common or party wall.
- F. Townhouse - A building containing three (3) to eight (8) single-family vertically attached dwelling units and not exceeding thirty-five (35) feet in height, with each dwelling unit being separated from another by a solid, fire resistant vertical party wall, and with each dwelling unit having its own individual separate access from the outside. Townhouses may include "quadplexes" or "patio homes" that meet this definition.
- G. Residential Conversion – The conversion of a single family dwelling to a two-family dwelling with the dwelling units one above the other, fully separated by a horizontal fire resistant floor, where each dwelling unit has its own separate outside access (ie; a "duplex-like structure"). There shall be no external alteration of the original single family dwelling except for the alterations which are necessary to provide each new dwelling unit with its own separate access.
- H. Duplex – A two-family detached building having two (2) dwelling units; one above the other, being fully separated by a horizontal fire resistant floor, and where each dwelling unit has its own separate outside access. For purposes of this Ordinance, a Duplex is a structure erected after the date of the Adoption of this Ordinance and which was expressly built as a duplex. The conversion of a single family dwelling into a duplex – like structure is a "Residential Conversion" (as defined in this Ordinance) and is further regulated in this Ordinance.

Dwelling Unit - A building or structure or portion thereof providing one (1) or more rooms arranged for the use of one (1) or more individuals living together as a family (as defined in this Ordinance), which provides complete and independent living, sleeping, and sanitation facilities, which may or may not include permanent cooking facilities, and which has no such facilities in common with any other dwelling unit. A legal, conforming Dwelling Unit shall meet the Habitable Floor Area as defined in this Ordinance.

Emergency Service Facilities – Facilities housing fire, ambulance, rescue and other emergency services of a municipal or volunteer nature. A membership club may be included if it is a permitted use in the zoning district in which the facility is located. This use may include housing for emergency personnel while they are “on-duty” and/or “on-call”.

Employee - The highest number of workers (including both part-time and full-time, both compensated and volunteer and both employees and contractors) present on a lot at any one time other than clearly temporary and occasional persons working on physical improvements to the site. For the purposes of determining off-street parking requirements, it shall mean the maximum number of part-time and full-time persons on a lot for the purpose of working at any time, during any season of the year, and at any time of the day or night. If two (2) shifts overlap, the total number of employees on the overlapping shifts shall be counted. If a use involves persons doing most of their work outside of the offices, the number of employees shall be the maximum number of employees that are present at least once during an average three-day period.

Entertainment, Accessory Use – (see Amusement and Entertainment).

Entertainment, Primary Use – (see Amusement and Entertainment).

Essential Services - Municipal or Public Utility uses, including firehouses of fire companies and emergency services under agreement with the Township, that are necessary for the preservation of the public health and safety and that are routine, customary and appropriate to the character of the area in which they are to be located. Municipal Uses, as defined in this Ordinance, are a use by right in every Zoning District in West Brunswick Township. Essential services of Public Utilities shall not include a central sewage treatment plant, a solid waste disposal area or facility, commercial communications towers, a power generating station, septic or sludge disposal, offices, storage of trucks or equipment or bulk storage of materials unless the exemption criteria of Section 629.C is met.

Family -

- A. One or more persons, related by blood, marriage, or adoption, with not more than two boarders, roomers or lodgers, living together as a single housekeeping unit and using cooking facilities and certain rooms in common.
- B. Not more than three (3) unrelated persons living together as a single housekeeping unit and using cooking facilities and certain rooms in common.

Family Farm Support Business – A family-owned and operated business located upon the family owned or leased farm (as defined) and related to agricultural purposes. The definition includes small-scale, limited site coverage, agriculturally compatible farmstead occupations conducted commercially within the context of and/or in proximity to farmstead buildings and are as regulated in this Ordinance.

Farm - An area of land used for Agriculture, as defined in this Ordinance. For the purpose of this Ordinance, a Farm is to be a minimum of ten (10) acres. Agricultural uses on a Farm may include the practice of General Agriculture and Agricultural Operations, both as defined in this Ordinance. Intensive Agriculture may only be conducted on Farms of twenty-five (25) acres or more in certain Zoning Districts.

Farm and Agricultural Equipment, Sales, Rental and Service- Facilities for the manufacturing, warehousing, sales, repair and service of farm and agricultural equipment, vehicles (including carriages and buggies) or supplies. For the purposes of this definition, "farm and agricultural equipment" shall be limited to those vehicles/equipment that are classified by the Pennsylvania Vehicle Code as a "Farm Vehicle", "Implement of Husbandry", or "Multipurpose Agriculture Vehicle" (MAV).

Farm Related Business – A business substantially devoted to serving agricultural-based customers, which can be conducted on a property within the A-P Zoning District. Said businesses must be clearly farm related and/or clearly designed to provide goods and services to the agricultural community and must meet the A-P Zoning District requirements of this Ordinance.

Farm Stand – A building or structure, the sales area of which shall be limited to one thousand (1,000) square feet and the building height to twenty (20) feet, in which the display and sale of farm produced products shall be permitted on the Farm (as defined in this Ordinance) where the agricultural activity is being conducted.

Fast Food Restaurant – (see Restaurant).

Fence – A freestanding and uninhabited structure consisting of wood, glass, metal, plastic, wire, wire mesh, masonry or vegetation singly or in a combination with other materials erected to secure or divide one property from another or part of a property from a remaining part, to assure privacy, to protect the property so defined or to enclose all or part of the property. A freestanding masonry wall shall be considered to be a fence.

Fish Hatchery - An establishment which is intended for the incubation or originating of fish.

Flag Lot - A lot of irregular shape that has a narrow access strip (not meeting the minimum lot width requirements of this Zoning Ordinance and thus too narrow for the construction of a principal building) leading from a street or other right-of-way to a wider portion of the lot which is intended for construction of a principal building and which wider portion complies with the minimum lot width requirements of this Zoning Ordinance.

Flea Market – An outdoor retail sales area utilizing temporary tables, tents and/or shelters for the selling of commodities and/or goods which are not usually produced on-site, and which are usually sold by multiple vendors who are usually not residents or owners of the property. The sale, preparation and consumption of food and beverages sold on the site is considered to be incidental to the flea market use unless said food operations exist even when the flea market is not in operation. In that instance, any such food operation requires a separate application, approval and permit as a second primary use within the flea market.

Floor Area -

- A. (Gross Floor Area) -The sum of the gross horizontal areas of every floor of a building measured to the exterior faces of exterior walls and to the center line of party walls,

including basement space and roofed porches, roofed breezeways, roofed terraces, roofed garages, carports, and accessory buildings.

- B. (Net Floor Area) – That portion of a building’s gross floor area which is designed for human occupancy and/or commercial use, not to include elevator shafts, stairways, stairwells, or equipment rooms.

Forester - A person with a degree in Forestry from a college or university accredited by the Society of American Foresters who has experience in wood lot management.

Forestry – The management of forests and timberlands when practiced in accordance with accepted silviculture principles through developing, cultivating, harvesting, transporting and selling of trees for commercial purposes. This term does not include the retail sale of living plants which occurs in either a nursery or greenhouse, and does not include the routine thinning or pruning of trees.

Funeral Home/Mortuary – An establishment in which the deceased are prepared for burial or cremation. The facility shall be permitted to include a chapel for the conduct of funeral services and rooms specifically designed, or intended for funeral services and the gathering of mourners, and/or the display of funeral accoutrements (eg; caskets, urns etc.).

Game Preserve – An area of land set aside for the protection and propagation of animals not traditionally domesticated. Game Preserve does not include any type commercial hunting operations whereby fees are charged for persons to enter lands for the purpose of hunting game animals.

Game Room/Video Arcade – An Amusement and Entertainment use (as defined in this Ordinance). This is considered *Amusement and Entertainment, Primary Use* (as defined in this Ordinance) when on a premises where more than two (2) amusement devices (as defined in this Ordinance) are provided as the principal use of the building or structure. This term shall not include any activities defined as an Adult Business by this Ordinance.

Garage, Residential – An accessory building to a principal residential use, the primary use which is for the storage of non-commercial vehicles. This term does not include commercial vehicle repair or maintenance services, the rental of space, nor does it include the sale of gasoline or other petroleum products.

Where permitted by this Ordinance, this use may include one (1) commercial vehicle, owned and operated by the owner and occupants of the premises, and for the storage of not more than three (3) private non-commercial vehicles owned and operated by the owner or occupants of the premises.

Garden Apartment - (see Dwelling).

Garden Supply Center - A facility of fifteen thousand (15,000) or more square feet gross floor area for the retail sale of a combination of products used in the improvement of homes including, but not limited to, horticultural products, garden tools and machinery, mulch, and other landscaping products. Garden Supply Centers shall always involve outdoor storage of materials.

General Agriculture- (see Agriculture).

General Industry – Any industrial activities which do not meet the definition of Limited Industry. The industrial uses which meet this definition are those which require considerable scrutiny for their potential impacts to surrounding properties, as well as the Township as a whole. Unless specified elsewhere, all General Industry uses are not a use by right and require either a special exception or conditional use approval so that the local officials and the public have an opportunity to fully consider the proposed use and its impacts. General Industry uses include, but are not necessarily limited to Asphalt manufacturers; Breweries; Cement plants; Chemical products industry; Concrete and asphalt manufacturing and the processing, reprocessing and/or recycling of mineral and/or mineral derived materials; Fertilizer manufacturing; Flour mills; Food processing; Mineral Extraction; Paint manufacturing; Paper/Pulp mill; Pickling plants; Plastics/Rubber products industry; Refining, processing or distribution of petroleum, petroleum products, natural gas and other forms of liquid fuel; Resource Recovery Facility; Sawmill; Slaughterhouse and rendering plants; Soap manufacturing; Solid Waste Landfill; Tank farm and Bulk petroleum storage; Tanning, curing or storage of leather and skins; Textile bleaching and dyeing; Truck Terminal.

Golf Driving Range – A specified area, which may or may not be located upon a golf course, on which golfers do not walk, but onto which they drive golf balls from a central tee.

Grade - The level of the ground adjacent to the exterior walls of a building or structure, or adjacent to the base of a storage pile or sign.

Greenhouse – An enclosed structure, whose roof and sides are made largely of transparent or translucent material, used for the growing, raising and/or distribution of plants and vegetables.

Grocery Store – A retail business, which is open for business sixteen (16) or fewer hours per day, housed in a building having less than ten thousand five hundred (10,500) square feet of gross floor area, which has as its primary purpose to sell fresh and prepackaged food and groceries, housewares and toiletries. Grocery stores shall not include the dispensing of gasoline or other fuels (also see Supermarket).

Group Home – A building occupied as a residence by no more than six (6) residents who receive twenty-four (24) hour resident supervision, licensed under an applicable program by the Commonwealth of PA and operated by a responsible individual, family or organization, with a program to provide a supportive living arrangement for individuals, in a setting in which the total number of persons in the living arrangement may total more and is in substantive ways different than the definition of “Family” found in this Ordinance. This home, which is required to be licensed by the state, must be staffed by qualified persons who provide training, care, supervision, treatment and/or rehabilitation to the aged, physically challenged/disabled or mentally challenged/retarded who require personal assistance and supervision on a continuing around-the-clock basis; this term does not include child day care centers, adult day care facilities, foster homes, schools, hospitals, jails, prisons, treatment centers, detention centers, or methadone treatment centers. Group Homes, when operated in a Dwelling as defined by this Ordinance shall be subject to the same limitations and regulations set by this Ordinance for said dwellings.

Habitable Floor Area - Floor area within the perimeter of the interior walls of the dwelling or dwelling unit under consideration. This excludes bathrooms, water closets, laundries, pantries, corridors, stairways, closets, basement recreation rooms, and storage spaces. The minimum habitable floor area shall be as follows:

Rooming Unit - 250 square feet Two Bedroom - 700 square feet.
Efficiency Unit - 400 square feet Three Bedroom - 850 square feet.
One Bedroom - 550 square feet Four Bedroom - 1,000 square feet.
Five or more bedrooms - an additional 150 square feet per bedroom.

The minimum habitable floor area for units within hotels or other commercial lodging establishments shall be 200 square feet for each room used for sleeping purposes, except that the minimum for bed and breakfast establishments within existing buildings shall be 100 square feet.

Hardware Store - A facility of less than fifteen thousand (15,000) square feet gross floor area, engaged in the retail sale of various basic hardware lines, such as tools, builders' hardware, plumbing and electrical supplies, paint and glass, housewares and household appliances, garden supplies and cutlery; if greater than fifteen thousand (15,000) square feet, such a facility is a "Home Improvement Center."

Hazardous Waste - Any garbage, refuse, sludge, and other discarded material including solid, liquid, semisolid, or contained gaseous material which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause or significantly contribute to an increase in mortality or morbidity in either an individual or the total population or pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of or otherwise mismanaged.

Health And Fitness Club - a commercial business that offers active recreational and/or fitness activities. Such activities are provided only to club members and their guests. Such facilities do not include golf courses.

Healthcare Campus - An integrated development, of one or more than one Buildings either on one Lot or on adjacent Lots, including some combination of Hospital, Healthcare Facilities and Healthcare Services providing a broad range of uses that individually and collectively contribute to the promotion of wellness and enable the improvement and maximum recovery of health from physical and mental diseases, illnesses and injuries; provide opportunities for educational advancement, learning, and research related to wellness and health; and create a logical transition between existing the existing community and health care uses that will protect and preserve the character of the surrounding neighborhood.

Healthcare Facility – A facility or institution, whether publicly or privately owned, principally engaged in providing services more specialized than a General Hospital, for health maintenance, diagnosis or treatment of human disease, pain, injury, deformity or physical condition, including, but not limited to, public health center, diagnostic center, physical rehabilitation center, assisted living facility, extended-care facility, skilled-care facility, nursing care facility, nursing home, convalescent home, long-term care facility, intermediate-care facility, chronic disease hospital, maternity hospital, outpatient clinic, dispensary, home health care agency or personal-care facility.

Healthcare Services – Those services primarily related to the furnishing of medical, surgical or other services to individuals, including the offices of physicians, radiological centers, dentists and other health practitioners, medical and dental laboratories, outpatient care facilities, blood banks and the businesses which provide the various types of medical supplies and services to the healthcare professionals and their patients.

Highway Access Point - A place of egress from or access to a street or highway created by a driveway or another street or highway.

Hobby School/Hobby Studio – A for-profit facility that is primarily intended for the learning of, or skill improvements of, a hobby, and does not provide state-required education to persons under sixteen (16) years of age. Examples include dancing school, martial arts school, and studios for activities such as art, ceramics, and music.

Home Improvement Center - A facility of fifteen thousand (15,000) or more square feet gross floor area, for the retail sale of a combination of products used in the construction, repair and improvement of homes including, but not limited to, lumber, masonry products, exterior siding, roofing, plumbing fixtures, pipes, electrical supplies, floor coverings, paints and wall coverings, windows and glass, landscaping materials, hardware, tools and other accessories. Home improvement centers shall always involve outdoor storage of materials.

Home Occupation - An occupation customarily conducted within a dwelling unit. Only a resident of the dwelling unit may practice a home occupation. The resident shall be the sole practitioner of the home occupation. Home occupations shall include, but not be limited to, the office of an architect, lawyer, accountant, insurance agent, real estate broker, tax collector, engineer, music or voice instructor (if limited to a single pupil at a time), artisan, craftsman, computer programmer, web-site designer, computer consultant, barber or beautician (limited to one [1] chair) dressmaker, milliner, tailor or seamstress.

Hospital, General – An institution, licensed in the Commonwealth of Pennsylvania, designed for the diagnosis, treatment and care of human illness or infirmity on a twenty-four (24) hour basis including, but not limited to, the provision of surgical treatments, chemotherapy, radiation therapy etc. and which provides said human health services, primarily for inpatients, and including related facilities such as laboratories, outpatient departments, training facilities and staff offices, provided all such uses and any other accessory uses and structures are contained upon the lot of the primary use (also see Healthcare Facility).

Hotel - A building or group of buildings containing six (6) or more individual rooms for rental, primarily for transients, with common hallways for all rooms on the same floor, and where no provision is made for cooking in any individual room or suite. "Hotel" does not include institutional or educational uses and buildings where human beings are housed under legal constraint and having the following requirements:

- A. Access to rooms shall be provided through a lobby and internal hallways.
- B. A private bath shall be provided for each rental room.
- C. Buildings contain at least two (2) (or more) stories with a maximum building height of sixty-five (65) feet.
- D. The hotel may at its option provide Taverns, General Restaurants, meeting rooms, banquet facilities, swimming pool and fitness centers for guests and ancillary commercial shops within the building, with internal hallway access provided that such use(s) is not the principal use of the property.
- E. Any such use that customarily involves the housing of persons for periods of time longer than thirty (30) days shall be considered a "Rooming House" and shall meet the requirements of this Ordinance.

Impervious Coverage - Not easily penetrated by water (included but not limited to roads, building, roofs, sidewalks, access drives, loading areas, parking areas, and paved recreation courts).

Included in this definition are:

- A. All principal and accessory buildings.
- B. Any roof, parking or driveway areas and any new streets and sidewalks. Any areas covered by well-compacted gravel or crushed stone shall also be assumed to be impervious.
- C. The percentage of a lot covered by impervious surfaces.
- D. All-Weather Surfaces shall be included in the definition of Impervious Coverage.

Improvement – Any type of man-made structure erected upon a lot.

Improvement Setback - The minimum distance an improvement must be set back from a street right-of-way line.

Improvement Setback Line - A line parallel to and measured at right angles from a street line. No improvements are permitted between the street line and the improvement setback line.

Incinerator – A facility designed to reduce municipal solid waste by combustion. This use may or may not include heat exchange equipment for energy recovery.

Independent Living Facility - A building or series of buildings containing independent dwelling units intended to provide housing for older persons not requiring health or other services offered through a central management structure/source. The facility may include ownership or rental units and must be subject to appropriate covenants, conditions, management policies or other procedures to ensure that the facility provides only housing for older persons.

Industrial – The production and manufacture of goods.

Intensive Agriculture- (see Agriculture).

Junk Yard - A lot, land, or structure, or part thereof, used for the buying, trading, collecting, dismantling, storage, and/or sale of scrap or discarded material, including but not limited to scrap metal, scrapped, abandoned, or junked motor vehicles, machinery, equipment, paper, glass, containers, and structures, but not including refuse or garbage kept in a proper container for the purpose of prompt disposal.

Junior College – An educational institution with residential facilities offering a two-year course that is generally the equivalent of the first two years of a four-year undergraduate course.

Kennel - Any property and/or establishment wherein domesticated pets (and not livestock as defined in this Ordinance) are kept, transported to, transported from, or seen by appointment for the purposes of breeding, boarding, grooming, obedience training, sale or show purposes.

For the purpose of this definition, the production of more than two (2) litters in any calendar year shall be considered “breeding”; and the keeping of more than five (5) dogs or more than five (5) cats on any real property located within the Township shall be considered to be a “Kennel” operation.

Land Development – Any of the following activities:

- A. The improvement of one (1) lot or two (2) or more contiguous lots, tracts, or parcels of land for any purpose involving commercial or industrial uses.
- B. A group of two (2) or more residential or non-residential buildings, whether proposed initially or cumulatively, or a single non-residential building on a lot or lots regardless of the number of occupants or tenure.
- C. The division or allocation of land or space, whether initially or cumulatively, between or among two (2) or more existing or prospective occupants by means of or for the purpose of streets, common areas, leaseholds, condominiums, building groups, or other features.
- D. A subdivision of land.
- E. The following shall not be considered land development:
 - 1. The conversion of an existing single family detached dwelling or single family semi-detached dwelling into not more than two (2) residential units, unless such units are intended to be a condominium.
 - 2. The addition of an accessory building of less than one thousand (1,000) square feet of gross floor area, exclusive of any farm buildings, on a lot or lots subordinate to an existing principal building.

Landowner – A legal or beneficial owner or owners of land including the holder of an option or contract to purchase (whether or not such option or contract is subject to any conditions), a lessee if he is authorized under the lease to exercise the rights of the landowner, or other persons having a proprietary interest in the land.

Library - A building containing books, magazines and other reading related materials which is open to the public or connected with a permitted educational use, and is generally not conducted as a private business for profit or financial gain. This term shall not include any use defined as an Adult Business by this Ordinance.

Life Care Retirement Facility – A residential development that includes Independent Living Facilities, Congregate Care Facilities, and Assisted Living Facilities. The development generally consists of a regulated mixture of single family detached dwellings, semi-detached dwellings, townhouse dwellings, garden apartment buildings, and congregate care facilities, as well as assisted living facilities that are part of the personal-care and skilled nursing-care services presented in an environment that usually cannot be achieved through the use of a conventional residential development scenario. Such facilities serve persons and or their spouse and companion who are a minimum of fifty-five (55) years old and who may be handicapped to an extent which requires personal or skilled nursing care. Federal and State Law shall control as to any allowable exemptions to the occupancy rules. The developer,

owner, property owners association and/or manager of the housing community or facility shall establish, make available and adhere to policies and procedures which implement the occupancy criteria. Housing, Healthcare Facilities and Healthcare Services are provided to each resident of a “Life Care Retirement Facility” pursuant to an agreement between the resident(s) and the owners/operators of said facility(ies). Services provided in such facilities may include, but are not limited to, health care, intermediate and skilled nursing care, medical facilities, physical therapy, board, lodging, support services and accessory uses.

Limited Industry – Industrial activities which are carried on entirely within an enclosed building and include no outdoor processes that involve mainly the cleaning, production, packaging, fabrication, processing, assembly, manufacture, compounding and bottling of foods, goods, materials, and shipping of products which were not produced “on-site”. All operations must take place within a completely enclosed building, unless permission for outside processes is specifically granted by the Zoning Hearing Board as a special exception. Outdoor processes and the storage of all materials shall be screened from public view from adjacent properties and roadways with fencing and privacy panels of 8 feet minimum height or a height that provides sufficient screening as deemed by the Zoning Officer.

Lodging House - (see Rooming House).

Logging - The cutting down of trees in/or for any type of business or commercial purpose (also see Forestry).

Lot - A tract or parcel of land which has road frontage, regardless of size, held in single and/or joint ownership, not necessarily being a tract or parcel of land shown on a duly recorded subdivision plan or surveyor’s map, which is occupied, or is capable of being occupied, by buildings, structures, and accessory buildings, including such open spaces as are arranged, designed, or required, and having frontage on either a public street or a private street. The term “lot” shall also mean parcel, plot, site, or any other similar term, when such term is used in the proper context.

Lot Area -

- A. Gross Area (or Gross Acreage)-the calculated land area contained within the deeded boundaries of a lot.
- B. Net Area (or Net Acreage)- the remaining land area of a lot after deducting the land area contained within any existing public or private road or street rights of way, and within any other type of exclusive easements or rights-of-way, from the gross area of a lot.

Lot Coverage - The percentage of a lot covered by principal and accessory buildings.

Lot Line - A line forming the front, rear or side boundary of a lot.

- A. Front Lot Line - The line separating a lot from a street right-of-way. The front lot line is also the street line.
- B. Rear Lot Line - The lot line which is opposite the front lot line. The rear lot line of any triangularly shaped lot shall be established such that it will be at least ten (10) feet long.

Lot of Record - A lot or parcel recorded in the office of the Recorder of Deeds of Schuylkill County, Pennsylvania.

Lot Size - (see Lot Area)

Lot Width - The distance between side lot lines measured at the public or private street right-of-way line as determined by the shortest straight line distance and not to be measured along any arc.

Manufactured Home - (See Dwelling).

Market Garden - For the purpose of this Ordinance, a Market Garden is a General Agriculture activity and is allowed where General Agriculture is permitted. A Market Garden is a limited commercial activity of growing and selling fresh produce through the local growing season, as well as horticulture products. The sale of the fresh produce and horticultural products is limited to that which is grown and harvested on the property where the sales will occur. Sales may occur on said property in the Zoning District where this use is permitted from the field; greenhouse or nursery; the single family dwelling; or from vehicles temporarily parked on said subject property for this purpose. The sales may only occur as a secondary activity in any structure since General Agriculture is a residential accessory use. Farm Stands, as defined in this Ordinance, are not permitted to be used as part of a Market Garden or General Agriculture activity; Farm Stands and structures resembling Farm Stands are only permitted on properties which meet the definition of Agricultural Operations.

Massage Parlor - An establishment that meets all of the following criteria:

- A. "Massages" are conducted.
- B. The person conducting the massage is not licensed as a health care professional or a licensed massage therapist by the State.
- C. The massages are not conducted within a licensed hospital or nursing home or an office of a medical doctor or chiropractor.
- D. The massages are conducted within private or semi-private rooms.
- E. The use is not clearly a customary and incidental accessory use to a permitted exercise club or to a high school or college athletic program.

Massage Therapist - A person licensed or certified by the state as a health care professional and/or one certified by a recognized professional organization that requires substantial professional training.

Medium Density Apartment Building - (see Dwelling).

Methadone Treatment Center - As used in this Ordinance, the term "methadone treatment facility" shall mean a facility licensed by the Department of Health to use the drug methadone in the treatment, maintenance or detoxification of persons. "Methadone Treatment Center" is further regulated by this Ordinance and by PA Act 247 The Pennsylvania Municipalities Planning Code.

Mineral -The term includes, but is not limited to, anthracite and bituminous coal, lignite, limestone and dolomite, sand, gravel, rock, stone, earth, slag, ore, vermiculite, clay and other mineral resources.

Mineral Extraction – The extraction of minerals from the earth by activities conducted upon the surface of the land which requires the removal of the overburden, strata or material overlying, above or between, the minerals, or by otherwise exposing and retrieving the minerals from the surface. Mining activities carried out beneath the surface by means of shafts, tunnels or other underground mine openings are not included in this definition.

Mink Farm – A facility designed, intended and used for the raising and/or harvesting of mink for retail or wholesale trade.

Mobile Home - (see Dwelling).

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

Mobile Home Park - A parcel of land under single ownership which has been planned and improved for the placement of mobile homes for non-transient use, consisting of two or more Mobile Home Lots.

Modular Home – (See Dwelling).

Motel - For purposes of this Ordinance, an establishment providing transient accommodations, containing a minimum of six (6) rental rooms and having the following requirements:

- A. Access to rooms is from directly outside the rooms themselves.
- B. A private bath shall be provided for each rental room.
- C. No provision is made for cooking in any individual room.
- D. Building height is a minimum of one (1) story with a maximum two (2) stories, or thirty five (35) feet.
- E. Any such use that customarily involves the housing of persons for periods of time longer than thirty (30) days shall be considered a "Rooming House" and shall meet the requirements of this Ordinance.

Motorsports Facility – Any lot or facility for the operation of either “on-road” or, “off-road” automobiles, trucks, motorcycles and any other motorized vehicles or machinery for recreational purposes as part of a Club, Lodge, or Fraternal Organization, or a commercial purpose where fees or Admissions are charged for the use of said facilities, to spectators of events, and for snacks and/or beverages, including uses such as, but not limited to, racing, “racing events” as defined in the Ordinance, practicing, training, instruction, research and development and testing.

Motor Vehicle - A self-propelled conveyance that runs on tires, or wheels including, but not limited to, cars, trucks, light trucks, motorcycles etc.

Motor Vehicle Service Station - (see Automobile and Motor Vehicle Service Station).

Motor Vehicle Washing Facility – A tract of land containing machines or hand operated facilities primarily used for the cleaning, washing, polishing, or waxing of motor vehicles.

Movie Theater – (see Theater).

Municipality - Township of West Brunswick, Schuylkill County, Pennsylvania.

Municipal Solid Waste – A combination of unprocessed residential and commercial solid waste materials generated in a municipality.

Municipal Use - Land or use owned, conducted and maintained by the Township or a Township Authority duly incorporated by the Township, for the good and well-being of the Township. Real property dedicated to either the Township or Authority may be used for any municipal use, including such uses as water systems, sewer systems, municipal buildings, streets, parking areas, sites for schools, library, park, playground, swimming pools, tennis courts, sewage treatment plant, refuse stations, storage buildings, and all municipal owned utilities and appurtenances used in connection with supplying such services, etc.

Museum – A building or structure which houses collections of antiquities, art, vehicles, and other items of historical or sociological importance, and which is open to the public or connected with a permitted educational use, and which is not usually operated as a private gainful business. This term shall not include any activities, artwork, movies, videos or other types of displays which have been defined as Adult business related activities or items by this Ordinance.

Nature-based Sports Club - An outdoor amusement comprised of a site retained by a group of people organized for a specific sport which is wholly dependent upon the natural existing plant and animal life or the aquatic environment of the site, including but not limited to hunting clubs, fishing clubs and boating clubs.

Nightclub – A facility where entertainment is the primary use (Amusement and

Entertainment, Primary Use as defined in this Ordinance). A nightclub may serve food as well as beer, wine, and liquor and there is space set aside for floorshows (eg. live music performances etc.) and/or a dance floor. This term shall not include any activities, artwork, movies, videos or other types of displays which have been defined as Adult business related activities or items by this Ordinance.

No-Impact Home-Based Business - A business or commercial activity administered or conducted as an accessory use which is clearly secondary to the use as a residential dwelling and which involves no customer, client or patient traffic, whether vehicular or pedestrian, pickup, delivery or removal functions to or from the premises, in excess of those normally associated with residential use. The business or commercial activity must satisfy the following requirements:

1. The business activity shall be compatible with the residential use of the property and surrounding residential uses.

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

Non-Conforming Lot – A lot, the area or dimension of which was lawful prior to the adoption of this Ordinance or is legally established through the granting of a variance by the Township's Zoning Hearing Board, which fails to conform to the dimensional and/or lot area requirements of the zoning district in which it is located by reason of such Ordinance adoption or amendment made thereto.

Non-Conforming Structure – A structure which does not conform to the regulations of the zoning district in which it is located, either at the time of enactment of this Ordinance or as a result of subsequent amendments thereto, but which lawfully existed prior to the enactment of this Ordinance. Non-conforming structures can include, but are not limited to, non-conforming signs, non-conforming buildings, and additions legally made to either.

Non-Conforming Use – Any use, whether conducted within a structure or upon a tract of land, which does not conform to the applicable regulations of the zoning district in which said use is located, and which use was legally in existence at the time of enactment of this Ordinance or was, or is, legally established by the Township's Zoning Hearing Board through the granting of a variance.

Nursery – A type of agriculture use utilizing land or greenhouses to cultivate flowers, plants, shrubs, trees, and similar vegetation.

Nursing Home - A facility licensed by the Commonwealth of Pennsylvania for the housing and intermediate care of 3 or more persons (see Healthcare Facility).

Office – A building or structure, or a particular space within a building in which the affairs of for-profit or non-profit businesses such as those for Professional persons, Professional Business Services, or government agencies are conducted. The activities associated with an Office are usually limited to the coming and going of staff and walk-in customers. The loading and unloading of materials is of a limited, incidental nature to the primary business activity. The primary function of any office building or office space shall not include

wholesale, Warehouse, Warehousing, Distribution Center, Personal Service, Retail Business or Commercial Contractor Service Yard or similar activities.

Office/Commercial Center- A planned development of offices (such as Professional and Business Services and related uses) with some accessory commercial uses (Retail Services and Personal Services, as defined) intended primarily to serve employees of the offices.

Off-Track Betting and/or Slot Machine Parlor - A commercial use at which persons can visit to wager upon, and observe by remote television, the outcomes of events that are taking place elsewhere and/or engage in the play of on-site slot machines as regulated by the Pennsylvania Gaming Control Board.

Open Space - The area of a lot unoccupied by principal or accessory structures and uses, streets, driveways, or parking areas; but inclusive of areas occupied by walkways, patios, porches without roofs, playgrounds, outdoor recreation or play apparatus, gardens or trees.

Outdoor Display - A temporary form of advertisement involving the arrangement of representative samples of items offered for sale on the premises of a business establishment in a neat and organized manner.

Parent Tract - Those contiguous tracts of land deeded either as a single tract or as one deed with multiple purparts prior to the effective date of this Ordinance, that are situate within the Zoning Districts which allocate Development Units or allow Cluster Development. In cases where individually deeded tracts of land are under single ownership, each individually deeded tract will be considered to be its own Parent Tract.

Park - An area of land set aside primarily for both active and passive outdoor leisure time activities, including but not limited to playgrounds, sports fields, picnic areas and natural areas, but specifically not including Outdoor Amusements.

Parking Space - A space within a building or on a lot, used for the parking of a legally registered and inspected, fully functional motor vehicle.

Parochial School - An elementary or secondary school primarily supported by a religious organization.

Party Wall - A fire resistant common wall, floor, or ceiling separating two (2) or more dwelling units, buildings or uses which can be used or adopted for joint service.

Patio - An unroofed structure which is usually immediately adjacent to the side or rear wall of a dwelling unit, or other type of building and which is usually not more than two steps above ground level.

Paved Area - The percentage of a lot covered by paving.

Paving - (see All Weather Surface).

Pawn Shop - A business where loans are made using personal property as security/collateral.

Payday Loan Establishment - A place of business engaged in offering small, short-maturity loans on the security of (1) a check, (2) any form of assignment of an interest in the account

of an individual or individuals at a depository institution, or (3) any form of assignment of income payable to an individual or individuals, other than loans based on income tax refunds. For the purposes of this chapter, such establishments shall not be construed to be “banks” or “financial institutions.”

Person – Means an individual, proprietorship, partnership, corporation, association, or other legal entity.

Personal Service – A business which provides a service oriented to personal needs and which does not usually involve Retail Businesses, Professional Services or Commercial Contractor services. Such uses can include, but are not limited to, a barber, beauty salon, nail salon, tailor, dressmaker, shoe repair, photographer, travel agent, jewelry and watch repair, Self-service laundromats, dry cleaners and tailors (limited to 2,000 sq. ft. of service/production area); Fitness/Health center; or similar personal service providers. Specifically excluded from this definition are Adult Business Establishments as defined by this Ordinance.

Pets, Keeping Of – The keeping of domesticated animals of types that are normally considered to be kept by the residents of a dwelling for the pleasures of the resident family. These types of animals can include, but are not necessarily limited to, dogs, cats, small birds, gerbils, rabbits and other animals commonly sold by pet shops, however, no more than five (5) dogs, cats, small birds, gerbils, rabbits and other animals commonly sold by pet shops may be kept upon any property, unless said property is a lawfully established “kennel” under the terms of this Ordinance.

Planned Industrial Park – A tract of land developed according to an approved Land Development Plan and/or Subdivision Plan, which provides either fee simple lots or leased parcels that are configured in such a manner as to be suitable for either Limited Industry, General Industry, or Research and Testing Facilities dependant upon the underlying zoning classification of the developed tract of land. A Planned Industrial Park contains at least two (2) separate buildings on at least five (5) acres which are protected by covenants and restrictions designed to control such things as architectural design or building facades, landscaping, screening, buffering, and environmental protection. Industrial parks typically have a mixture of industrial, service, office, and commercial activities and are designed to incorporate aesthetic and service amenities for the employees and patrons of the uses located within the park.

Planned Residential Development (PRD) – A unique type of land development conducted upon a particular parcel of land, which is controlled by a single entity, which is intended to be developed as a single community with a site specific number of dwelling units per acre, or a combination of residential and non-residential uses, the development plan for which does not necessarily correspond in terms of lot size, bulk or type of dwellings, dwelling density, lot coverage and/or required open space, to the regulations established in any of the residential zoning districts created, from time to time, under the provisions of the West Brunswick Township Zoning Ordinance.

Porch – A three sided roofed structure projecting from the front, side, or rear wall of a building without any enclosing features more than thirty-eight (38) inches above the floor thereof, save the necessary columns to support the roof and any necessary railings. A porch shall be located behind the respective building setback lines for the subject lot.

Premises - A descriptive word to include all improvements, buildings, structures and land on or within a lot. It is also the property or parcel of land upon which the activity is conducted as

determined by physical facts rather than property lines. It is the land occupied by the buildings or other physical uses that are necessary or customarily incidental to the activity, including such open spaces as are arranged and designed to be used in connection with such buildings or uses. The following are not considered to be a part of the premises on which the activity is conducted, and any signs located on such land are to be considered Off-Premises Signs:

- (1) Any land which is not used as an integral part of the principal activity, including land which is separated from the activity by a roadway, highway or other obstruction, and not used by the activity; and extensive undeveloped highway frontage contiguous to the land actually used by a commercial facility, even though it might be under the same ownership.
- (2) Any land which is used for, or devoted to, a separate purpose unrelated to the advertised activity.
- (3) Any land which is in closer proximity to the highway than to the principal activity, and developed or used only in the area of the sign site or between the sign site and the principal activity and whose purpose is for advertising purposes only. In no event shall a sign site be considered part of the premises on which the advertised activity is conducted if the site is located on a narrow strip of land which is nonbuildable land, or is a common or private roadway, or is held by easement or other lesser interest than the premises where the activity is located.

Principal Building - A building in which a principal use on a lot is carried on.

Principal Use - The main or primary purpose for which any land, structure, or building is designed, arranged, or intended, and for which they may be occupied or maintained under the terms of this Zoning Ordinance.

Private School – An elementary or secondary school run and primarily supported by private individuals or a corporation.

Private Street, Approved - A legally established right-of-way which provides the primary vehicular access to a lot, or lots, not dedicated or deeded to the Township, but approved by the Board of Supervisors and shown on a recorded subdivision plan.

Private Street, Improved – A road having a cartway, which is improved with a paved surface which may be constructed to the standards for public streets under the applicable regulations of the Township SALDO, which provides access to a lot, or lots. If parking shall be permitted along an “improved private road,” the minimum cartway width shall be increased by eight feet for each side of the “improved private road” where “on-street parking” is permitted.

Professional - Doctor, surgeon, dentist, architect, artist, accountant, insurance agent, real estate broker, teacher, engineer, lawyer, musician, surveyor, landscape architect, land planner, web site designer, or any other type of licensed, certified and/ or deeded professional.

Professional and Business Service – The term includes any establishments primarily engaged in providing a wide variety of professional services for individuals, business and government establishments, and other organizations. The term includes establishments providing

business, finance, health, legal, engineering and other professional services and consultation. Specifically excluded from this definition are Pawn Shops, Payday Loan Establishments, and Adult Business Establishments as defined by this Ordinance.

Public and Semi-Public Use - Municipal buildings, churches, and public, private, or parochial schools, and any playgrounds, athletic fields, or other open space areas of any churches or schools.

Public Hearing – A formal meeting held pursuant to the advertisement of a public notice, by either the Township Board of Supervisors or the Township Zoning Hearing Board intended to inform and obtain public comment, prior to either entity taking formal action on an ordinance, application, plan, request for relief, variance, appeal, conditional use, or special exception use which has been filed in accordance with this Ordinance.

Public Meeting – A forum held pursuant to notice under the act of July 3, 1986 (P.L. 388, No. 84) known as the “Sunshine Act”.

Public Notice – A notice published in the manner and duration prescribed by law in a newspaper of general circulation within the Township. Such notice shall state the time and place of the public hearing and public meeting and the particular nature of matters to be considered at the public hearing or public meeting.

Public Road - A public thoroughfare, including a street, road, lane, alley, court, or similar term, which has been dedicated or deeded to the Township and accepted by it.

Public School – An elementary or secondary school supported by public funds and providing free education for children located within a public school district.

Public Utilities – A use, or an extension thereof, which is operated, owned or maintained by a municipality or municipal authority, or which is privately owned and requires a “Certificate of Convenience” issued by the Pennsylvania Public Utility Commission (PUC) for the purpose of providing public sewage disposal and/or treatment; public potable water distribution and treatment; and/or for the purpose of providing the transmission of energy, telephone, internet, and/or television service to individual customers.

Racing Event – Any time, speed or distance competition using motor vehicles of any type, whether or not conducted under the auspices of a recognized sanctioning body, including but not limited to events on the surface of land and water. “Racing Events” shall be deemed to include any practice sessions, time trials, qualification rounds or any other similar activity.

Recreation – The refreshment or stimulation of one’s mind or body through interactive participation. Recreation is more overtly interactive and participatory than the term Amusement and Entertainment (as defined in this Ordinance). For the purposes of this Ordinance, recreation facilities shall be permitted by right as an accessory use when clearly limited to residents of a development and their occasional invited guests. This use shall not include the terms Tavern, or Restaurant, although food and beverages may be served if the serving of said items is clearly incidental to the primary Recreation use. This use shall not include the terms Adult Business or Adult Establishment or activities meeting said definition.

For the purposes of this Ordinance, “Recreation” shall be considered “indoor” or “outdoor” recreation and “active” or “passive” recreation, and a Recreation Use (as defined in this Ordinance) is either commercial, public, or private:

- A. Indoor Recreation - A type of recreation use that does not meet the definition of “outdoor recreation,” and is conducted principally for active or passive recreation, including, but not limited to, such uses as a bowling alley, roller skating rink, ice skating rink, indoor soccer or lacrosse fields, and/or similar uses.
- B. Outdoor Recreation – A type of recreation use that has a total building coverage of less than fifteen (15) percent of the lot area upon which the use is being conducted, and is primarily conducted for active or passive recreation, including, but not limited to, such uses as golf driving range, miniature golf course, sports playing fields, and/or similar uses.
- C. Recreation, Active - Any recreation activity not considered to be Passive”. Active Recreation includes those activities which are closely associated with individual and team sports and athletic activities which involve the use of physical skills or capabilities, such as strength, agility, or stamina and which are often of a competitive nature, such as racing, baseball, tennis, golf, bowling, wrestling, boxing, hunting, fishing, etc.
- D. Recreation, Passive—Includes picnic pavilions ; hiking, biking, and fitness trails; park benches; picnicing; bird watching; and other similar uses, and any recreation activity not considered to be “Active”.

Recreation Use - The use of land and/or structures for "Recreation", as defined. For the purposes of this Ordinance, Recreation Uses and their facilities shall be considered commercial, public, or private. This term shall not include the terms “Adult Business”, or “Adult Establishment”.

- A. Commercial – Recreational facilities, which are owned and operated by a private entity as a commercial business and are open to the general public for a fee.
- B. Public – Recreational facilities operated as a not for profit enterprise by a municipality, or other governmental entity, and which are open to the general public.
- C. Private - Recreational Facilities which are only open to members of the private entity which owns said facility.

“Recreation Use” where listed as a permitted use may also be specifically regulated as specified in this Ordinance. No recreation activity which, in the opinion of the Township, constitutes a threat to the health, safety, and welfare of the general public or results in the degradation of the existing environment shall be permitted. Recreation Use shall never include any types of “Adult Businesses” as defined by this Ordinance.

Recreational Vehicle (RV) — A vehicular-type camping unit certified by the manufacturer as complying with ANSI A119.2 or A119.5 and primarily designed to provide indoor accommodations for persons who wish to go “camping”. An RV may either have its own mode of power or is mounted on or towed by another vehicle. The various RV units include camping trailers, fifth-wheel trailers, motor homes, park trailers, travel trailers and truck

campers as described below.

- A. Camping Trailer - A recreational vehicle that is mounted on wheels and constructed with collapsible partial sidewalls that fold when the trailer is being towed, by another vehicle and unfold for use (eg; a “pop-up camper”).
- B. Fifth-Wheel Trailer - A recreational vehicle designed to be towed by a motorized vehicle that contains a towing mechanism that is mounted above or forward of the tow vehicle's rear axle.
- C. Motor Home - A recreational vehicle built on or permanently attached to a self-propelled motor vehicle chassis or on a chassis cab or van that is an integral part of the completed vehicle.
- D. Park Trailer - A recreational vehicle that meets the following criteria:
 - A. Built on a single chassis mounted on wheels.
 - B. Certified by the manufacturer as complying with ANSI A119.5.
- E. Travel Trailer - A recreational vehicle designed to be towed by a motorized vehicle containing a towing mechanism that is usually mounted behind the tow vehicle's bumper.
- F. Truck Camper - A recreational vehicle designed to be securely placed within the bed of a pick-up truck.

Recreational Vehicle Park - (see Campground/Recreational Vehicle Park).

Recycling Collection Center - A use for collection and temporary storage of more than five hundred (500) pounds, but less than ten (10) tons, of common household materials for recycling, but that does not involve processing or recycling other than routine sorting, baling and weighing of materials. This term shall not include the indoor storage of less than five hundred (500) pounds of household recyclables and their customary collection, which is a permitted by right accessory use in all zoning districts, without additional regulations.

Recycling Collection Point - An incidental use that serves as a drop-off point for temporary storage of up to five hundred (500) pounds of recoverable resources, but where no processing of such items occurs. Such facilities shall be located only in shopping center parking lots or in other public or quasi-public areas, such as churches and schools.

Recycling Facility – A business that accumulates non-hazardous materials such as paper, glass, aluminum and/or plastic or other non- hazardous materials or any containers that held any hazardous material and providing that said non-hazardous materials are no longer useful for their intended purpose. The materials are then sold to another business as a raw material which can be used to manufacture a new product. (also see Resource Recovery Facility).

Refuse-Derived Fuel (RDF) Facility – A facility for the extraction of materials from municipal solid waste for recycling or for use as refuse-derived fuel (RDF).

Report- Any letter, review, memorandum, compilation or similar writing made by any body, board, officer or consultant other than a solicitor to any other body, board, officer or

consultant for the purpose of assisting the recipient of such report in the rendering of any decision or determination. All reports shall be deemed recommendatory and advisory only and shall not be binding upon the recipient, board, officer, body or agency, nor shall any appeal lie there from. Any report used, received or considered by the body, board, officer or agency rendering a determination or decision shall be made available for inspection to the applicant and all other parties to any proceeding upon request, and copies thereof shall be provided at cost of reproduction.

Research and Testing Facility - The research and testing of materials and processes, provided such activities are carried on within a building and that there are no high explosives or deadly chemicals used or stored on the premises.

Residential Conversion – (See Dwelling).

Resource Recovery Facility – A type of Solid Waste Disposal Facility that is used for any one, or a combination of the following, similar uses: composting, incineration, material separation, recycling or trash transfer.

Restaurant - A retail food (the term “food” includes non-alcoholic beverages) service establishment, conducted with or without the sale of beer, wine or liquor. For purposes of this Ordinance restaurants shall be classified as follows:

- A. Restaurant, Fast Food – A commercial food purveyor or restaurant that principally sells food and non-alcoholic beverages in a ready-to-consume state, primarily in disposable containers, in bags, or on trays. The consumer primarily orders and receives the food at an inside or outdoor walk-up window or drive-through service area, without the assistance of a waiter or waitress.
- B. Restaurant, General – An establishment that sells food for consumption primarily on the premises, and which may include the sale of beer, wine, or liquor. All food and beverages may be served by waiters or waitresses and are primarily consumed inside the building while patrons are seated at counters or tables but this use can provide for incidental carry-out service, so long as the area used for carryout service does not exceed five percent (5%) of the total patron seating area nor eighty (80) square feet (whichever is less). Food sales shall account for at least fifty-five percent (55%) of the gross income.
- C. Restaurant, Take-out – An establishment that sells food only for consumption off the premises and which may include drive-in, drive-through, or drive-up facilities (where permitted by the underlying Zoning District) for ordering or pick-up and which may include take-out beer as part of its operation.

General Restaurants and Take-out Restaurants may include Catering Kitchens as part of their operations.

A Tavern, as defined in this Ordinance, may also sell food but is not considered a Restaurant.

Retail Business – Includes establishments engaged in selling or renting merchandise directly to the consumer and rendering services incidental to the sale or rental of the goods. The establishment is usually a place of business which is engaged in the sale or rental of items that the general public will usually buy. Processing of items in a manner that is incidental or subordinate to the retail sales or rental of said items is often conducted at retail businesses.

Buying of goods for resale to the consumer is a characteristic of retail trade establishments that particularly distinguishes them from Personal Services, Professional and Business Services, Commercial Contractor Services, agriculture and extractive industries. Uses shall include, but not necessarily be limited to, Automobile Accessory Store; Bakeries and retail baked goods (limited to 2,000 sq. ft. production floor area); Beverage Distributors; Camera shop and photo finishing services; Confectionary store; Copy centers and job printers; Drug stores and pharmacies; Dry goods and Variety Stores; Flower, card and gift shops; Furniture and household appliance store; Garden Supply Store,(retail, under 15,000 sq. ft.); Hardware store, plumbing and electrical supplies, lumber and building materials supply establishments (retail, under 15,000 sq. ft.); Toy and hobby shops; Grocery Stores and Specialty Grocery Stores; Haberdashery, apparel, shoe, and jewelry stores; Liquor store; Office and Stationery supplies; Special merchandise stores such as newsstands, book, music and video stores (sales and rentals for off-site use, tobacco shops; Sporting goods store; Studios and shops of artists and artisans. For purposes of this Ordinance, excluded specifically from this definition are Automobile and Motor Vehicle Service Station, Vehicular and Mobile Home Sales and Rental; Truck and Heavy Equipment Sales, Rental, Service and Repair; Auction Houses; Vehicle Auctions; Outdoor Flea, Farmer, and Produce Markets; Restaurants; Taverns and Night Clubs; Pawn Shops; and Adult Business Establishments as defined by this Ordinance.

Retirement Community - A planned residential community consisting of a regulated mixture of single-family detached dwellings, single family semi-detached dwellings, townhouses, and garden apartment buildings for persons of fifty-five (55) years of age or older, their spouses or companions. A Retirement Community may include ownership or rental units and must be subject to appropriate covenants, conditions, management policies or other procedures to ensure that the facility provides only housing for persons fifty-five (55) years of age or older. Federal and State Law shall control as to any allowable exemptions to the occupancy rules. The developer, owner, property owners association and/or manager of the housing community or facility shall establish, make available and adhere to policies and procedures which implement the occupancy criteria. A Retirement Community has provisions to provide the option to include a Congregate Care Facility and an Assisted Living Facility to allow the residents the opportunity to transfer from an independent living situation to a semi dependent or dependent care environment, should the need arise.

Retreat Camp – A type of “camp” which provides food and/or lodging for persons wishing to commune with nature while they contemplate various moral, ethical and/or ecumenical issues or problems along with accessory offices, dwellings, and administration uses devoted solely to operating the retreat camp, all located in a predominately natural setting.

Riding Academy/Riding Stables/Horse Boarding Facilities – Commercial facilities where instruction in riding, jumping and showing is offered; where horses are ridden; and where horses are boarded and cared for, all for a fee. This definition does not include the non-commercial personal sheltering, care, and use of horses where permitted.

Right-of-Way - The total width of any land reserved or dedicated as a street, road, lane, alley, crosswalk, or for other public or semi-public uses.

Rooming House - Any dwelling, or that part of any dwelling, in which space is let by the owner or operator to four (4) or more persons who are not related to the owner or operator. Rooming Houses are prohibited in the Township.

SALDO- The West Brunswick Township Subdivision and Land Development Ordinance.

Sanitary Landfill - (see Solid Waste Disposal Facility)

Satellite Dish Antenna - A device incorporating a reflective surface which can be solid, open mesh or bar-configured and is in the shape of a shallow dish, cone or horn. This term is inclusive of the pedestal and other attachments which the device needs to be functional. Such devices shall be used to transmit and/or receive radio or other electromagnetic waves between terrestrially and/or orbit based transmitters. This definition is meant to include, but not be limited to, what are commonly referred to as "satellite earth stations," "television receivers only" (or "TVRO's") and "satellite microwave antennas."

Satellite Use – A commercial establishment in a shopping center or planned commercial center, located in a freestanding building independent of other buildings and frequently near the road frontage of the center. Satellite uses are often, but not always, characterized by the following:

- A. A need for nearby parking.
- B. Rapid customer turnover.
- C. Vehicular service bays or drive-through services.

School – A principal use in which supervised education or instruction is offered.

Screen - Vegetative material, fence, etc. planted or constructed to screen the buildings, structures and uses on the lot on which the screen is located from the view of people on adjoining properties.

Self Storage Facilities – A building and/or series of buildings divided into separate storage units for personal property and/or property associated with some business or other organization. These units shall be used solely for storage, and no processing, manufacturing, sales, research and development, testing, service and repair, or other non-storage activities shall be permitted. Only non-hazardous, non-explosive, inherently-safe, materials may be stored at such facilities. For the purpose of this chapter, the two types of mini-storage warehouse/self-storage facilities are:

- A. Single-story - Facilities in which the storage units/cubicles typically are arranged in long, narrow single-story buildings with the majority of the individual units accessed through doors that open directly to the outside.
- B. Multi-story - Facilities in which the storage units are arranged in a multi-story structure with all of the individual storage units/cubicles accessed through doors that open to interior corridors.

Service Street - A minor right-of-way providing secondary vehicular access to the side or rear of two or more properties, which is not the primary means of access to the properties.

Sewage – Those usually organic, water soluble solid or liquid waste products and wastewater generated by residential, industrial, commercial, institutional or other establishments.

Sewage Facilities - A system of sewage collection, conveyance, treatment and disposal which will prevent the discharge of untreated or inadequately treated sewage or other waste into waters of this Commonwealth or otherwise provide for the safe and sanitary treatment and

disposal of sewage or other waste. The term includes:

- A. Individual Sewage System - A system of piping, tanks or other facilities serving a single lot and collecting and disposing of sewage in whole or in part into the soil or into waters of this Commonwealth or by means of conveyance to another site for final disposal. The term includes:
 - 1. Individual onlot sewage system - An individual sewage system which uses a system of piping, tanks or other facilities for collecting, treating and disposing of sewage into a soil absorption area or spray field or by retention in a retaining tank.
 - 2. Individual sewerage system - An individual sewage system which uses a method of sewage collection, conveyance, treatment and disposal other than renovation in a soil absorption area, or retention in a retaining tank.

- B. Community Sewage System - A sewage facility, whether publicly or privately owned, for the collection of sewage from two or more lots, or two or more equivalent dwelling units and the treatment or disposal, or both, of the sewage on one or more of the lots or at another site.
 - 1. Community onlot sewage system - A system of piping, tanks or other facilities serving two or more lots and collecting, treating and disposing of sewage into a soil absorption area or retaining tank located on one or more of the lots or at another site.
 - 2. Community sewerage system - A publicly or privately-owned community sewage system which uses a method of sewage collection, conveyance, treatment and disposal other than renovation in a soil absorption area, or retention in a retaining tank.

SFD Lots – Single Family Dwelling Lots within those Zoning Districts which allocate Development Units, created after the date of Adoption of this Ordinance by an approved subdivision plan meeting the West Brunswick Township Zoning Ordinance and SALDO.

Shopping Center – A unified grouping of Retail Business, Personal Services and/or Professional Services contained on a site, owned, operated, or managed by a single entity. A Shopping Center is a group of stores, two (2) or more in number, with or without satellite uses, planned and designed as an integrated unit, with off-street parking provided for both customers and employees on the developed property as an integral part of the unit, with provisions for delivery of goods separated from the off-street parking areas and from customer access. The term “Shopping center” shall also mean a single store or, a single building with several stores within same, where the total gross floor area of the store or building exceeds twenty thousand (20,000) square feet.

Sight Triangle - An area within which no vision obstructing object is permitted above a height of two and one-half feet and below a height of ten feet.

Sign - Any structure, wall, or other outdoor surface, or any device or part thereof, or device attached thereto, or painted or represented thereon, which shall be used for the purpose of bringing the subject thereof to the attention of the public or which displays or includes any

letter, word, motto, banner, flag, pennant, insignia, device, which is in the nature of an advertisement or other representation used for announcement, direction, information, or attraction, but not including the flag, emblem, or insignia of the United States of America, the Commonwealth of Pennsylvania, or any political subdivision thereof. Signs are further defined by their use and function in the section regulating Signs in this Ordinance.

Slaughterhouse, Commercial – A principal use which involves the purchasing, slaughtering, butchering, processing, rendering, and packaging of animal food products and by-products for commercial purposes. This definition does not include custom butcher shops which are licensed by the state.

Solid Waste - Waste including solid, liquid, semisolid, or contained gaseous materials as defined by the Pa. Solid Waste Management Act.

Solid Waste Disposal Facility – A properly sited and legally permitted facility, where garbage, trash or junk is disposed of or is processed or recycled for disposal or reuse. This term shall not include facilities where the disposal or processing of hazardous waste or highly radioactive materials takes place. A Solid Waste Disposal Facility includes Solid Waste Landfill, Resource Recovery Facilities, and Low Level Radioactive Waste Facilities. A Resource Recovery Facility is used for any one, or a combination of the following, similar uses: composting, incineration, material separation, recycling or trash transfer.

Solid Waste Landfill - A type of Solid Waste Disposal Facility which is properly sited and legally permitted, where engineering principles are utilized to bury deposits of solid waste without creating public health or safety hazards, nuisances, pollution, or environmental degradation.

Special Antenna – Private residence ground mounted television or amateur radio equipment including ham or citizen band radio antennas (also see Standard Antenna).

Special Exception - The granting by the Zoning Hearing Board for permission to conduct a use permitted in a particular district, to undertake certain activities, to occupy or use land, buildings or structures for a specific purpose or in a certain manner in accordance with this Ordinance whenever such use is not permitted by right.

Standard Antenna – Private residence roof-mounted television or amateur radio equipment including ham or citizen band radio antennas (also see Special Antenna).

Story (and Half-Story) - That portion of a building, included between the surface of any floor and the ceiling next above it, having a vertical distance of not less than seven (7) feet shall be considered a “full story.” Any such portion of a building having a vertical distance of less than seven (7) feet shall be considered a “half-story.”

Street - A public or private right-of-way, excluding driveways, intended as a means of vehicular and pedestrian travel, furnishing access to abutting properties. The word "street" includes road, thoroughfare, avenue, lane, boulevard, parkway, court, drive, expressway, highway, freeway, and similar terms.

Street/Road/Highway Frontage - The lot dimension measured along the street line or right-of-way line of any one street or highway abutting a lot.

Street Line (Street Right of Way Line) - The dividing line between a lot and the outside

boundary of a public street, road, or highway right-of-way legally open or officially mapped by a municipality or higher governmental authority, between a lot and the outside boundary of a street shown on a recorded subdivision or land development plan, or between a lot and a private street, road, or way over which the owners or tenants of two or more lots held in single and separate ownership have a right-of-way.

Structure/Improvement - Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.

Subdivision - The division or redivision of a lot, tract or parcel of land by any means into two (2) or more lots, tracts or parcels or other divisions of land including or, for the purpose of annexation, changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs and devisees, transfer of ownership of building or lot development; provided however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new street or easement of access, or any residential dwelling, shall be exempted. The term subdivision shall refer to, as appropriate in this Ordinance, to the process of subdividing land or, to the land proposed to be subdivided.

Subdivider – Any landowner, agent of such landowner, or tenant with the permission of such landowner, who makes or causes to be made a subdivision or land development. Unless otherwise specified in this Ordinance, the term subdivider shall be deemed, also, to refer to a developer.

Supermarket – A store occupying in excess of ten thousand five hundred (10,500) square feet of gross floor area which has the primary purpose of selling fresh and prepackaged food, groceries, house wares and toiletries, but not clothing except as incidental items, and is designed to provide sustenance for households. A supermarket may provide for the dispensing of gasoline or other motor fuels if the appropriate approvals have been obtained from the local, state or federal regulatory agencies having jurisdiction over such matters.

Surface Mining - (see Mineral Extraction)

Swimming Pool - A pool used for swimming or bathing which has a depth in any part of twenty-four (24) inches or more. These facilities can be built either above the ground or in the ground.

- A. Household or Private – A man-made area with walls of man-made materials intended to enclose water for bathing or swimming and that is intended to serve the residents of only one dwelling unit and their occasional guests.
- B. Non-household – A man-made area with walls of man-made materials intended to enclose water for bathing or swimming and that does not meet the definition of a household swimming pool.

Target and Firing Range - A place where firearms and other projectile-type weapons (e.g., guns, rifles, shotguns, pistols, air guns, archery crossbows, etc.) can be shot for recreation, competition, skill development, training, or any combination thereof. Nothing within this definition shall be construed to include hunting when conducted in accordance with the rules and regulations of the Commonwealth of Pennsylvania. Any, and all, target ranges shall be safely and appropriately sited upon the land, shall include a backstop of either, earthen materials or, other impact absorbing materials, and shall not constitute a threat to any person or personal property located within the West Brunswick Township.

Tavern - A Pennsylvania Liquor Control Board (PLCB) licensed establishment primarily engaged in the retail sale and the on-site consumption of alcoholic beverages and where food sales account for less than fifty-five percent (55%) of the gross income. This definition includes, but is not limited to, beer gardens, bars, bar rooms, pubs, cocktail lounges, saloons, and taprooms. "Restaurants" (as defined in this Ordinance) that serve alcoholic beverages but are primarily engaged in the retail sale of prepared food are not included in this definition. This term shall not include any type of Adult Business activity as defined in this Ordinance.

Technical School – A post-secondary school teaching mechanical and industrial arts and the applied sciences.

Telecommunications Signal Site - A tract or parcel of land that contains a telecommunications antenna as the principal use, its support structure, accessory building(s), equipment cabinet, and parking, and may include other uses associated with and ancillary to telecommunication signal transmission or processing at the tract.

Theater – An enclosed building used for the presentation of live performances or motion pictures where entertainment is the primary use (see Primary Use Entertainment). Included in this definition are cinemas, other venues for the projection of film, dinner theaters, and theaters with stages for live theatrical, musical performances, as well as circuses and ceremonies, such as graduation and awards. "Theater" does not include outdoor drive-in theater or Adult Business.

Topsoil – Surface soils and subsurface soils which presumably are fertile soils and are ordinarily rich in organic matter or humus debris. Topsoil is usually found in the upper most soil layer often called the "A horizon".

Township - Township of West Brunswick, Schuylkill County, Pennsylvania.

Township Engineer - A professional engineer licensed as such in the Commonwealth of Pennsylvania, duly appointed as the engineer for West Brunswick Township.

Township Planning Commission - Planning Commission of the Township of West Brunswick, Schuylkill County, Pennsylvania.

Township Supervisors - Board of Supervisors of the Township of West Brunswick, Schuylkill County, Pennsylvania.

Transfer Station - A facility where municipal solid waste is delivered for the purpose of transferring the material into another container or vehicles for transport to a final disposal site or processing facility. (A transfer station may include the separation and collection of material for the purpose of recycling).

Trash Receiving or Recycling Facility - (see Transfer Station)

Treatment Center – A properly sited and legally permitted facility (other than a prison or hospital) providing housing for persons who need specialized housing, treatment and/or counseling because of:

- A. Criminal rehabilitation, such as a halfway house.
- B. Current addiction to alcohol or a controlled substance that was used in an illegal manner.

- C. A type of mental illness or other behavior that causes a person to be a threat to the physical safety to others.
- D. “Treatment Centers” are further regulated within this Ordinance.
 - A. “Methadone Treatment Facility” is as defined in this Ordinance and is further regulated by both this Ordinance and PA Act 247 The PA MPC.

Truck - (see Vehicle).

Truck and Heavy Equipment Sales, Rental and Service Establishment – Any use of land whereon the primary occupation is the sale, rental or service of Vehicles meeting the definition of "Truck and Heavy Equipment", including but not limited to certain boats, buses, RV's and heavy equipment in operating condition, including earth-moving, well-drilling and construction equipment and cranes. For the purpose of this chapter, truck and heavy equipment sales, rental and service establishments shall not include mobile home sales, rental and service, but may include “farm equipment, sales, rental and service,” as defined herein, and the service of vehicles and equipment shall not be interpreted to include Automobile and Motor Vehicle Service Stations, Truck Terminal or Truck Stop, but may include diagnostic centers, truck and heavy equipment parts and accessories shops where installation of parts is a distinct feature of the business and body paint, when ancillary to sales, rental and repair.

Truck Stop - A commercial use that primarily involves providing fuel to tractor-trailer trucks owned by various companies. Such use may also include retail sales of food, beverages, and items usually found in convenience stores; the use of rest facilities (less than twelve (12) hours), and shower facilities and sanitation facilities for truck drivers; and emergency repair services and routine maintenance activities. Parking is limited to those vehicles patronizing the Truck Stop and the transfer of freight and materials is strictly prohibited.

Truck Terminal – The building plus contiguous space to which freight is brought for transfer, assembly and sorting for shipment by one (1) or more motor-freight carriers. This term shall also include any areas or buildings used for truck parking and/or servicing, but shall not include the term “Truck Stop”. The long-term storage of freight is not the primary use of such premises (see Warehousing).

University – An institution for higher learning, which usually provides students with living quarters and meals, with teaching and research facilities, having graduate and professional schools that award masters and doctorate degrees, and usually an undergraduate division or school that awards bachelor’s degrees.

Unregistered Vehicle - Any motor vehicle or trailer that does not display a license plate with a current registration sticker and does not have a valid State safety inspection sticker. This term shall not apply to vehicles (such as licensed antique cars) for which State regulations do not require an inspection sticker. The term also shall not include motor vehicles displaying a license and inspection stickers that have each expired less than 90 days previously.

Use - The specific purpose for which land, a sign, or a structure or building is designed, arranged, intended, or for which it may be occupied or maintained, or any activity, occupation, business, or operation which may be carried on, thereon or therein. The term “permitted use” or its equivalent shall not be deemed to include any non-conforming use.

Vacation Farm – A farm, still engaged primarily in agricultural production, whether principally or incidentally thereto, which provides accommodations and services consisting of, but not limited to, sleeping quarters, eating and recreation facilities and general social activities on the premises, used or intended to be used for temporary or seasonal occupancy by vacationers interested in experiencing “the farm life style”.

Variance - A waiver, granted by the Zoning Hearing Board, from the terms and conditions of this Ordinance where literal enforcement would create unnecessary hardship and when granting of the waiver would not be contrary to the public interest.

Vehicle –

- A. A self-propelled conveyance that runs on tires, or wheels; a motor vehicle including, but not limited to, trucks, light trucks, cars, motorcycles etc.
- B. A device or structure not necessarily self propelled for transporting persons or things, including the term “trailer” which is a transport vehicle designed to be hauled by a truck or other motor vehicle, and the term “boat” which is a vessel propelled by oars, paddles, sail, or motorized device.

For purposes of this Ordinance, Vehicles are defined as:

- A. Automobile and Motor Vehicle - A vehicle having all of the following: a gross or registered weight less than twenty-six thousand and one (26,001) pounds; less than three (3) axles; less than three hundred and twenty (320) square feet as measured to the vehicle’s outermost edges; and less than a height of thirteen (13) feet.
- B. Truck and Heavy Equipment - A vehicle having one (1) or more of the following: a gross or registered weight of twenty-six thousand and one (26,001) pounds or more; having three (3) or more axles; more than three hundred and twenty (320) square feet as measured to the vehicle’s outermost edges; exceed a height of thirteen (13) feet.

Vehicle height shall be measured from the ground to the highest point of the main body, not to include vehicle accessories (e.g., air conditioners, vents, hatches, antennas, etc.), but will be measured to the highest point of any flybridge or other boat console.

Veterinary Clinic – (see “Animal Hospital/Veterinary Clinic”).

Warehouse – A building or group of buildings primarily used for the indoor storage of goods and materials either on a short-term or long-term basis as well as the transfer and distribution of products and materials, but not including “Retail Business Sales” or a “Truck Terminal”. If the short-term storage facilities are for a specific commercial establishment, this establishment is then considered a “Distribution Center”.

Warehousing – The indoor storage as well as the transfer and distribution of products and materials where it is the primary use and activity of the lot. The servicing of trucks is not a primary use or an accessory use of Warehousing (see Truck Terminal).

Water Extraction - The permanent removal of water as a commodity from a lot or parcel of land for any type of business or commercial purpose.

Water Supply, Community – A privately or publicly owned system for supplying and distributing water from a common source to two (2) or more dwellings and/or structures.

Water Supply, Individual On-Lot– A system which supplies and distributes water to a single dwelling or other building from a source located on the same lot.

Wetlands – An area of ground exhibiting certain natural conditions which cause same to be identified as wetlands as defined in applicable State and Federal laws and regulations setting forth criteria for the identification of wetlands and for the establishment of wetlands limits.

Wildlife Sanctuary – Includes nature center, outdoor education laboratory or research facility, woodland preserve, arboretum or a place of refuge for native animals indigenous to Pennsylvania. Wildlife Sanctuaries are non- commercial and non-residential facilities and do not include the definition of Camp or Campground. Any research facility shall contain no more than two hundred (200) square feet of floor area and shall be used only for temporary occupancy by those conducting research and as a shelter for their equipment and testing devices.

Wind Turbine - A single device that converts wind to electricity or other forms of energy, typically consisting of a rotor and blade assembly, electrical generator, and tower with or without guy wires.

Wooded Area - Any portion of a grove or stand of trees generally greater than six (6) inches in caliper, covering a land area greater than ten thousand (10,000) square feet.

Yard - The open space on the same lot with a building. The space shall be open and unobstructed from the ground upward, except as otherwise provided in this Ordinance, and not less in depth or width than the minimum required in each zoning district.

- A. Yard, Front - An open space between an adjacent street right-of-way and a line drawn parallel thereto, at such distance there from as may be specified herein for any zoning district, and extending for the full width of the lot.
- B. Yard, Rear - An open space between the rear lot line and a line drawn parallel thereto at such distance there from as may be specified herein for any zoning district, and extending for the full width of the lot, except that in the case where the rear lot line is included within a service street, the rear yard shall be between the right-of-way line of the service street nearest the front yard of the lot and a line drawn parallel to such right-of-way line of the service street.
- C. Yard, Side - An open space between the side lot line and a line drawn parallel thereto at such distance there from as may be specified herein for any zoning district, and extending from the front yard to the rear yard, except that in the case where the side lot line is included within a service street, the side yard shall be between the right-of-way line of the service street nearest the principal use or building on the lot and a line drawn parallel to such right-of-way line of the service street.

Zoning Hearing Board - West Brunswick Township Zoning Hearing Board.

Zoning Officer - West Brunswick Township Zoning Officer.

Zoning Ordinance - West Brunswick Township Zoning Ordinance.

Section 202 through 299 (Reserved)

ARTICLE III

ZONING DISTRICTS

Section 300. **TYPES OF ZONING DISTRICTS**

In order to carry out the objectives of this Zoning Ordinance, the Township of West Brunswick has been divided into the following Zoning Districts:

R-C	Rural Conservation District
A-P	Agricultural Preservation District
R-1	Rural Residential District
R-2	Medium/High Density Residential District
R-2-VOD	Medium Density/Village Overlay District
C-1	Commercial District
I-1	Industrial District
H-O	Healthcare Overlay District

Section 301. **OFFICIAL ZONING MAP**

1. The boundaries of the Zoning Districts shall be as shown on the Zoning Map of the Township. The Zoning Map and all notations, references, and data shown thereon are hereby incorporated by reference into this Ordinance.

2. The Official copy of the Zoning Map shall be so labeled and identified by the signature of the Chairman of the Board of Supervisors, attested by the Secretary of said Board, and bear the seal of the Township under the following words:

"This is to certify that this is the Official Zoning Map of the Township of West Brunswick adopted this _____ day of _____, 20____."

3. If the Official Zoning Map is amended, an entry indicating the change and the date of the change shall be made on the map and the entry shall include the signatures of the Chairman and Secretary of the Board of Supervisors.

4. In the event that the Official Zoning Map becomes damaged, destroyed, lost or difficult to interpret by reason of the nature and number of changes and additions made thereon, the Board of Supervisors may by resolution adopt a new Official Zoning Map which shall supersede such prior map. The new Official Zoning Map may correct drafting or other errors or omissions in the prior Official Zoning Map, but no such correction shall have the same effect of amending the original Official Zoning Map or any subsequent amendment thereof. The new Official Zoning Map shall be identified by the signature of the Chairman of the Board of Supervisors, attested by the Secretary of said Board, and bear the seal of the Township under the following words:

"This is to certify that this is the Official Zoning Map of the Township of West Brunswick adopted this _____ day of _____, 20____."

Section 302. DISTRICT BOUNDARIES - RULES FOR INTERPRETATION

Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply:

1. Where district boundaries are indicated as approximately coinciding with the center lines of streets, highways, lanes, railroad tracks, alleys, or creeks, such center lines shall be construed to be such boundaries.
2. Where district boundaries are indicated as approximately coinciding with lot lines, such lot lines shall be construed to be such boundaries.
3. Where district boundaries are indicated as being approximately parallel to the center or right-of-way lines of streets or highways, lanes, alleys, creeks or railroad tracks, such district boundaries shall be construed as being parallel to the center or right-of-way lines as is indicated on the Official Zoning Map. Distance not specifically indicated on the Official Zoning Map shall be determined by the scale of the map.
4. Where district boundaries are indicated as being approximately perpendicular to the right-of-way lines of streets or highways, such district boundaries shall be construed as being perpendicular to the right-of-way lines.
5. Boundaries indicated as approximately following Township limits shall be construed as following such limits.
6. Boundaries indicated as extensions of features indicated in Sections 1 through 5 above shall be so construed.
7. Where physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map, or in other circumstances not covered by Section 1 through 6 above, the Zoning Officer shall interpret the district boundaries.
8. Where a district boundary line divides a lot which was in single ownership at the effective date of this Ordinance, at the election of the property owner the regulations of either zoning district may be extended a distance of not more than one hundred feet beyond the district boundary line into the remaining portion of the lot.

Section 303. APPLICATION OF DISTRICT REGULATIONS

1. No building, structure, or land shall be used or occupied and no building, structure, or part thereof shall be erected, constructed, assembled, moved, enlarged, reconstructed, removed, or structurally altered without the issuance of a Zoning Permit and Certificate of Use and Occupancy by the Zoning Officer.
2. No part of a yard, common open space, other open space, or off-street parking or loading space required in connection with one structure, building, or use of the land shall be included as part of a yard, common open space, open space, or off-street parking or loading space similarly required for any other structure, building or use of the land, except as permitted or required by this Ordinance or other Township Ordinance or regulations.

3. No yard or lot existing at the time of passage of this Ordinance which meets the requirements of this Ordinance shall be reduced in dimension or area below the minimum requirements set forth in this Ordinance. A yard or lot existing at the time of passage of this Ordinance shall not be further reduced below the minimum requirements of this Ordinance.
4. Where district regulations specify a minimum lot width at the street line, the minimum lot width shall be provided contiguous along the street line of one street. It is prohibited, when calculating the width of a lot, to add widths along the street lines of two or more streets. In the case of a corner lot, the minimum lot width must be provided along the street line of one street, but does not have to be provided along the street line of each street on which the lot fronts.
5. Where district regulations specify a minimum lot width at the building setback line, the minimum lot width shall be provided contiguous along the building setback line established from one street. It is prohibited, when calculating the width of a lot, to add widths along the building setback lines established from two or more streets. In the case of a corner lot, the minimum lot width must be provided along the building setback line established from one street, but does not have to be provided along the building setback line established from each street on which the lot fronts.
6. In the case of a lot of irregular shape, in which a portion of said lot abuts the rear yard of a lot or lots which have frontage on the same street as does the irregularly shaped lot, the building setback line shall be established from the abutting rear yards. As a minimum, the building setback requirement of the applicable zoning district shall be used in establishing such building setback line.

Section 304 through 399 (Reserved)

ARTICLE IV

CONSERVATION, AGRICULTURAL, AND RESIDENTIAL DISTRICT REGULATIONS

Section 400. R-C RURAL CONSERVATION DISTRICT

Section 401. SPECIFIC INTENT

It is the purpose of this Zoning District to preserve existing agricultural activities, limit development to certain recreational and residential uses, and to discourage intensive development in areas which present severe limitations to development because of such factors as steep slope, shallow depth to bedrock and stoniness, which are generally classified as having severe limitations for on-site sewage disposal and are not proposed to be sewered, and which are not served by an extensive road network. It is also the intent of this District to encourage the preservation of ecologically critical factors such as the headwaters of streams and the surrounding watersheds, wetlands, wildlife habitats and extensive wooded areas. The wooded areas have even increased importance because they are located on steep slopes and in the watersheds surrounding the headwaters of streams. By preserving these factors, wildlife populations within the Township can be maintained, stream quality can be protected, the adverse effects of increased storm water run-off, erosion and sedimentation can be minimized, and the recreation potential of the area maintained.

Section 402. USES PERMITTED BY RIGHT IN THE R-C DISTRICT

Land and buildings in the R-C District may be used for the following purposes and no others unless a Special Exception, as provided in Section 403, or a Conditional Use, as provided for in Section 404, is granted:

Wildlife Sanctuary, subject to Section 658.C.

Single family detached dwellings.

General Agriculture, as defined in this Ordinance, subject to Section 647.B.

Agricultural Operations, as defined in this Ordinance, subject to Section 647.C.

Family Farm Support Business, subject to Section 651.A.

Forestry or Logging operations, subject to Section 695.

Municipal Use, subject to Section 629.B

Telecommunication Antennas and Telecommunication Equipment Buildings attached to existing structures, subject to Section 693.

Essential Services, subject to Section 629.A.

Public Recreation Uses.

Accessory uses and structures, where and when permitted, to the above principal uses when on the same premises, and which meet the requirements of this Ordinance.

No-Impact Home-Based Business, subject to Section 612.B.

Home Occupations, subject to Section 612.A.

Section 403. USES PERMITTED BY SPECIAL EXCEPTION IN THE R-C DISTRICT

The following uses are permitted when Special Exceptions are granted by the Zoning Hearing Board. Standards to be used in determining whether a Special Exception should be granted are found in Section 902 of this Ordinance:

Gun Clubs, Archery Clubs, Target and Firing Ranges, subject to Section 658.A.

Game Preserve, subject to Section 658.B.

New Telecommunications Towers with or without Telecommunication Antennas, subject to Section 693.

Wind Energy Conversion Systems, subject to Section 692.

Kennel, subject to Section 653.B.

Bed and Breakfast Inn, subject to Section 673.

Vacation Farm, subject to Section 652.

Cluster Development, subject to Section 632.

Picnic Grove.

Hunting Lodges and Clubs, Nature-based Sports Clubs, subject to Section 658.D.

Water Extraction, subject to Section 696.

Public Utility, subject to Section 629.C.

Emergency Service Facilities without membership club, subject to Section 629.D.

Accessory uses and structures to the above permitted uses when on the same lot as the permitted use.

Section 404. USES PERMITTED BY CONDITION IN THE R-C DISTRICT

The following uses are permitted when a Conditional Use is granted by the Township Board of Supervisors in accordance with Section 808 of this Ordinance.

1. Mineral Extraction, subject to Section 697.
2. Campgrounds and Recreational Vehicle (RV) Parks, subject to Section 659.A.

3. Camps, subject to Section 659.B.
4. Gas and Oil Exploration Controls, subject to Section 694.

Section 405. SUBDIVISION AND LAND DEVELOPMENT PERMITTED WITHIN THE R-C ZONING DISTRICT.

Subdivision and land development shall be permitted in the R-C Zoning District, subject to the development limitations and controls specified within this section of the Ordinance. Subdivision and land development is limited to those R-C "Parent Tracts" as defined or to parcels which were allocated R-C "Development Units" from said R-C Parent Tracts after the date of adoption of this ordinance.

1. Definitions

- a. R-C "Parent Tract" -R-C Parent Tracts are contiguous tracts or land deeded either as a single tract or as one deed with multiple purparts, existing as of the date of adoption of this ordinance that are situate within the R-C Zoning District. In cases where individually deeded tracts of land are under single ownership, each individually deeded tract will be considered to be its own R-C Parent Tract.
 - b. Development Unit – A unit of development which is allocated to a Parent Tract, or portion thereof, which is situate in those Zoning Districts in West Brunswick Township which regulate the subdivision and development of land by regulating the total number of lots or dwellings (or any other structure which may qualify to be regulated by this Ordinance) permitted to be created from the Parent Tract. The number of lots and dwellings (or other structure as may be regulated) allocated is dependent upon the total number of acres within the Parent Tract.
2. Subdivision and land development within the R-C District is allowed for the creation of the types of subdivision/land development listed in this subsection below:
- a. R-C "SFD Lots" defined within Section 201 of this Ordinance and which meet the requirements of Section 405.
 - b. R-C "Agricultural Lots" as defined within Section 201 of this Ordinance.
 - c. "Annexation Parcels" as defined within Section 201 of this Ordinance, and as regulated by Subsection 405.5.
 - d. R-C "Agricultural Annexation Parcels" as defined within Section 201 of this Ordinance, and as regulated by subsection 405.6.
 - e. The subdivision of land for any use permitted in this district.
 - f. "Cluster Development" as defined in Section 201 of this Ordinance and as regulated by Section 632 of this Ordinance.

3. Subdivision and land development described in subsection 405.2, above, is allowed in only one (1) of two (2) ways.
 - a. The utilization of R-C Development Units for those types of subdivision/land development in Subsection 405.2. a., b., c., d., and e.
 - b. Cluster Development.
4. The owner of land who has the right to subdivision/land development may only choose one (1) of the methods as listed below:
 - a. The utilization of R-C Development Units. If a landowner chooses this option, Cluster Development can not be utilized. The following are to be considered R-C Development Units and are to be deducted from the allocation assigned to the R-C Parent Tract in Section 406:
 - (1). All lots approved prior to the adoption of this ordinance as well as any single family dwelling in existence prior to the date of adoption of this ordinance on a R-C Parent Tract is not to be considered a R-C Development Unit. However, if said dwelling is placed on its own R-C SFD Lot after the date of adoption of this ordinance, and it meets the requirements of this Ordinance and the Township SALDO, an R-C Development Unit will be deducted from the allocation assigned to the R-C Parent Tract.
 - (2). Additional Single Family Dwellings erected on any existing R-C Parent Tract which already has any existing Single Family Dwelling(s) erected upon it, all which shall meet the requirements as described in Section 601 of the Zoning Ordinance.
 - (3). Any R-C Agricultural Lot as defined in Section 201. Upon creation of an R-C Agricultural Lot one (1) R-C Development Unit will be deducted from the allocation of the R-C Parent Tract and one (1) R-C Development Unit shall be assigned to the R-C Agricultural Lot; the R-C Agricultural Lot's Development Unit can only be utilized for erecting a single family dwelling on it which meets the requirements of this Ordinance. The R-C Development Unit may not be used for any other purpose than the placement of a Single Family Dwelling upon the R-C Agricultural Lot; however "Agricultural Buildings" as defined in Section 201 which meet the requirements of this Ordinance may be erected on an R-C Agricultural Lot.
 - (4). The creation of R-C SFD Lots from a R-C Parent Tract. under Subsection 405.2.a.
 - (5). Annexation Parcels as regulated in Subsection 405.5.
 - (6). R-C Agricultural Annexation Parcels as regulated in Subsection 405.6.

- (7). Any single-family dwelling allowed to be erected by actions of the Zoning Hearing Board.
 - (8). The subdivision of land for any use permitted in this district.
 - b. Cluster Development
 - (1). If an eligible landowner chooses this option, the utilization of R-C Development Units can not be a method of subdivision/land development.
 - (2). Cluster Development shall meet the regulations of Section 632.
- 5. A subdivision, creating Annexation Parcels as defined for the sole purpose of transferring land are subject to:
 - a. The Annexation Parcel has no minimum or maximum size.
 - b. The Annexation Parcel created from the R-C Parent Tract under this subsection will be deducted from the R-C Development Units allocated to the R-C Parent Tract under Section 406.
 - c. The Annexation Parcel annexed to a R-C Parent Tract shall not increase the R-C Development Units allocated to the receiving R-C Parent Tract under Section 406.
- 6. A subdivision, creating R-C Agricultural Annexation Parcels, the sole purpose of which is to transfer land to increase the size of a lot being used for agricultural purposes, where both the R-C Parent Tract from which the land is taken and the lot to which the land is added will be greater than ten (10) acres in size after such subdivision, shall not be deducted from the R-C Development Units allocated to the R-C Parent Tract as set forth in Section 406 of this Ordinance. This type of annexation shall not result in an increase in the allocation of the R-C Development Units permitted by Section 406 of this Ordinance to the R-C Parent Tract which is increased in size by the annexation, nor will the R-C Agricultural Annexation Parcel be assigned R-C Development Units.
- 7. Any subdivision to create a lot which will be transferred to a municipality or a municipal authority shall not be deducted from the R-C Development Units allocated to the R-C Parent Tract as set forth in Section 406 of this Ordinance.
- 8. Any subdivision plan hereafter filed with the Township shall specify which lot or lots shall carry with it a right of further subdivision and/or erection of single-family dwellings, if any such right remains from the R-C Development Units allocated to the R-C Parent Tract. The right of further subdivision or erection of single-family dwellings and/or an indication that no further subdivision or erection of single-family dwellings, if any, is permissible shall also be included in the legal description of the deed of the newly created lot or lots, as well as in the legal description of the deed of the R-C Parent Tract from which the subdivision was created.

9. In no event shall any tract of land which is divided or re-divided after the same becomes subject to the provisions of Section 405, nor any of the lots which are created by such division or re-division, result in an increase in the allocation of R-C Development Units permitted by Section 406 of this Ordinance.
10. Single-family dwelling development shall make a reasonable effort to follow these guidelines:
 - a. Any single-family dwelling located on an R-C SFD Agricultural Lot should be located on the least productive area(s).
 - b. Any proposed R-C SFD Lots should be clustered or grouped in such a manner as to preserve the greatest extent of productive and valuable farm land as possible on the R-C Parent Tract or any R-C Agricultural Lots.
11. A property owner submitting a subdivision plan will be required to specify on their plan the R-C Development Units not allocated to the R-C Parent Tract, or to those lots created from said R-C Parent Tract. Any subdivision plans filed with West Brunswick Township shall include a conspicuous “Agricultural Use Notification” as follows: “All lands within the R-C Zoning District of West Brunswick Township are located in an area where land is, or may be, used for agricultural production. Owners, residents, and other users of this property or neighboring property owners may be subjected to occasional inconvenience, discomfort, and the possibility of injury to property and health arising from normal and accepted local agricultural practices and operations, including but not limited to noise, odors, dust, the operation of machinery of any kind, including aircraft, the storage and disposal of manure, the application of fertilizer, soils amendments, herbicides and pesticides. Owners, occupants and users of this property should be prepared to accept such conditions and inconveniences, discomfort and possibility of injury from normal agricultural operations, and are hereby put on official notice that the Pennsylvania Right-to-Farm Law (PA Act 133 of 1982) may bar them from obtaining a legal judgment against persons, farms, or corporations which are performing such normal agricultural operations.”

Section 406. DEVELOPMENT UNIT ALLOCATION IN THE R-C DISTRICT

<u>Size of Parent Tract (acres)</u>	<u>Number of Development Units</u>
Less than 30	3
30 to less than 40	4
40 to less than 50	5
50 to less than 60	6
60 to less than 70	7
70 to less than 80	8
80 to less than 90	9
90 to less than 100	10
100 and over	11

The Development Unit allocation in this Section shall apply to all Parent Tracts as of the effective date of this Ordinance. Any and all future subdivision and/or land development of any Parent Tract shall comply with this Section.

Section 407. AREA, YARD AND HEIGHT REGULATIONS FOR THE R-C DISTRICT

On-Lot Sewage Disposal and Water Supply

<u>MAXIMUM PERMITTED</u>	<u>Agricultural Lot</u>	<u>Single Family Dwelling Lots</u>	<u>Parent Tract</u>	<u>Other Uses**</u>
Lot Size*	Unlimited	3 Acres	Unlimited	3 Acres
Building Height * (except barns, silos, and grain elevators)	35 Feet	35 Feet	35 Feet	35 Feet
Impervious Coverage*	25 Percent	35 Percent	25 Percent	40 Percent
<u>MINIMUM REQUIREMENTS</u>				
Lot Size*	10 Acres	2 Acres	5 Acres	2 Acres
Lot Width* At Street Line	200 Feet	200 Feet	200 Feet	200 Feet
Building Setback Line*	30 Feet	30 Feet	30 Feet	50 Feet
Rear Yard*	20 Feet	20 Feet	30 Feet	50 Feet
Side Yard*				
Total	40 Feet	40 Feet	40 Feet	100 Feet
One Side	20 Feet	20 Feet	20 Feet	50 Feet

* Buildings intended for the housing of livestock; Intensive Agricultural Uses and Family-farm Support Business have their own area, yard, and height requirements as specified in this Ordinance (See other note below).

** Other residential and non-residential uses may have specific maximum and minimum regulations as part of the General and Specific Use Regulations in Article VI.

Section 408. ROAD FRONTAGE RESTRICTIONS FOR THE R-C DISTRICT

No more than five (5) allocated lots may have frontage on any existing State or Township road.

Sections 409 through 414 (Reserved)

Section 415. A-P AGRICULTURAL PRESERVATION DISTRICT

Section 416. SPECIFIC INTENT

It is the purpose of this District to encourage the preservation of the most productive farmland within the Township. This District has also been created to preserve the agricultural sector of the economy of the Township and to retain the value of agricultural land that remains in the Township by limiting adverse effects resulting from the encroachment of development on agricultural uses.

Section 417. USES PERMITTED BY RIGHT IN THE A-P DISTRICT

Land and buildings in the A-P District may be used for the following purposes and no others unless a Special Exception, as provided in Section 418, or a Conditional Use, as provided for in Section 419, is granted:

General Agriculture, as defined in this Ordinance, subject to Section 647.B.

Agricultural Operations, as defined in this Ordinance, subject to Section 647.C.

Family Farm Support Business, subject to Section 651.A.

Single-family detached dwelling, subject to Section 420.

Grange.

Municipal Use, subject to Section 629.B

Wildlife Sanctuary, subject to Section 658.C.

Forestry or Logging, subject to Section 695.

Essential Services, subject to Section 629.A.

Public Recreation Uses.

Accessory uses and structures, where and when permitted, to the above principal uses when on the same premises, and which meet the requirements of this Ordinance.

No-Impact Home-Based Business, subject to Section 612.B.

Home Occupations, subject to Section 612.A.

Section 418. USES PERMITTED BY SPECIAL EXCEPTION IN THE A-P DISTRICT

The following uses are permitted when Special Exceptions are granted by the Zoning Hearing Board. Standards to be used in determining whether a Special Exception should be granted are found in Section 902 of this Ordinance:

School, subject to Section 642.

Intensive Agriculture, subject to Section 648.

Club, Lodge, or Fraternal Organization, subject to Section 655.

Private and Commercial Recreation, limited to Outdoor Passive Recreation as defined in this Ordinance and subject to Section 656.

Cluster Development subject to Section 632.

Water Extraction, subject to Section 696.

Game Preserve, subject to Section 658.B.

Vacation Farm, subject to Section 652.

Riding Academy, Riding Stables and Horse Boarding Facilities, subject to Section 660.

Animal Hospital/Veterinary Clinic, subject to Section 653.A.

Animal Shelter, subject to Section 653.B.

Farm Related Business, subject to Section 651.B.

Public Utility, subject to Section 629.C.

Wind Energy Conversion Systems, subject to Section 692.

Section 419. USES PERMITTED BY CONDITION IN THE A-P DISTRICT (reserved)

Section 420. SUBDIVISION AND LAND DEVELOPMENT PERMITTED WITHIN THE A-P ZONING DISTRICT.

Subdivision and land development shall be permitted in the A-P Zoning District, subject to the development limitations and controls specified within this section of the Ordinance. Subdivision and land development is limited to those A-P "Parent Tracts" or to parcels which were allocated A-P "Development Units" from said A-P Parent Tracts after the date of adoption of this ordinance.

1. Parent Tract and Development Unit are defined in Section 201 of this Ordinance.

2. The types of subdivision and land development allowed in the A-P District are listed in accordance with the following subsections:
 - a. A-P "SFD Lots" defined within Section 201 of this Ordinance and which meet the requirements of Section 420.
 - b. A-P "Agricultural Lots" as defined within Section 201 of this Ordinance.
 - c. "Annexation Parcels" as defined within Section 201 of this Ordinance, and as regulated by Subsection 420.5.
 - d. A-P "Agricultural Annexation Parcels" as defined within Section 201 of this Ordinance, and as regulated by subsection 420.6.
 - e. "Cluster Development" as defined in Section 201 of this Ordinance and as regulated by Section 632 of this Ordinance.
 - f. "Farm related Businesses" as defined in Section 201 of this Ordinance and as regulated by Section 651.B. of this Ordinance.
 - g. The subdivision of land for any use permitted in this district.

3. Subdivision and land development described in subsection 420.2, above, is allowed in only one (1) of two (2) ways:
 - a. The utilization of A-P Development Units for those types of subdivision/land development in Subsection 420.2.a., b., c., d., f., and g.
 - b. Cluster Development.

4. The owner of land who has the right to subdivision/land development may only choose one (1) of the methods as listed below:
 - a. The utilization of A-P Development Units. If a landowner chooses this option, Cluster Development can not be utilized. The following are to be considered A-P Development Units and are to be deducted from the allocation assigned to the A-P Parent Tract in Section 421:
 - (1). All lots approved prior to the adoption of this ordinance as well as any single family dwelling in existence prior to the date of adoption of this ordinance on a A-P Parent Tract is not to be considered a A-P Development Unit. However, if said dwelling is placed on its own A-P SFD Lot after the date of adoption of this ordinance, and it meets the requirements of this Ordinance and the Township SALDO, an A-P Development Unit will be deducted from the allocation assigned to the A-P Parent Tract.
 - (2). Additional Single Family Dwellings erected on any existing A-P Parent Tract which already has any existing Single Family Dwelling(s) erected upon it, all which shall meet the requirements as described in Section 601 of the Zoning Ordinance.

- (3). Any A-P Agricultural Lot as defined in Section 201. Upon creation of an A-P Agricultural Lot one (1) A-P Development Unit will be deducted from the allocation of the A-P Parent Tract and one (1) A-P Development Unit shall be assigned to the A-P Agricultural Lot; the A-P Agricultural Lot's Development Unit can only be utilized for erecting a single family dwelling on it which meets the requirements of this Ordinance. The A-P Development Unit may not be used for any other purpose than the placement of a Single Family Dwelling upon the A-P Agricultural Lot; however "Agricultural Buildings" as defined in Section 201 which meet the requirements of this Ordinance may be erected on an A-P Agricultural Lot.
 - (4). The creation of A-P Lots from a A-P Parent Tract under Subsection 420.2.a.
 - (5). Annexation Parcels as regulated in Subsection 420.5.
 - (6). A-P Agricultural Annexation Parcels as regulated in Subsection 420.6.
 - (7). Any single-family dwelling allowed to be erected by actions of the Zoning Hearing Board.
 - (8). "Farm related and Family Farm Support Businesses", as regulated by Section 651.A and 651.B. of this Ordinance.
 - (9). The subdivision of land for any use permitted in this district
- b. Cluster Development
- (1). If an eligible landowner chooses this option, the utilization of A-P Development Units can not be a method of subdivision/land development.
 - (2). Cluster Development shall meet the regulations of Section 632.
5. A subdivision, creating Annexation Parcels as defined for the sole purpose of transferring land are subject to:
- a. The Annexation Parcel has no minimum or maximum size.
 - b. The Annexation Parcel created from the A-P Parent Tract under this subsection will be deducted from the A-P Development Units allocated to the A-P Parent Tract under Section 421.
 - c. The Annexation Parcel annexed to a A-P Parent Tract shall not increase the A-P Development Units allocated to the receiving A-P Parent Tract under Section 421.

6. A subdivision, creating A-P Agricultural Annexation Parcels, the sole purpose of which is to transfer land to increase the size of a lot being used for agricultural purposes, where both the A-P Parent Tract from which the land is taken and the lot to which the land is added will be greater than ten (10) acres in size after such subdivision, shall not be deducted from the A-P Development Units allocated to the A-P Parent Tract as set forth in Section 421. This type of annexation shall not result in an increase in the allocation of the A-P Development Units permitted by Section 421 to the A-P Parent Tract which is increased in size by the annexation, nor will the A-P Agricultural Annexation Parcel be assigned A-P Development Units.
7. Any subdivision to create a lot which will be transferred to a municipality or a municipal authority shall not be deducted from the A-P Development Units allocated to the A-P Parent Tract as set forth in Section 421.
8. Any subdivision plan hereafter filed with the Township shall specify which lot or lots shall carry with it a right of further subdivision and/or erection of single-family dwellings, if any such right remains from the A-P Development Units allocated to the A-P Parent Tract. The right of further subdivision or erection of single-family dwellings and/or an indication that no further subdivision or erection of single-family dwellings, if any, is permissible shall also be included in the legal description of the deed of the newly created lot or lots, as well as in the legal description of the deed of the A-P Parent Tract from which the subdivision was created.
9. In no event shall any tract of land which is divided or re-divided after the same becomes subject to the provisions of Section 420, nor any of the lots which are created by such division or re-division, result in an increase in the allocation of A-P Development Units permitted by Section 421.
10. Single-family dwelling development shall make a reasonable effort to follow these guidelines:
 - a. Any A-P SFD Lot or a single-family dwelling located on an A-P Agricultural Lot should be located on the least productive area(s) of the A-P Parent Tract or A-P Agriculture Lot.
 - b. Any proposed A-P SFD Lots should be clustered or grouped in such a manner as to preserve the greatest extent of productive and valuable farm land as possible on the A-P Parent Tract or any A-P Agricultural Lots.
11. A property owner submitting a subdivision plan will be required to specify on their plan the A-P Development Units not allocated to the A-P Parent Tract, or to those lots created from said A-P Parent Tract. Any subdivision plans filed with West Brunswick Township shall include a conspicuous "Agricultural Use Notification" as follows: "All land within the A-P Zoning District of West Brunswick Township is located in an area where land is, or may be, used for agricultural production. Owners, residents, and other users of this property or neighboring property owners may be subjected to occasional inconvenience, discomfort, and the possibility of injury to property and health arising from normal and accepted local agricultural practices and operations, including but not limited to noise, odors, dust, the

operation of machinery of any kind, including aircraft, the storage and disposal of manure, the application of fertilizer, soils amendments, herbicides and pesticides. Owners, occupants and users of this property should be prepared to accept such conditions and inconveniences, discomfort and possibility of injury from normal agricultural operations, and are hereby put on official notice that the Pennsylvania Right-to-Farm Law (PA Act 133 of 1982) may bar them from obtaining a legal judgment against persons, farms, or corporations which are performing such normal agricultural operations.”

Section 421. DEVELOPMENT UNIT ALLOCATION IN THE A-P DISTRICT

<u>Size of Parent Tract (acres)</u>	<u>Number of Development Units</u>
Less than 30	3
30 to less than 60	4
60 to less than 90	5
90 to less than 120	6
120 to less than 150	7
150 to less than 180	8
180 to less than 210	9
210 & Over	10

The Development Unit allocation in this Section shall apply to all Parent Tracts as of the effective date of this Ordinance. Any and all future subdivision and/or land development of any Parent Tract shall comply with this Section.

Section 422. AREA, YARD AND HEIGHT REGULATIONS FOR THE A-P DISTRICT

On-Lot Sewage Disposal and Water Supply

<u>MAXIMUM PERMITTED</u>	<u>Agricultural Lot</u>	<u>Single Family Dwelling Lots</u>	<u>Parent Tract</u>	<u>Farm Related Business</u>	<u>Other Uses**</u>
Lot Size*	Unlimited	3 Acres	Unlimited	5 Acres	3 Acres
Building Height * (except barns, silos, and grain elevators)	35 Feet	35 Feet	35 Feet	35 Feet	35 Feet
Impervious Coverage*	25 Percent	35 Percent	25 Percent	40 Percent	40 Percent
<u>MINIMUM REQUIREMENTS</u>					
Lot Size*	10 Acres	2 Acres	5 Acres	2 Acres	2 Acres
Lot Width* At Street Line	200 Feet	200 Feet	200 Feet	200 Feet	200 Feet
Building Setback Line*	30 Feet	30 Feet	30 Feet	50 Feet	50 Feet
Rear Yard*	20 Feet	20 Feet	30 Feet	50 Feet	50 Feet
Side Yard*					
Total	40 Feet	40 Feet	40 Feet	100 Feet	100 Feet
One Side	20 Feet	20 Feet	20 Feet	50 Feet	50 Feet

* Buildings intended for the housing of livestock; Intensive Agricultural Uses and Family-farm Support Business have their own area, yard, and height requirements as specified in this Ordinance (See other note below).

** Other residential and non-residential uses may have specific maximum and minimum regulations as part of the General and Specific Use Regulations in Article VI.

Section 423. ROAD FRONTAGE RESTRICTIONS FOR THE A-P DISTRICT

No more than five (5) allocated lots may have frontage on any existing State or Township road.

Sections 424 through 429 (Reserved).

Section 430. R-1 RURAL RESIDENTIAL DISTRICT

Section 431. SPECIFIC INTENT

It is the purpose of this District to maintain the rural character of sparsely developed areas which contain a mixture of farmland and woodland by providing for low density residential development and certain other nonresidential activities which are compatible.

Section 432. USES PERMITTED BY RIGHT IN THE R-1 DISTRICT

Land and buildings in an R-1 District may be used for the following purposes and no others, unless a Special Exception, as provided for in Section 433, is granted:

Wildlife Sanctuary, subject to Section 658.C.

General Agriculture, as defined in this Ordinance, subject to Section 647.B.

Agricultural Operations, as defined in this Ordinance, subject to Section 647.C.

Family Farm Support Business and Farm Related Business, subject to Sections 651.A and 651.B.

Single family detached dwelling.

Municipal Use, subject to Section 629.B.

Public Recreation Uses.

Essential Services, subject to Section 629.A.

Emergency Service Facilities without membership club, subject to Section 629.D.

Forestry or Logging, subject to Section 695.

Accessory uses and structures, where and when permitted, to the above principal uses when on the same premises, and which meet the requirements of this Ordinance.

No-Impact Home-Based Business, subject to Section 612.B.

Home Occupation, subject to Section 612.A.

Section 433. USES PERMITTED BY SPECIAL EXCEPTION IN THE R-1 DISTRICT

The following uses are permitted when Special Exceptions are granted by the Zoning Hearing Board. Standards to be used in determining whether a Special Exception should be granted are found in Section 902 of this Ordinance:

Club, Lodge, or Fraternal Organization, subject to section 655.

Commercial Outdoor Recreation, subject to Section 656.

Camps, subject to Section 659.B.

Riding Academy; Riding Stables and Horse Boarding Facilities, subject to Section 660.

Church or similar place of worship, subject to Section 644.A.

Cemetery, subject to Section 644.B.

Pet Cemetery.

Healthcare Facilities and Services, subject to Section 640.B.

Child Day-Care, subject to Section 643.A.

Wind Energy Conversion System, subject to Section 692.

Adult Day-Care Facilities, subject to Section 643.B.

Game Preserve, subject to Section 658.B.

Animal Hospital/Veterinary Clinic, subject to Section 653.A.

Boarding and Day Schools, subject to Section 642.

Public Utility, subject to Section 629.C.

Emergency Service Facilities with membership club, subject to Section 629.D.

Accessory uses and structures to the above permitted uses when on the same lot as the permitted use.

Section 434. USES PERMITTED BY CONDITION IN THE R-1 DISTRICT

(Reserved)

Section 435. AREA, YARD, AND HEIGHT REGULATIONS FOR THE R-1 DISTRICT

<u>Maximum Permitted</u>	<u>With individual on-lot sewage & water</u>
Building Height Silos & Other Agricultural Buildings	None
All Other Building Heights	35 Feet
Lot Coverage	10%
Paved Area & Lot Coverage	20%
Clearing of Wooded Areas	20%

Minimum Requirements

Lot Size	1 Acre
Lot Width At Street Line	150 Feet*
At Building Setback Line	150 Feet
Building Setback Line	30 Feet
Side Yard Total	30 Feet
One Side	15 Feet
Rear Yard	30 Feet

* Lot width at street line may be reduced by up to 50% at the outside of curves and at cul-de-sac's.

Section 436 through 444 (Reserved)

Section 445. R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT

Section 446. SPECIFIC INTENT

It is the purpose of this District to provide an area for low to medium density residential development, agricultural activities, and certain other non-residential activities compatible with residential areas.

Section 447. USES PERMITTED BY RIGHT IN THE R-2 DISTRICT

Land and buildings in a R-2 District may be used for the following purposes and no others, unless a Special Exception, as provided for in Section 448, or a Conditional Use, as provided for in Section 449, is granted:

Single family detached dwelling.

Single family semi-detached dwelling.

Municipal Use, subject to Section 629.B.

General Agriculture, as defined in this Ordinance, subject to Section 647.A and 647.B.

Agricultural Operations, as defined in this Ordinance, subject to Section 647.A and 647.C.

Family Farm Support Business and Farm Related Business, subject to Section 651.A and 651.B.

Public Recreation Uses, subject to Section 656.

Restaurant, General, subject to Section 672.B.

Essential Services, subject to Section 629.A.

Emergency Service Facilities without membership club, subject to Section 629.D.

Forestry or Logging, subject to Section 695.

Accessory uses and structures, where and when permitted, to the above principal uses when on the same premises, and which meet the requirements of this Ordinance.

No-Impact Home-Based Business, subject to Section 612.B.

Home Occupation, subject to Section 612.A.

Section 448. USES PERMITTED BY SPECIAL EXCEPTION IN THE R-2 DISTRICT

The following uses are permitted when Special Exceptions are granted by the Zoning Hearing Board. Standards to be used in determining whether a Special Exception should be granted are found in Section 902 of this Ordinance.

Church or similar place of worship, subject to Section 644.A.

Cemetery, subject to Section 644.B.

Healthcare Facilities and Services, subject to Section 640.B.

Animal Hospital/Veterinary Clinic, subject to Section 653.A.

Child Day-Care Facilities, subject to Section 643.A.

Adult Day-Care Facilities, subject to Section 643.B.

School, excluding Technical and Commercial Schools, subject to Section 642.

Residential Conversion, subject to Section 634.A.

Boarding House, subject to Section 634.B.

Public Utility, subject to Section 629.C.

Emergency Service Facilities with membership club, subject to Section 629.D

Convenience Store, if situate with frontage and access to an arterial or major collector street as defined in the SALDO, subject to Section 680.

Tavern, if situate with frontage and access to an arterial or major collector street as defined in the SALDO, subject to Section 664.A.

Group Home, subject to section 635.

Commercial Outdoor Recreation, if situate with frontage and access to an arterial or major collector street as defined in the SALDO, subject to Section 656.

Club, Lodge, or Fraternal Organization, if situate with frontage and access to an arterial or major collector street as defined in the SALDO, subject to Section 655, and provided that all activities shall be conducted within buildings or structures.

Automobile and Motor Vehicle Service Station, if situate with frontage and access to an arterial or major collector street as defined in the SALDO, subject to Section 676.

Wind Energy Conversion Systems, subject to Section 692.

Section 449. USES PERMITTED BY CONDITION IN THE R-2 DISTRICT

The following uses are permitted when a Conditional Use is granted by the Township Board of Supervisors in accordance with Section 808 of this Ordinance.

Each conditional use shall require landscaping to be provided pursuant to a plan approved by the Township Supervisors. Said Landscape Plan shall include trees, shrubs, or other plantings deemed suitable, arranged to soften building lines, improve open spaces, screen undesirable views, or to provide other benefits or mitigate impacts as may be required by the Township Supervisors.

Mobile home park, subject to the requirements of the Township Subdivision and Land Development Ordinance.

Planned Residential Development, subject to Section 631.A.

Retail Businesses, as defined in this Ordinance, when part of a Planned Residential Development.

Personal Services, as defined in this Ordinance, when part of a Planned Residential Development.

Professional and Business Services, as defined in this Ordinance, when part of a Planned Residential Development.

Retirement Community, subject to Section 631.B.

Life Care Retirement Facility, subject to Section 631.C.

Townhouses, subject to Section 630.A.

Duplexes, subject to Section 630.B.

Unless located within the R-2 Medium Density Residential/Village Overlay District, Garden/Medium Density (mid-rise) Apartments, subject to Section 633.

Section 450. AREA, YARD, AND HEIGHT REGULATIONS (R-2)

(See Table Page 71)

Section 451. R-2 MEDIUM DENSITY RESIDENTIAL/VILLAGE OVERLAY DISTRICT

Section 452. SPECIFIC INTENT

It is the purpose of this District to allow medium density residential development and village commercial development in a variety of development options. For the area which is contained in the R-2 Medium Density Residential/Village Overlay District, the regulations set forth in this R 2 Medium Density Residential/Village Overlay District shall prevail and supersede the inconsistent provisions contained in the regulations set forth in the R-2 Medium Density Residential District.

Section 453. USES PERMITTED BY RIGHT

Land, buildings and structures in the R 2 Medium Density Residential/Village Overlay District shall be used for the purposes set forth in Section 447 of this Ordinance, entitled “Uses Permitted by Right” in the R-2 Medium Density Residential District, and for the following purposes, and for no other purposes, unless a Special Exception, as provided for in Section 448, or a Conditional Use, as provided for in Section 449, is approved by the Governing Body.

Any development containing Apartment Buildings, as defined in Section 201 of Article II, entitled “Specific Terms” of this Ordinance shall be permitted by right within the R 2 Medium Density Residential/Village Overlay District subject to the following criteria:

- a. The property or parcel shall be located along the State Route 61 corridor by means of either direct frontage with the roadway or the ability to have direct street access through lands within the immediately adjacent Commercial C-1 Zoning District.
- b. The development of the land area within the R-2 Medium Density Residential District shall be completed in conjunction with and harmoniously with any land within the Commercial C-1 Zoning District if direct street access is provided from the Apartment Buildings to State Route 61 corridor area through any land located within the Commercial C 1 Zoning District.
- c. Garden Apartments and Mid-Rise Apartments, as defined in Section 201 of Article II, entitled “Specific Terms”, of this Ordinance, are further subject to the following conditions:
 - (1) The apartment facility shall be owned, operated and managed by a single entity or individual. The subdivision or creation of condominium units that contain individual, fee-simple ownership of any apartment unit is prohibited.

- (2) The owner of the apartment facility shall provide documentation to the Zoning Officer certifying that all building, fire, plumbing, heating, electrical and similar facilities meet the standards established by the Municipality and by the Commonwealth of Pennsylvania.
- (3) The minimum amount of land for the development of an apartment facility shall be ten (10) acres.
- (4) The apartment facility shall be served by public sewage disposal facilities and public water supply facilities.
- (5) Provided that these uses are strictly related to and subordinate to the residential character of the Apartment Buildings, the following facilities and services for the exclusive use of the residents of the apartments (and not the general public) may be provided: club houses for the purposes of containing: management offices, maintenance equipment storage, physical exercise facilities, common dining or gathering facilities, lounges, recreational/social rooms, and food services.
- (6) The Plan for an Apartment Building development shall be submitted to the Municipal Planning Commission for review and receive final approval from the Governing Body in accordance with procedures established in the Municipal Subdivision and Land Development Ordinance.

Section 454 DESIGN GUIDELINES AND STANDARDS

The following design guidelines and standards shall be used by the Township Planning Commissions and Board of Supervisors when reviewing subdivision and land development plans for apartment facilities. Where these standards are mandatory and more restrictive than other provisions of this Ordinance, these standards shall apply.

- a. Parking shall be located to provide reasonable accessibility and convenience to apartment buildings wherever possible.
- b. To the fullest extent possible, architectural elements of buildings shall be characteristic of existing historic architectural elements in the adjoining properties.
- c. A system for pedestrian circulation within the tract shall be provided. This system shall consist of a series of paved walkways four (4) feet in width and shall provide access to community facilities and recreation areas, though they shall also be designed to provide privacy for dwelling units.
- d. To the extent possible, all outdoor refuse collection stations shall be to the rear or sides of buildings and screened from view.
- e. No part of any sign shall be located within fifteen feet (15') of the front lot line, except signs attached to buildings.
- f. No more than two (2) separate signs shall face any one (1) street frontage on any one (1) store or use.
- g. The maximum size of each face of a freestanding sign shall be fifty (50) square feet.

Section 455 AREA, YARD, AND HEIGHT REGULATIONS

The regulations of Section 633, “Specific Use Regulations” of Article 6 shall apply to both Garden Apartment and Mid-Rise Apartment developments unless otherwise required by this Ordinance.

Sections 456 through 499 (Reserved)

Section 450. AREA, YARD, AND HEIGHT REGULATIONS (R-2)

	SINGLE FAMILY DETACHED DWELLING			SINGLE FAMILY SEMI-DETACHED			
	On-Site Sewage Disposal & Water Supply	Either Public or Community Sewage Disposal <u>or</u> Supply	Both Public/Community Sewage Disposal <u>and</u> Water Supply	On-Site Sewage Disposal & Water Supply	Either Public or Community Sewage Disposal <u>or</u> Supply	Both Public/Community Sewage Disposal <u>and</u> Water Supply	Non-Residential Uses
<u>Maximum Permitted</u>							
Building Height	35 Feet	35 Feet	35 Feet	35 Feet	35 Feet	35 Feet	35 Feet
Lot Coverage	25 Percent	25 Percent	25 Percent	25 Percent	25 Percent	35 Percent	25 Percent
Paved Area	10 Percent	15 Percent	15 Percent	10 Percent	15 Percent	15 Percent	25 Percent
<u>Minimum Requirements</u>							
Lot Size (Per Dwelling Unit)	1 Acre	20,000 Sq. Ft.	10,000 Sq. Ft.	1 Acre	40,000 Sq. Ft.	15,000 Sq. Ft.	1 Acre
Lot Width At Street Line	120 Feet	75 Feet	50 Feet	160 Feet	100 Feet	60 Feet	150 Feet
At Building Setback	120 Feet	75 Feet	50 Feet	160 Feet	100 Feet	60 Feet	150 Feet
Building Setback	30 Feet	30 Feet	30 Feet	25 Feet	25 Feet	25 Feet	25 Feet
Side Yard Total	40 Feet	30 Feet	20 Feet	40 Feet	30 Feet	20 Feet	20 Feet
One Side	20 Feet	15 Feet	10 Feet	0 Feet (to extent of party wall)	0 Feet (to extent of party wall)	0 Feet (to extent of party wall)	0 Feet (to extent of party wall)
Rear Yard	30 Feet	30 Feet	30 Feet	30 Feet	30 Feet	25 Feet	25 Feet

ARTICLE V

COMMERCIAL AND INDUSTRIAL DISTRICT REGULATIONS

Section 500. **C-1 COMMERCIAL DISTRICT**

Section 501. **SPECIFIC INTENT**

It is the purpose of this District to provide an area for a variety of commercial development and only limited residential development and uses.

Section 502. **USES PERMITTED BY RIGHT IN THE C-1 DISTRICT**

Land and buildings in the C-1 District may be used for the following purposes and no others unless a Special Exception, as provided for in Section 503 is granted:

Retail Businesses, as defined in this Ordinance, except for those specifically allowed only by Special Exception in Section 503.

Personal Services, as defined in this Ordinance, except for those specifically allowed only by Special Exception in Section 503.

Professional and Business Services, as defined in this Ordinance, except for those specifically allowed only by Special Exception in Section 503.

Municipal use, subject to Section 629.B.

Restaurant, General, subject to Section 672.B

Restaurant, Fast Food, subject to Section 672.A.

Restaurant, Take Out, subject to Section 672.B.

Public Indoor and Outdoor Amusement and Entertainment.

Funeral Home, without crematorium.

Commercial Contractor Service Office, excluding Commercial Contractor Service Yards.

Emergency Service Facilities, without membership club, subject to Section 629.D.

Hotel or motel, subject to Section 674.

Super Market.

Grocery Store.

No-Impact Home-Based Business, subject to Section 612.B.

Forestry or Logging operations, subject to Section 695.

General Agriculture, as defined in this Ordinance, subject to Section 647.B.

Agricultural Operations, as defined in this Ordinance, subject to Section 647.C.

Vehicular and Mobile Home Sales and Rentals, subject to Section 677.A.

Dwelling Units in combination with offices or commercial uses, subject to Section 636.

Automobile and Motor Vehicle Service Station, Minor Repair, subject to Section 676.

Automobile and Motor Vehicle Washing Facility, subject to Section 675.

Office Buildings.

Telecommunication Antennas and Telecommunication Equipment Buildings attached to existing structures, subject to Section 693.

Public Recreation Use, subject to Section 656.

Commercial, Technical, Hobby School, and Hobby Studio subject to Section 642.

Accessory uses and structures, where and when permitted, to the above principal uses when on the same premises, and which meet the requirements of this Ordinance.

Section 503. USES PERMITTED BY SPECIAL EXCEPTION IN THE C-1 DISTRICT

The following uses are permitted when Special Exceptions are granted by the Zoning Hearing Board. Standards to be used in determining whether a Special Exception should be granted are found in Section 902 of this Ordinance.

Residential Conversion, subject to Section 634.A.

Adult Business and Adult Establishment, subject to Section 666.

Shopping Center, subject to Section 671.

Garden Supply Center.

Home Improvement Center.

Office/Commercial Center, subject to Section 670.

Convenience Store, subject to Section 680.

Outdoor Flea and Antique Market, and Outdoor Farmer and Produce Markets, subject to Section 679.

Automobile and Motor Vehicle Service Station, Major Repair, subject to Section 676.

Vehicular and Mobile Home Sales and Rentals, subject to Section 677.A.

Auction House, subject to Section 678.A.

Taverns, subject to Section 664.A.

Nightclubs, subject to Section 664.B.

Emergency Service Facilities, with membership club, subject to Section 629.D.

Off-Track Betting Parlors, subject to Section 663.

Golf Driving Range, Chip and Putt, and Miniature Golf, subject to Section 662.
New Telecommunication Towers with or without Telecommunication Antennas,
subject to Section 693.

Wind Energy Conversion Systems, subject to Section 692.

Game Room/Video Arcade, subject to Section 657.

Commercial Amusement and Entertainment.

Pawn Shop, subject to Section 665.

Pay Day Loan Establishment.

Club, Lodge, or Fraternal Organization, subject to Section 655 and provided that all
activities shall be conducted within buildings or structures.

Animal Hospital/Veterinarian Clinic, subject to Section 653.A.

Hospital, subject to Section 640.A.

Healthcare Facilities and Services, subject to Section 640.B.

Treatment Center, subject to Section 641.A.

Child Day-Care, subject to Section 643.A.

Adult Day-Care Facilities, subject to Section 643.B.

Public Utility, subject to Section 629.C.

Methadone Treatment Center, subject to Section 641.B.

Section 504. USES PERMITTED BY CONDITION IN THE C-1 DISTRICT

Any other uses as determined by the Board to be of the same general character as the Uses by
Right including permitted uses in the R-1, R-2, R-C A-P, C-1 and I-1.

Section 505. AREA, YARD AND HEIGHT REGULATIONS IN THE C-1 DISTRICT

<u>Maximum Permitted</u>	<u>With on-lot sewer & water</u>	<u>With either community sewer or water</u>	<u>With both community sewer and water</u>
Building Height	35 feet	35 feet 35 feet	
Lot Coverage	35%	40%	40%
Paved Area	50%	45%	45%
<u>Minimum Requirements</u>	<u>With on-lot sewer & water</u>	<u>With either community sewer or water</u>	<u>With both community sewer and water</u>
Lot Size	1 Acre	30,000 Sq. ft	15,000 Sq. ft
Lot Width			
At Street Line	150 feet	100 feet	80 feet
At Building Setback Line	150 feet	100 feet	80 feet
Building Setback	30 feet	30 feet	30 feet
Improvements Setback	5 feet	5 feet	5 feet
Distance Between Highway Access Points	75 feet	75 feet	75 feet
Side Yard			
Total	60 feet	40 feet	30 feet
One Side	30 feet	20 feet	15 feet
Area Not Paved or Covered by Buildings	15%	15%	15%
Rear Yard	30 feet	30 feet	30 feet

Side yards may be eliminated between adjoining commercial uses (such as in a shopping center) where coordinated access and parking are provided.

Section 506 through 514 (Reserved)

Section 515. I-1 INDUSTRIAL DISTRICT

Section 516. SPECIFIC INTENT

It is the purpose of this District to provide an area in which a variety of industrial uses may locate provided that they will not adversely affect the public health, safety, or general welfare of the residents or inhabitants of the Township.

Section 517. USES PERMITTED BY RIGHT IN THE I-1 DISTRICT

Land and buildings in the I-1 District may be used for the following purposes and no others unless a Special Exception, as provided in Section 518, or a Conditional Use, as provided for in Section 519, is granted:

Commercial Contractor Service Offices.

Office Buildings.

Warehousing, subject to Section 688.A.

Limited Industry, except for those specifically allowed only by Special Exception or Conditional Use in Section 518 or Section 519.

Research and Testing Facility, except for those specifically allowed only by Special Exception or Conditional Use in Section 518 or Section 519.

No-Impact Home-Based Business, subject to Section 612.B.

Forestry or Logging operations, subject to Section 695.

Automobile and Vehicle Auction, subject to Section 678.A.

Self Storage Facility, subject to Section 687.

Truck And Heavy Equipment Sales, Rental And Service Establishment, subject to Section 677.B.

Municipal Use, subject to Section 629.B.

Telecommunication Antennas and Telecommunication Equipment Buildings attached to existing structures, subject to Section 693.

Automobile and Motor Vehicle Washing Facility, subject to Section 675.

Automobile and Motor Vehicle Service Station, Major and Minor Repair, subject to Section 676.

Indoor and Outdoor Technical and Commercial Schools, subject to Section 642.

Essential Services, subject to Section 629.A.

General Agriculture, as defined in this Ordinance, subject to Section 647.B.

Agricultural Operations, as defined in this Ordinance, subject to Section 647.C.

Commercial Contractor Service Yards, subject to Section 686.

Accessory uses and structures, where and when permitted, to the above principal uses when on the same premises, and which meet the requirements of this Ordinance.

Section 518. USES PERMITTED BY SPECIAL EXCEPTION IN THE I-1 DISTRICT

The following uses are permitted when Special Exceptions are granted by the Zoning Hearing Board. Standards to be used in determining whether a Special Exception should be granted are found in Section 902 of this Ordinance.

Planned Industrial Park, subject to Section 685.

New Telecommunications Towers with or without Telecommunication Antennas, subject to Section 693.

Wind Energy Conversion Systems, Subject to Section 692.

Section 519. USES PERMITTED BY CONDITION IN THE I-1 DISTRICT

The following uses are permitted when a Conditional Use is granted by the Township Board of Supervisors in accordance with Section 808 of this Ordinance.

Junk Yards, subject to Section 689.

Solid Waste Landfill, subject to Section 690.A.

Resource Recovery Facility, subject to Section 690.B.

Recycling Collection Center, Recycling Collection Point, subject to Section 690.C.

Commercial Contractor Service Yards, subject to Section 686.

Mineral Extraction, subject to Section 697.

Truck Terminal, subject to Section 688.B.

Sawmill, subject to Section 695.

Public Utility, subject to Section 629.C.

Motorsports Facility and Bicycle Moto Cross or BMX Facility, subject to Section 661.

Any other uses as determined by the Board to be of the same general character as the Uses by Right including permitted uses in the R-1, R-2, R-C A-P, C-1 and I-1.

Section 520. AREA, YARD, AND HEIGHT REQUIREMENTS FOR THE I-1 DISTRICT

	<u>Maximum Permitted</u>
Building Height	40 Feet
Lot Coverage	35 Percent
Paved Area	50 Percent
	<u>Minimum Requirements</u>
Lot Size	2 Acres
Lot Width	
At Street Line	150 Feet
At Building Setback Line	150 Feet
Building Setback	50 Feet

Improvements Setback	10 Feet
Distance Between Highway Access Points	100 Feet
Side Yard	
Total	100 Feet
One Side	50 Feet
Area Not Paved or Covered by Buildings	15 Percent
Rear Yard	50 Feet

Section 521. HEALTHCARE OVERLAY DISTRICT

Section 522. SPECIFIC INTENT

The intent of this article is to:

- A. Create a Healthcare Overlay District to consolidate a broad range of resources that individually and collectively contribute to the promotion of wellness and provide the community with essential healthcare services necessary to protect the public health safety and welfare in an integrated and campus-like setting.
- B. Assist physicians, advanced practitioners, nurses, other health care providers and other persons in their positions of service or as general caregivers to promote wellness and improve health of persons of all ages.
- C. Provide opportunities for educational advancement, learning and research and discovery related to wellness and health

Section 523. APPLICABILITY

To be eligible for development pursuant to the Healthcare Overlay District, a Lot shall meet all of the following minimum requirements:

- A. Minimum Lot Area for principal facility: 30 acres.
- B. Lot of the principal facility must have a minimum of 300 feet of frontage on an arterial road;
- C. The principal facility shall have direct frontage to an arterial road with any other facilities having direct street access to such arterial road through private roads controlled by a common interest community including, but not limited to, a condominium or planned community.
- D. Public water and sewer must be reasonably available to the site.
- E. Be located, in whole or in part, in the C-1 Commercial District.
- F. The principal facility in the Healthcare Campus shall be a Hospital licensed by the Commonwealth of Pennsylvania.

Section 524. USES PERMITTED BY RIGHT.

Land, buildings and structures in the Healthcare Overlay District shall be used for the purposes set forth in Section 502 of this Ordinance, entitled "Uses Permitted by Right" in the Commercial C-1 District, and for the following purposes, and for no other purposes, unless a Special Exception, as provided for in Section 503, or a Conditional Use, as provided for in Section 504, is approved by the Governing Body:

Any development containing a Healthcare Campus shall be permitted by right within the Healthcare Overlay District subject to compliance with the requirements of this ordinance. A Healthcare Campus may include one or more than one of the following:

- A. Commercial day-care facilities for children of the hospital staff.
- B. Commercial schools with exclusively health care-related curricula intended to prepare enrolled students for careers in health care, nursing schools, and other allied health technology training programs.
- C. Hospital, subject to Section 640.A.
- D. Healthcare Facilities and Services, subject to Section 640.B
- E. Health and fitness equipment for staff and patients.
- F. Hospices.
- G. Intermediate care and skilled nursing facilities.
- H. Medical and dental offices.
- I. Outpatient health services, including, but not limited to, laboratories, radiological and diagnostic imaging services, physical rehabilitation center, blood banks, outpatient surgery centers, dialysis center, alternative medicine (e.g., massage, acupuncture, day spa).
- J. Accessory buildings, uses and services customarily incidental to the above uses, including, but not limited to, the following:
 - 1. Administrative offices.
 - 2. Automobile parking lots and parking garages.
 - 3. Housing for students, employees and their families in accordance with the underlying Zoning District.
 - 4. Heliport, if accessory to a Hospital and per Subsection 640.A.10.a below; provided that, in a Healthcare Campus, a heliport shall be setback a minimum of one hundred fifty (150) feet from any adjoining property and any public street.
 - 5. Customary accessory uses such as cafeterias, gift shops, news stands, other small retail operations, intended primarily for the occupants' visitors. If any of these accessory uses are housed in a separate building, they must meet the dimensional regulations of the Commercial C-1 District.

Section 525. DESIGN GUIDELINES AND STANDARDS

The following design guidelines and standards shall be used by the Township Planning Commission and Board of Supervisors when reviewing subdivision and land development plans for development pursuant to the Healthcare Overlay District. Where these standards are mandatory and more restrictive than other provisions of this Ordinance, these standards shall apply.

- A. Parking shall be located to provide reasonable accessibility and convenience to buildings wherever possible.
- B. All buildings should relate visually to one another and appear to be part of a unified design theme and to the fullest extent possible, architectural elements of buildings shall be generally consistent with elements in the adjoining properties and community.
- C. If multiple structures are proposed as part of a single project, the structures shall be designed to appear as part of an integrated complex within a unified site design and architectural characteristics.
- D. The campus shall provide adequate sustainable, landscaping to enhance the appearance of buildings and provide an attractive environment for employees, patients and the general public.
- E. Adequate provision shall be made for a system of roads sufficient to accommodate predictable vehicular traffic and to ensure safe and efficient vehicular access for emergency management equipment.
- F. Sidewalks and pathways shall be provided to accommodate pedestrian circulation from parking areas to buildings, between buildings, and to plazas, open spaces, and other outdoor amenities. This pedestrian network should enhance a campus-like appearance of the campus.
- G. All outdoor refuse collection stations shall be to the rear or sides of buildings and screened from view.
- H. Adequate provision shall be made for the collection, disposal and recycling of garbage, trash, and medical and hazardous waste.
- I. Signs in the Healthcare Overlay District shall be consistent with the requirements of Section 606.8 of this Ordinance except as set forth herein.
- J. All signs and exterior lighting shall be designed to support a unified design theme within a development area.
- K. No part of any sign shall be located within fifteen feet of the front lot line, except signs attached to buildings.
- L. Any flag of the United States shall comply with the following requirements
 - 1. No single flag that is flown shall exceed sixty (60) square feet in area and no single parcel shall fly more than three (3) flags.

2. Flagpoles shall not exceed fifty (50) feet in height.

M. An unlimited number of on-site directional and information signs are permitted provided such signs reasonably relate to the number and scale of facilities contained on the site. No side of any directional sign shall exceed twenty-four (24) square feet in area.

N. The limitation on number and cumulative area of signs in the Healthcare Overlay District shall be as follows:

	Single frontage property (facing only one public road or private road controlled by a condominium or planned community)	Double frontage property (facing a combination of more than one public road or private road controlled by a condominium or planned community)
Maximum sign Area of attached signs per Building ¹	2 sq. ft. of sign per lineal ft. of one building façade facing a public street	2 sq. ft. of sign per lineal ft. of one building façade facing a public street
Maximum Area of attached signs ¹	Hospital: 450 sq. ft. per Building All Other Buildings: 250 sq. ft.	Hospital: 450 sq. ft. per Building per side of street frontage All Other Buildings: 250 sq. ft. per side of street frontage
Maximum Number of Attached Signs ¹	4	8
Maximum Number of Free Standing Signs per Healthcare Campus	1	2
Maximum Area of Each Freestanding Sign	180 sq. ft.	180 sq. ft.
Total Area if all signs on Property	N/A	N/A
1. Attached Signs: Any combination of Wall Sign (Parallel or Projecting), Roof Sign, Marquee, Awning, or Canopy Signs that are physically attached to the building.		

O. Any land development submission for any Lot or Lot(s) in a Healthcare Overlay District shall include a master plan demonstrating compliance with the requirements of the such District including, but not limited to, the conceptual layout of additional phases of development and, where multiple Buildings are proposed, a sign program that supports a unified design theme within a development area. The master plan, shall be approved by the Board of Supervisors as a part of the relevant land development proceedings.

Section 526. AREA, YARD, AND HEIGHT REGULATIONS

A Healthcare Campus shall comply with the requirements of Section 505 of this Ordinance, entitled "Area, Yard and Height Regulations in the C-1 District" unless otherwise provided for with regard to a specific use included, but not limited to, Section 640.A (pertaining to Hospitals) and Section 640.B (pertaining to Healthcare Facilities and Services).

Section 527 through 599 (Reserved)

ARTICLE VI

GENERAL AND SPECIFIC USE REGULATIONS

GENERAL REGULATIONS

Section 600. ACCESS TO STRUCTURES

Every building and structure hereafter erected or moved shall be on a lot adjacent to a public street or a private street approved by the Township Supervisors, or on a lot for which legally recorded right of access to a public street or approved private street exists. All buildings shall be located on lots so as to provide safe and convenient access for servicing, fire protection, and required off-street parking. After the effective date of this Ordinance, no lot shall be created unless it abuts a public street or a private street approved by the Township Supervisors.

When the Township permits a subdivision to contain a flag lot, the access strip portion of such flag lot shall have a width sufficient to permit the construction of a street with a right-of-way meeting the requirements of the Subdivision and Land Development Ordinance (or such lesser width as may be permitted by the Township Supervisors under the Conditional Use Procedures established in Section 808 of this Ordinance), the Area, Yard, and Height Regulations of the applicable zoning district notwithstanding. For any such flag lot the minimum lot width at the street line requirements of the applicable zoning district will not have to be met but the minimum lot width at the building setback line requirement will have to be met. In the case of a flag lot, the building setback line shall be established in the wider portion of the lot intended for the construction of a building and shall be established from the lot line toward which a building will front.

Section 601. ERECTION OF MORE THAN ONE PRINCIPAL STRUCTURE ON A LOT

In any District, more than one structure utilized for a permitted or permissible principal use may be erected on a single lot, provided that the area, yard, and other requirements of this Ordinance applicable to the District in which the lot is located shall be met for each structure as though it were on an individual lot, unless otherwise specifically provided in this Ordinance. The erection of more than one principal structure on a lot shall be considered a land development and plans must be prepared and approved in accordance with the West Brunswick Township Subdivision and Land Development Ordinance.

Section 602. RESIDENTIAL GARAGES, ACCESSORY BUILDINGS, AND ACCESSORY STRUCTURES, AND USES

1. General

a. Definitions - For purposes of this Section the following definitions shall apply:

(1). Residential Garage – An accessory building to a principal residential use, the primary use which is for the storage of non-commercial vehicles. This term does not include commercial vehicle repair or maintenance services, the rental of space, nor does it include the sale of gasoline or other petroleum products. This use may include one (1) commercial vehicle, owned and operated by the owner and occupants of the premises, and for the storage of not more than three (3) private non-commercial vehicles owned and operated by the owner or occupants of the premises.

(2). Residential Accessory Building - A building subordinate to the principal building on a lot and used for purposes customarily incidental to those of the principal building. This is a structure enclosed within exterior walls or firewalls, built, erected and framed of component structural parts, comprised of any combination of conventional building materials, which may be constructed on or off-site and which is erected upon the ground, upon a foundation or piers, and which may be permanently affixed thereto or portable. This definition includes buildings which are designed for the enclosure and support of individuals, animals or property of any kind (ex. animal shelter, other buildings not meeting the definition of Residential Garage or Building).

(3). Residential Accessory Structure - A structure associated with an accessory use (e.g., swimming pools, patios, antennas, tennis courts, etc.).

(4). Residential Accessory Use - Uses associated with the primary residential use of the property (ex. the keeping of pets, yard sales).

(5). Facade - Any side of a building facing a public way or space and finished accordingly.

b. No accessory uses shall be permitted which will, in the opinion of the Board of Supervisors, create a public nuisance or interfere with the use of adjacent lots.

c. Some residential buildings and structures are permitted to project into the property's front, rear and side yards. These are regulated in this Section and Section 616.

- d. Except as may be noted elsewhere in this Ordinance, no accessory building or structure shall be permitted within any required front or side yard and within ten (10) feet of the rear lot line. The minimum distance between an accessory building or structure within a rear yard and a side lot line shall be the side yard requirement of the applicable zoning district or ten (10) feet, whichever is less. However, for the purpose of establishing setbacks, any accessory building or garage larger than one thousand (1,000) square feet shall comply with principal structure setbacks. Any accessory buildings or garage located outside the principal structure setbacks shall not exceed twenty (20) feet in height.
- e. The minimum distance between any accessory building or structure and a principal building shall be ten (10) feet except where a deck is attached to both a house and a swimming pool.
- f. Residential accessory buildings and residential accessory structures include, but are not limited to, pet animal housing structures, detached garages, swimming pools, private greenhouses, utility/storage sheds; tennis courts, basketball courts, outdoor skate park, handball court, outdoor roller and ice skating rinks and/or any other outdoor recreational buildings or structures erected for the use of the resident and occasional guest.
- g. All garages, utility and accessory buildings shall not be constructed of paper, cardboard, cloth, canvas, and other durable weather resistant material.
- h. Accessory buildings shall be located no closer than six (6) feet from any side lot line formed by a building party wall.
- i. No residential accessory building shall be placed within any utility easements, street rights-of-way, or other easement granting rights of ingress, egress, and regress across a property.

2. Other Residential Accessory Buildings, Structures and Use Regulations

a. Outdoor Swimming Pool

- (1). No permanent structure shall be permitted without an operable, maintained filtering system utilizing an approved method of treating water.
- (2). Permanent swimming pools shall be entirely enclosed with a permanent barrier or fence not less than four (4) feet in height, such fence having no opening with a dimension greater than four (4) inches on a side (or a diameter in the case of round openings). Walls of buildings may serve as part of the fence or barrier. Where such pools are of the type having above ground construction, that portion of the pool wall extending above the ground may be included as part of the barrier or fence. Fences shall have a gate which can be

securely locked. Above ground pools shall have a ladder or stairway which can be removed or rendered unusable and the entrance to the pool shall be capable of being securely closed to a height of four (4) feet.

- (3). Cabanas shall be limited to one hundred and forty-four (144) square feet and ten (10) feet in height and shall meet all setback requirements of the zoning district in which it is located.
 - (4). No structure associated with the pool shall be within ten (10) feet of any property line.
 - (5). Water shall not be placed into a swimming pool until all approvals from the Township are obtained.
- b. Apartment and Townhouse Accessory Uses shall be restricted to uses designed solely for residents of the apartment and townhouse units. One office per project for the purposes of administering and renting dwelling units may be established. One “sample” apartment or townhouse for display purposes shall be permitted for each type of dwelling unit to be constructed.
 - c. Tennis Courts shall have permanent fences at least ten (10) feet in height behind each baseline, extending at least the full width of the playing area.
 - d. Basketball courts, outdoor skate park, handball court, outdoor roller and ice skating rinks and/or any other outdoor recreational building structure erected for the use of the resident and occasional guest shall meet the general requirements.
 - e. Animal Structures for pets (not livestock) shall be located no closer than ten (10) feet to a rear lot line or side lot line.
 - f. A porte-cochere or carport as regulated in Section 616 of this Ordinance.
 - g. Satellite Dish Antennas; Special and Standard Antennas

The unique shape, reception and height requirements of Special and Standard Antennas and Satellite Dish Antennas (all as defined in Section 201) present an array of concerns relating to the health, safety and aesthetic integrity of West Brunswick Township. Therefore it is the intent of this subsection to impose reasonable regulations concerning such devices without infringing upon rights granted by the Federal Communications Commission (FCC). If an applicant can demonstrate to the satisfaction of the Zoning Officer that such rights would be violated due to unique site constraints or other such conditions, then the applicant shall be exempt from only those requirements which create such hardships. The following requirements shall apply to all applicable antennas:

- (1). Antennas shall not exceed forty-five (45) feet in height, measured from the structure's grade to the top of the antenna.
- (2). The diameter of the Satellite Dish shall not exceed twelve (12) feet.

- (3). No portion of the Satellite Dish Antenna shall exceed fifteen (15) feet in height.
- (4). Satellite Dish Antennas shall be set back from all adjacent properties a minimum of ten (10) feet or a distance equal to the height of the Satellite Dish Antenna, whichever is greater. Standard Antennas shall be set back the height of the Standard Antenna.
- (5). All Satellite Dish Antennas shall be properly anchored and installed to resist a minimum wind load of thirty (30) pounds per square foot of projected horizontal area.
- (6). This subsection does not include the term “Telecommunications Antenna” as defined in this Ordinance.

h. Yard and Garage Sales

- (1). Yard and garage sales are permitted as a residential accessory use.
- (2). Yard and garage sales in residential zones shall not exceed one (1) in any three (3) month period, nor exceed a total of four (4) sales annually per property.
- (3). Properties where sales are held more frequently than once per three (3) month period or in excess of four (4) per year shall be deemed commercial uses, thereby requiring Zoning Hearing Board approval.
- (4). Each yard and garage sale may not extend beyond a three (3) consecutive day period.
- (5). Hours of operation shall be between 8:00 a.m. and 6:00 p.m.
- (6). At no time shall any part of the sale activity obstruct the public right of way.
- (7). A yard and garage sale shall not include wholesale sales, nor sales of new merchandise of a type typically found in retail stores.
- (8). No outdoor storage shall be permitted when the sale is not in operation.
- (9). Signs are limited to one (1) On-Premise Sign of four (4) square feet. Any signs erected may be erected one (1) day prior to the event, and shall be removed at the end of the day the event occurs.

i. Keeping of Pets

- (1). This is a permitted accessory use in all zoning districts.
- (2). The keeping of five (5) or more dogs; or five (5) or more cats; or having the production of more than two (2) litters per year of either

dogs or cats shall be considered “breeding” which is considered an operation of a “Kennel”, and shall be regulated as such, at a minimum, through this Zoning Ordinance.

- (3). It shall be unlawful for any person occupying any residential lot to keep any “exotic wildlife” as defined by the Pennsylvania Game and Wildlife Code, regardless of whether or not an exotic wildlife possession permit has been issued.
- (4). It shall be unlawful for any person occupying any residential lot to keep a venomous or poisonous animal.

j. Outdoor Storage

- (1). No outdoor stockpiling of any material or outdoor storage of trash is permitted in the front yard. The outdoor stockpiling of material (including firewood) is subject to all accessory use setbacks. For any residential use in the R-C, R-1 and R-2 districts, the outdoor stockpiling of materials (except firewood) for more than 180 days is prohibited. The outdoor accumulation of trash, garbage, refuse, or junk for a period exceeding fifteen (15) days is prohibited.
- (2). No outdoor storage of any materials shall be permitted between any garage, accessory or utility building and the property line.
- (3). Outdoor storage for residential uses shall be completely screened from view of any adjacent residential use. Screening shall consist of evergreen plantings, architectural screen, fence or wall.

Section 603. NON-RESIDENTIAL, NON-AGRICULTURAL ACCESSORY BUILDINGS, STRUCTURES AND USES

Unless otherwise permitted by the Specific Use Regulations in Article VI. of this Ordinance, the following shall apply:

1. Commercial Uses

- a. Off Street Loading – Off street loading shall meet the requirements of Section 608 of this Ordinance.
- b. Off Street Parking – Off street parking shall meet the requirements of Section 609.A and 609.B of this Ordinance.
- c. Signs – Signs shall meet the requirements of Section 606 of this Ordinance.
- d. Screening – Outdoor storage areas and refuse and refuse collection facilities shall be screened as regulated in Subsection h and i of this section.
- e. Landscaping – Landscaping shall meet the requirements of Section 604 of this Ordinance and the Township SALDO.
- f. Buffer, Standard– A landscape screen buffer at least ten (10) feet wide,

designed according to the requirements of Section 604 of this Ordinance and the Township SALDO shall be provided along all property lines.

g. Buffer, Residential and Institutional - A landscape screen buffer at least fifteen (15) feet wide, designed according to the requirements of Section 604 of this Ordinance and the Township SALDO shall be provided along all property lines of any adjacent residential or institutional uses.

h. Commercial Storage Areas

- (1). All facilities shall be located in an area that has direct access to a street, driveway or alley.
- (2). No vehicles, equipment or merchandise shall be permitted to be parked, stored or displayed within either, the legal or the ultimate right-of-way of any public or private street or within any areas intended for pedestrian use.
- (3). All storage areas shall be permitted only at the rear of buildings and shall be set back at least twenty (20) feet from property boundaries.
- (4). All storage areas shall be screened from public view by an opaque fence or wall at least six (6) feet and no more than twelve (12) feet in height. Stored materials may not exceed the height of the fence.

i. Refuse Areas and Collection Facilities

- (1). No refuse areas or collection facilities shall be permitted within any required front, side, or rear yard.
- (2). All commercial and retail uses shall provide for storage of refuse either inside the building(s) or within an outdoor area enclosed by walls or opaque fencing, at least six (6) feet and no more than twelve (12) feet high. Refuse shall be kept within one or more container(s) having rodent proof lids. Said container(s) shall not exceed six (6) feet in height.
- (3). Facilities associated with commercial or retail use shall be architecturally compatible with the building(s).
- (4). Facilities shall be designed in a manner which can accommodate large collection trucks and shall be large enough to accommodate containers for recyclable materials as well.
- (5). Landscaping is required around these facilities in compliance with the requirements of the Township SALDO.
- (6). Refuse facilities attached to, or within buildings, shall be subject to the same building setbacks as the buildings themselves.
- (7). Refuse Areas and Collection Facilities shall be located no closer than twenty-five (25) feet to a lot line of a residential or institutional use.

- j. Outdoor Display
 - (1). The following commercial and retail uses may display vehicles, goods or merchandise in front yards in the C-1 Zoning District:
 - (A). Garden Supply Center.
 - (B). Auto dealership.
 - (C). Home Improvement Center.
 - (2). Displayed items may not be permanently affixed in front yards.
 - (3). Outdoor display areas may not encroach upon any required parking areas.
 - (4). Outdoor display areas may not exceed fifty percent (50%) of the required front yard area.
 - (5). Outdoor display areas shall be considered to be sales floor area for the purpose of computing parking requirements.
 - (6). Outdoor parking areas shall be separated from the legal right-of-way of any street by a twenty (20) foot wide landscaped buffer, which shall be planted in grass, ground cover or low height (less than 12 inches) shrubs.
- k. Commercial Operating Standards - All operations shall be in compliance with any Commonwealth of Pennsylvania and/or Federal government regulations, as required by the most recent regulations made available from these governmental bodies.

2. Industrial Uses

- a. Off Street Loading – Shall comply with Section 608 of this Ordinance.
- b. Off Street Parking – Shall comply with Section 609.a and 609.b of this Ordinance.
- c. Signs – Shall comply with Section 606 of this Ordinance.
- d. Screening – Shall comply with Section 603.2.h and 603.2.i of this Ordinance.
- e. Landscaping – Shall comply with Section 604 of this Ordinance and Township SALDO.
- f. Buffer, Standard – Shall comply with Section 604 of this Ordinance and Township SALDO.
- g. Buffer, Residential and Institutional – Shall comply with Section 604 of this Ordinance and Township SALDO.
- h. Industrial Storage Areas.

- (1). All such facilities shall be located in an area that has direct access to a street, driveway, or alley.
- (2). All outdoor storage facilities for fuel, flammable or explosive materials and raw materials shall be enclosed by a fence at least ten (10) feet high to prevent the unauthorized access of the general public into said facility.
- (3). No materials or wastes shall be deposited upon a lot in such form or manner that they may be transferred off the lot by natural causes or forces.
- (4). All material or wastes which might cause fumes or dust or which constitute a fire hazard or which may be edible or otherwise be attractive to rodents or insects shall be permitted to be stored outdoors if said materials are kept in closed, sealed containers.
- (5). No materials or wastes of any form may be stored in any floodway, wetland or floodplain area.

i. Refuse Areas and Collection Facilities

- (1). Shall comply with Section 603.1.i.

j. Outdoor Display

- (1). Unless specifically allowed as part of a Specific Use in Article VI. of this Ordinance there is to be no outdoor display of goods, merchandise or vehicles on a property with an industrial use.

k. Industrial Operating Standards – Shall comply with Section 603.1.k.

3. Institutional Uses

- a. Off Street Loading – Shall comply with Section 608 of this Ordinance.
- b. Off Street Parking – Shall comply with Section 609.a and 609.b of this Ordinance.
- c. Signs – Shall comply with Section 606 of this Ordinance.
- d. Screening – Shall comply with Section 603.2.h and 603.2.i of this Ordinance.
- e. Landscaping – Shall comply with Section 604 of this Ordinance and Township SALDO.
- f. Buffer, Standard – Shall comply with Section 604 of this Ordinance and Township SALDO.
- g. Buffer, Residential and Institutional – Shall comply with Section 604 of this Ordinance and Township SALDO.

- h. Institutional Storage Areas.
 - (1). All facilities shall be located in an area that has direct access to a street, driveway or alley.
 - (2). All storage areas shall be permitted only at the rear of buildings and shall be set back at least twenty (20) feet from property boundaries.
 - (3). All storage areas shall be screened from public view by an opaque fence or wall at least six (6) feet and no more than twelve (12) feet in height. Stored materials may not exceed the height of the fence.
 - (4). All material or wastes which might cause fumes or dust or which constitute a fire hazard or which may be edible or otherwise be attractive to rodents or insects shall be permitted to be stored outdoors if said materials are kept in closed, sealed containers.
- i. Refuse Areas and Collection Facilities
 - (1). Shall comply with Section 603.1.i.
- j. Institutional Operating Standards – Shall comply with Section 603.1.k.

4. Miscellaneous

- a. Living Accommodations for Caretakers. Living quarters , having a maximum of one thousand (1,000) square feet of gross floor space, shall be permitted for proprietors and for no more than two (2) persons at least one (1) of whom shall be employed by the business located upon the lot as a watchman or caretaker.
- b. Restaurants, Cafeterias and Recreational Facilities shall be permitted for the use of employees only, unless they are permitted as principal uses in the district in which they are constructed, then said facilities could be used by other persons, as well.
- c. Awnings and canopies are subject to the following:
 - (1). The awnings or canopies shall be constructed primarily of fabric (such as canvas) or similar material.
 - (2). The awnings or canopies shall be maintained in good condition.
 - (3). The awnings or canopies shall not be enclosed on the front or sides.
 - (4). The awnings or canopies shall not extend into a street right-of-way; except that canopies covering a walkway to a main entrance of a principal apartment, institutional or commercial building may have a maximum canopy width of ten (10) feet and may extend to within one foot of the curb.

- (5). The canopies or awnings shall meet the requirements of any building code as applicable.
 - (6). The awnings or canopies shall not obstruct pedestrian or vehicle movement.
 - (7). Awnings and canopies shall not include any elements that would meet the definition of “Sign” unless it meets the requirements of Section 606.
- d. Recycling Collection Centers and Recycling Collection Points are permitted as an accessory use on certain lots with a lawful conforming commercial, industrial, or institutional use. Said activities are regulated in Section 690.C.

Section 604. LANDSCAPING; LANDSCAPED SCREENING; LANDSCAPED BUFFER YARDS; PLANTING STRIPS

- 1. Where Zoning District, General or Specific Use Regulations require buffer yards, visual screening, planting strips, landscaping and the like, they shall conform to the regulations and standards of the Township SALDO. Unless specified in this Ordinance or the Township SALDO, the minimum width of a buffer yard, screening or planting strip shall be ten (10) feet. In C-1 and I-1 Zoning Districts, a minimum fifteen (15) foot buffer shall be provided to provide a visual screen within the side and/or rear yards adjoining land not zoned C-1 and I-1. Side and/or rear yards adjoining agricultural land is exempt from this requirement. Paving and structures are not allowed in buffer yards, visual screening, planting strips. In the Industrial District, all outdoor processes and the storage of all materials shall be screened from public view from adjacent properties and roadways with fencing and privacy panels of 8 feet minimum height or a height that provides sufficient screening as deemed by the zoning Officer.
- 2. Plant material used in screen planting shall be at least five (5) feet in height when planted.
- 3. The screen planting shall be maintained permanently and plant material which does not live shall be replaced within one (1) year.
- 4. All landscaping shall be planted so as not to impede vision to vehicular traffic at driveway or road intersection. All landscaping shall not encroach within State or Township road right-of-ways.

Section 605. LIGHTING

When the property on which any activity is conducted is illuminated at night, such illumination shall be so designed and located that the light sources are shielded from adjoining properties and streets. No direct beams of light shall be directed toward adjacent properties or roads. No lighting shall be utilized in such a manner to produce a noxious glare or light intensity greater than one-half (0.50) foot-candle beyond the lot boundaries.

Section 606. SIGNS

1. Purpose

- a. Signs constitute a separate and distinct use of the premises upon which they are placed and also affect the use of adjacent roads, streets, walkways and other properties. The purpose of this section is to promote and maintain overall community beautification; promote traffic safety by avoiding distractions and sight distance obstructions; protect property values; and ensure compatibility with the character of neighboring existing and planned land uses, while at the same time allowing the public to be informed of available products, businesses and services.
- b. Signs may be erected and maintained only when in compliance with the provisions of this Ordinance and all other Ordinances and Regulations of the Township relating to the erection, alteration, and maintenance of signs.

2. Supplemental Sign Definitions

Area of – The area of a sign shall be construed to include all lettering, wording and accompanying designs and symbols, together with the background, whether open or closed, on which they are displayed, but not including any supporting framework and bracing which is incidental to the display itself. Where the sign consists of individual letters or symbols attached to or painted on a surface of a structure, the area of the sign shall be considered to be the smallest rectangle which can be drawn to encompass all of the letters and symbols. In computing the permitted sign area of any sign with two (2) sides, the permitted total sign area shall be based upon the sign area of only one (1) side (the larger of the two if they differ). Unless otherwise specified, all square footages stated in this Ordinance in regards to signs shall be considered as maximum sizes.

Facade - Any structure or part of a structure attached; or otherwise mounted parallel, to a wall or other vertical part of the structure.

Roof - The roof slab or deck with its supporting members, not including vertical supports.

Roofline - The top edge of a roof or building parapet, whichever is higher, but excluding any mansards, cupolas, pylons, chimneys or any minor projections.

Roof Ridge - The upper and lower roof ridges are the horizontal lines formed by the juncture of two sloping planes formed by the surfaces of a roof as indicated in Appendix 2.

Roof Eaves - The projecting overhang at the lower edge of a roof.

Roof Structure - An enclosed structure on or above the roof of any part of a building.

3. Categories of Signs

Abandoned – A sign located on a property which is vacant and/or unoccupied for a period of ninety (90) days; a sign which is damaged, in disrepair, or vandalized and

not repaired within ninety (90) days; a sign which contains an outdated message for a period exceeding thirty (30) days.

Advertising – (See "Off-Premises" or "On-Premises" in this subsection).

A-frame – (See "Portable" in this subsection).

Animated/Moving Sign – A Sign employing actual motion or the illusion of motion. Animated signs, which are differentiated from changeable signs as defined and regulated by this code, include the following types:

1. Electrically activated. Animated signs producing the illusion of movement by means of electronic, electrical or electro-mechanical input and/or illumination capable of simulating movement through employment of the characteristics of one or both of the classifications noted below.

- a. Flashing. Animated signs or animated portions of signs whose illumination is characterized by a repetitive cycle in which the period of non-illumination. For the purposes of this ordinance, flashing will not be defined as occurring is the cyclical period between on-off phases of illumination exceeds 4 seconds.
- b. Patterned illusionary movement. Animated signs or animated portions of signs whose illumination is characterized by simulated movement through alternate or sequential activation of various I illuminated elements for the purpose of producing repetitive light patterns designed to appear in some form of constant motion.

2. Environmentally activated. Animated signs or devices motivated by wind, thermal changes or other natural environmental input. Includes spinners, pinwheels pennant strings, and/or other devices or displays that respond to naturally occurring external motivation.

3. Mechanically activated. Animated signs characterized by repetitive motion and/or rotation activated by a mechanical system powered by electric motors or other mechanically induced means.

Awning – A sign, having its advertisement material written, lettered, painted etc. upon a surface made of any non-rigid material, such as fabric or flexible plastic, that is supported by, or stretched over, a frame and in turn is attached to an exterior wall of a building or other structure. Such signs may or may not be fixed or equipped with a mechanism for raising and holding an awning in a retracted position against the building.

Banner – A sign with its advertisement or message written on non-rigid material such as cloth, plastic, fabric or paper with no supporting framework. These can be displayed by (but not necessarily limited to) the following methods: hung from ceilings or other overhead features; attached to walls or other surfaces; attached to one (1) or more poles.

Bench – A sign located on the seat or back of a bench placed on or adjacent to a public right of way.

Bulletin Board – A particular type of changeable copy sign for use by local, state, and federal government as well as public and private schools, churches, or similar institutions that displays advertisements, or news-worthy items in a casement made of glass, plexiglass or other materials.

Business – (See “On-Premises”).

Canopy – A sign on a rigid multi-sided structure attached to a building or on any other freestanding structure that may have a roof with support but no walls.

Center – A sign located on the premises identifying an office or industrial complex (ex. “plaza”, “park”, “commons”) housing individual commercial office or industrial businesses. A Center Sign may include the display of Business Signs as part of its structure (also see “Plaza”).

Changeable – A sign with the capability of content change by means of manual or remote input, including signs which are:

1. Manually activated. Changeable sign whose message copy or content can be changed manually, or
2. Electrically activated. Changeable sign whose message copy or content can be changed by means of remote electrically energized on-off switching combinations of alphabetic or pictographic components arranged on a display surface. Illuminated may be integral to the components, such as characterized by lamps or other light-emitting devices; or it may be from an external light source designed to reflect off the changeable component display. See also, “Electronic Message sign or center”.

Contractor – A Temporary Sign which depicts the name and relevant contact information about a contractor, mechanic, artisan, engineer or architect, or financier who is involved in construction work occurring on the premises on which the sign is located, such signs maybe placed temporarily upon properties but only for the duration of the work which the contractor is doing at said property.

Decals - Decals affixed to windows or door glass panels, such as those indicating membership in a business group or identifying credit cards accepted at the establishment.

Development – An identification sign at the entrance to a residential development.

Directional – A sign containing directional information locating public places owned or operated by federal, state or local governments or their agencies. This includes publicly owned natural phenomena, historic, cultural, scientific, educational and religious sites; public areas of natural and scenic beauty or public areas which are naturally suited for outdoor recreation; as well as signs for directing members or visitors to churches, schools, municipal buildings, service clubs, non-profit organizations, hospitals or other institutions.

Directional, Private – An off-premises sign containing directional information locating private commercial establishments. Such signs may contain a logo/insignia of an establishment but no advertising copy.

Directory Sign - A sign which displays the names and/or addresses of the establishments, housing units, amenities, or uses of a building or group of buildings.

Electronic Reader Board/ Message center- An electrically activated changeable sign whose variable message capability can be electronically programmed. A sign that contains a changing message within the copy area that remains on for a specified minimum period of time and blacks out for a specified minimum period of time between messages. Messages contained on the sign do not travel or appear to travel in any direction.

Entrance – A sign that directs the traveling public from a road or street onto a driveway or entrance onto a property.

Flashing – See “Animated/Moving Sign, electrically activated”.

Free-Standing –

- 1) A general term for an independently supported sign permanently affixed to the ground with a foundation, and which is not attached to any building or structure. Common permanent Free-Standing Signs are illustrated in Appendix 1.
- 2) A sign attached to the ground by one (1) or more upright poles or braces, and which is not attached to any building or structure.

Garage/Yard Sale – A Temporary Sign which directs attention to the sale of personal goods on the premises of a residential property on which the sign is located.

Grand Opening Sign - A Temporary Sign permitted for thirty (30) days only to announce the opening of a completely new enterprise or the opening of an enterprise under new management.

Ground - A freestanding sign with a base affixed to the ground, where the length of the base is at least two-thirds more than the horizontal height of the sign. An example of a Ground Sign is illustrated in Appendix 1.

Handicapped Parking Space - Signs not exceeding two (2) square feet in area reserving parking for handicapped individuals.

Identification – Signs for public and private schools, churches, lodges, or similar institutions identifying the subject use.

Illegal Sign – A sign which does not meet the requirements of this Ordinance or which is not a legally nonconforming sign. This specifically includes a sign that remains standing when the time limits set by the permit are exceeded and any sign not removed after notification from the Zoning Officer to remove the sign.

Illuminated – A sign illuminated in any manner by an artificial light source, whether internally or externally lit, including but not limited to neon signs and any sign which has characters, letters, figures, designs or outlines illuminated by artificial lighting.

Incidental – An Informational Sign, no more than two (2) square feet in size and not including any commercial message or logo, which carries a message such as “enter”, “telephone”, “rest rooms”, “no parking”, and on-site direction or anything similar. It does not include Security and Warning Signs.

Informational Sign - Public or private directional, street or traffic signs, address numbers, names of buildings, rooms, etc. and other signs of a similar nature.

Instructional Sign - An On-Premises Sign giving directions, instructions, facility information or other assistance around a site, such as location of exits, entrances, parking lots, amenities, and housing units. Such signs may contain a logo/insignia of an establishment but no advertising copy.

Marquee – Any sign attached to a covered structure projecting from and supported by a building with independent roof and drainage provisions and which is erected over a doorway or doorways as protection against the weather.

Monument – A freestanding sign with a base affixed to the ground, where the length of the height is at least two-thirds more than the horizontal length of the monument. An example of a Monument Sign is illustrated in Appendix 1.

Nonconforming – A sign that met all legal requirements when constructed but is not in compliance with current sign regulations. A registered nonconforming sign is not an illegal sign.

Nonprofit Organization – An Off-Premises sign displaying information about a church, service club or other nonprofit organization.

Off-Premises – A sign which directs attention to an object, product, service, place, activity, person, institution, organization, or business that is offered or located at a location other than the lot upon which the sign is located. This includes signs commonly called “billboards”, and “advertising signs”.

On-Premises – A sign which directs attention to a business, profession, institution, service, activity, or industry conducted on the premise or to uses, services, or products provided, sold, manufactured or assembled upon the same premises upon which it is displayed.

Pennant - Any relatively long, tapering flag.

Personal Expression – A sign which displays an individual’s political, religious or personal belief. It shall be limited to a lawful non-commercial message that does not direct attention to a business operated for profit or to a commodity or service for sale and that complies with all other provisions of this Ordinance including the specific provisions for signage in the land use category on which the sign is placed.

Plaza – A type of On-Premises Sign being a one or two-sided structure displaying smaller signs, each of equal size. Plaza Signs identify the name of a shopping center or retail complex as well as the names of the businesses therein.

Political – A Temporary Sign larger than four (4) square feet, but less than twenty-five (25) square feet in size identifying, either singly or combined, a political candidate, slate of candidates, ballot issue, or party. The area may be increased to thirty two (32) sq. ft. if the sign is set back twenty five (25) feet or more from the street right-of-way. These signs are used or intended to be used for the display of any announcement, advertisement or notice of any individual candidate or slate of candidates for any public office or similar political purposes and shall be non-illuminated. These signs shall be limited to a display no longer than sixty (60) days prior to a primary or general election and shall be removed within five (5) days after said election.

Political Yard Sign - A Temporary Sign four (4) square feet or smaller used or intended to be used for the display of any announcement, advertisement or notice of any individual candidate or slate of candidates for any public office or similar political purposes and shall be non-illuminated. These signs shall be limited to a display no longer than sixty (60) days prior to a primary or general election and shall be removed within five (5) days after said election.

Portable – A freestanding sign that is attached to a chassis that allows it to be towed from one location to another or that can be transported on a flat-bed truck and that is not permanently attached to a building or the ground.

Private Drive – On premises private drive signs are limited to one (1) per driveway entrance, not exceeding two (2) square feet in area, with language limited to the words “private drive” and the addresses of any residences using the private driveway.

Public Use, Official, Governmental, Quasi-governmental, Institutional – Safety signs, signs indicating points of interest, historical plaques, public parks or recreation facilities, utilities, signs identifying official or public buildings or facilities, and any signs erected by a governmental, quasi-governmental or institutional entity.

Real Estate - A Temporary Sign which provides information about a real estate activity on the premises on which the sign is located, such as a sale, rental, open house or property available for, or in the process of, development.

Residential Identification – A sign, bearing only the property number, street address, names of the occupants of the residence, name of the dwelling, or the profession or activity of the occupant of the dwelling. One sign that does not exceed two (2) square feet in area per side, and does not include any commercial advertising or other identification. Any such sign shall either be non-illuminated or indirectly illuminated, and there shall be a limit of one (1) such sign per each street frontage.

Roof Sign – A sign which is erected, constructed, and maintained on or above the roof of a building. For purposes of this Ordinance, Roof Signs are considered On-Premises Signs and are regulated as such. Examples of Roof Signs are in Appendix 2.

Rotating Sign - Any sign or portion of a sign that moves in a revolving or similar manner.

Security and Warning – On-Premises Signs regulating the use of the premises, such as “no trespassing”, “no hunting” and “no soliciting” signs, as well as signs provided by home security firms, that do not exceed one (1) sign two (2) square feet in area for residential and agriculture uses and one (1) sign five (5) square feet in area for commercial and industrial uses. These limitations shall not apply to the posting of conventional “no trespassing” signs in accordance with state law.

Special Event – A Temporary Sign which carries information about a special event such as an auction, flea market, festival, carnival, meal, fundraising events, grand openings, new management, going-out-of-business sales and events by religious, charitable or public service groups.

Street Sign – Official highway sign, street name, directional, or other traffic sign erected in accordance with the Pennsylvania Motor Vehicle Code.

Temporary – A sign displayed for a fixed, terminable length of time which advertises community or civic projects, political events/candidates, real estate for sale/lease, contractor signs, or other special events on a temporary basis, and which are intended and/or required to be removed after the temporary purpose has been served.

Vehicular – A vehicle to which a sign is affixed or painted and which is used or parked in such manner (on a public right-of-way or public property or on private property) that the display of such sign becomes the vehicle’s primary purpose. This subsection is not intended to prohibit any form of vehicular signage, such as a sign attached to a bus or lettered on a motor vehicle or signs that are part of a vehicle such as a construction trailer, whose primary purpose is not advertising to the public.

Walkway Sign - A sign affixed to the underside of a permanent, covered walkway fronting and connecting three or more commercial premises having direct customer access to the out-of-doors and erected perpendicular to the fronts of such premises at the entrance, so as to aid passerby pedestrians in identifying the location of such premises. All such signs within a commercial complex shall be of the same coloring and shall use the same lettering style and shall not contain logos or any other information than the name of the commercial establishment.

Wall – 1) A sign primarily painted on a wall of a building; 2) a sign supported on a wall and which is either mounted parallel with the wall or perpendicular to the wall.

- A. Painted Wall Sign - A sign that is directly painted onto a wall's surface.
- B. Parallel Wall Sign – A sign mounted parallel to a wall or other vertical building surface, but not extending beyond the edge of the wall, roof lines or other surface to which it is mounted and not projecting more than twelve (12) inches from the surface to which it is mounted.
- C. Projecting Wall Sign – Any sign mounted perpendicular to a wall or other vertical surface.

Wheeled – (See Portable).

Window – A sign which is readily visible and can be at least partially read from an exterior lot line and which is attached internally to a window or transparent door or that can be read through a window or transparent door.

4. General Requirements

- a. Unless otherwise stated, all signs shall require a Township Zoning Permit and a Certificate of Use and Occupancy as regulated by this Ordinance. Only signs that are specifically permitted by this Ordinance, within the applicable Zoning District, shall be allowed.
- b. A lawfully existing sign may be painted, repaired or changed in message without a new permit under this Ordinance provided that any such changes, or repairs, do not increase the area of the sign or otherwise result in non-compliance or an increased non-conformity with this Ordinance.
- c. A lawfully, existing non-conforming sign may be replaced with a new non-conforming sign provided that the new sign is not more non-conforming in any way than the old sign. The replacement of an existing non-conforming sign must occur within one-hundred and eighty (180) days of its removal.
- d. Signs advertising a lawful non-conforming use are allowed provided that:
 - (1). No side of any such sign shall exceed ten (10) square feet in area.
 - (2). The sign shall be erected only upon the premises on which such non-conforming use is located.
 - (3). No more than one (1) such sign shall be erected on any one (1) street frontage.
- e. Signs advertising a business, or use no longer in existence (other than a sign relating to a building that is clearly temporarily vacant and being offered for lease by new tenants or for purchase by new owners) shall be removed within fourteen (14) days of the cessation of such business's operation, or use.
- f. Animated and changeable messages (manually or electronically activated) are permitted in commercial and industrial zones only.
- g. Signs may be interior lighted with non-glaring lights, or may be illuminated by floodlights or spotlights that are shielded. Illuminated signs or sign lighting devices shall employ only lights emitting a light of constant intensity and no sign shall be illuminated by or contain flashing, intermittent rotating or moving light or lights. No sign shall be utilized in a manner which produces a noxious glare or a light intensity greater than one-half (0.50) foot-candle beyond the lot boundaries. No direct beams of light shall be directed toward adjacent properties or public roads, and all light sources shall be shielded from adjoining properties and streets so there is no direct light transmitted to other properties, public rights-of-way or in an upward direction. All electrically illuminated signs shall be constructed to the standards of an approved agency.

- h. No sign which emits smoke, visible vapors or particulates, sound or odor shall be permitted.
- i. No sign shall be placed in such a position, or have such a source of illumination, that it will cause any danger to pedestrians or vehicular traffic or block the clear sight triangle.
- j. No portion of any sign shall project over any lot line. Unless regulated elsewhere in this Ordinance, no point of any sign, including trim, border and supports, shall be located within ten feet (10') of any side or rear property line or within the street right-of-way line.
- k. No signs other than school warning signs, official traffic signs, and similar signs shall be erected within the right-of-way lines of any street or extend over any street right-of-way.
- l. No sign shall be erected or located as to prevent a free ingress to or egress from any window, door or fire escape. No sign shall be placed in such a position that it will obscure light or air.
- m. No sign shall be placed in such a position, or have such a source of illumination that it will cause, in the opinion of the Zoning Officer, any danger to pedestrians or vehicular traffic.
- n. Signs that are of such character, form, shape or color that they imitate or resemble any official traffic sign, signal or device, or that have any characteristics which are likely to confuse or distract the operator of a motor vehicle on a public street (such as prominent use of the words "Danger" or "Stop"), are prohibited. Red, green or amber lights, (except those contained within a school warning sign, traffic control sign, or similar sign), shall not be located in such a manner that, they could create a danger by being misconstrued as traffic lights by an operator of a motor vehicle.
- o. Spinners, or any other type of moving object used to attract attention, are strictly prohibited.
- p. Except as permitted within this Ordinance (ie; Off-Premises Signs/Billboards), no sign shall be erected on a property to which it does not relate.
- q. Any vehicle or structure to which a sign is affixed in such a manner that the carrying of such sign or signs no longer is incidental to the primary purpose of the vehicle or structure but becomes in effect, the primary purpose in itself shall be considered a Freestanding Sign and as such; shall be subject to requirements for Freestanding Signs in the zoning district in which said vehicle or structure is located.
- r. Signs which contain information that states, infers, or implies that a lot, or property, may be used for any purpose not permitted under the applicable provisions of this Ordinance, are prohibited.

- s. Signs or displays that include words or images that are obscene, pornographic or that an average reasonable person would find highly offensive to public decency are strictly prohibited.
- t. No sign shall be tacked, stapled or nailed to a utility pole, except by an authorized utility, or by a person who has obtained permission from the authorized utility.
- u. The area immediately surrounding each sign shall be kept in a clean, sanitary and healthful condition. No accumulations of loose paper, bottles, cans, garbage or similar items shall be permitted.
- v. Every sign shall be constructed of durable material and shall be kept in good condition. Peeling paint shall be removed and replaced. Broken lights shall be replaced, and similar maintenance tasks shall be performed when deemed necessary by the signs owner, the property owner and/or the Zoning Officer.
- u. Any sign which becomes dilapidated or which creates a hazard to the public health, safety and welfare shall be removed at the expense of the owner or lessee. The Zoning Officer shall make such determinations as to state of any signs condition. The Zoning Officer shall give written notice to the owner of the premises on which the sign is located that such sign must be made safe or removed within five (5) days.
- v. Any and all signs lawfully permitted are further subject to any requirements of any other local, state or federal agencies having jurisdiction over such matters.
- w. Any and all signs placed on smokestacks, water towers, silos and other similar structures shall be governed by the applicable provisions of this Ordinance.
- x. No sign located within a floodplain shall exceed six (6) square feet of area per side.
- y. Nothing in these regulations shall be construed as prohibiting signs intended for viewing principally from within a building or signs temporarily attached to the inside face of a display window, announcing a sale or similar feature, provided that all such signs meet the requirements of this Ordinance.
- z. Any Sign allowed under this Ordinance may contain, in lieu of any other text, any otherwise lawful non-commercial message that does not direct attention to a business operated for profit or to a commodity or service for sale and that complies with all other provisions of this Ordinance including the specific provisions for signage in the land use category on which the sign is placed.

5. Prohibited Signs.

- a. Moving Signs that are environmentally or mechanically activated

- b. Flashing Signs - Signs which blink, flash or are animated by lighting in any fashion that would cause such signs to have the appearance of traffic safety signs and lights, or municipal vehicle warnings from a distance.
- c. Glaring Signs – Signs with light sources or which reflect brightness in a manner which constitutes a hazard or nuisance. This includes signs with fluorescent text, graphics or background, as well as holographic signs.
- d. Obstructive Signs – A sign or other advertising device erected or placed at any street, alley, driveway, or road intersection in such a manner as to obstruct free and clear vision sight distance at the intersection.
- e. Inflatable Signs and Other Objects – Signs and other objects which are inflated, including, but not limited to balloons. An outdoor display of not more than one bouquet of balloons shall be allowed on a property that sell balloons. Balloons shall also be permitted to be displayed in temporary situations or on special occasions at a residence provided that, said balloons are removed immediately after said special occasion is over.
- f. Posters and Handbills – Signs affixed to any structure, tree or other natural vegetation including rocks or poles other than temporary signs posted by the Zoning Officer for the purpose of identifying a property which is the subject of a Hearing before the Zoning Hearing Board or Board of Supervisors as required by the Municipalities Planning Code.
- g. Roof Signs – Roof Signs are prohibited in the R-C, A-P, R-1, and R-2 Zoning Districts and are limited to lawful conforming commercial uses in the C-1 and I-1 Districts. Roof Signs are On-Premises Signs and shall conform to this Section and all other sections of the Zoning Ordinance.
- h. Simulated Traffic Signs and Obstructions – Any sign which may be confused with, or obstruct the view of, any authorized traffic sign or signal, obstruct the sight-distance triangle at any road intersection or extend into the public right-of-way.
- i. Strings of Light – Any devices including lights that outline property lines, sales areas or any portion of a structure and are intended to advertise or draw attention to a business or commercial activity, except as follows.
 - (1). Lights used temporarily as holiday decorations.
 - (2). Lights or other devices used on a temporary basis on parcels on which carnivals, fairs or other such similar temporary activities are held.
- j. Vehicle Signs - Signs are prohibited on non-operable or unlicensed vehicles, as well as those which function only as an advertising device. Signage on vehicles used in the principal activities of that business are exempt.
- k. Portable, A-frame/Wheeled Signs – Except where allowed for lawful, conforming uses in the C-1 and I-1 Zoning Districts, any wheeled, “A” frame, or similar Portable Sign is prohibited except on a temporary basis not

to exceed seventy-two (72) consecutive hours and for no more than two (2) times per calendar year. A Zoning Permit is required for any such temporary use.

- l. Signs Adversely Affecting Safety – Signs which prevent free ingress or egress from any door, window, fire escape, or that prevent free access from one part of the roof to any other part. No sign of any kind shall be attached to a stand-pipe or fire escape. Open flames used to attract public attention to a place of business or to an advertising sign shall not be permitted.
 - m. Sign Emissions – No sign which emits smoke, visible vapors, particles, sound or odors shall be permitted.
 - n. Mirrors – No mirror device shall be used as part of any sign.
6. Exempt Signs - Zoning Permits shall not be required for the following signs provided that they comply with this Section and Section 4. General Requirements:
- a. Residential Identification
 - b. Decals
 - c. Flags, Emblems and Insignia of Government Agencies, Religious, Charitable, Public or Non-Profit Organizations and Corporate Logos- These types of signs are exempt from permit requirements but are subject to the following requirements:
 - (1). No single flag that is flown shall exceed forty (40) square feet in area and no single parcel shall fly more than three (3) flags.
 - (2). Flagpoles shall not exceed forty (40) feet in height.
 - d. Handicapped Parking Space
 - e. Private Drive Signs
 - f. Public Use, Official, Governmental, Quasi-governmental, Institutional
 - g. Security and Warning Signs
 - h. Real Estate Signs - Display of these signs shall be limited to one (1) per property and six (6) square feet in area in residential zones and thirty two (32) square feet in all other zones. These signs shall be removed within thirty (30) days of settlement or lease of the property.
 - i. Garage or Yard Sale Signs - Signs are limited to one (1) On-Premises Sign of four (4) square feet. Any signs erected may be erected one (1) day prior to the event, and shall be removed at the end of the day the event occurs.
 - j. Contractor – No one sign shall exceed sixteen (16) square feet. Only one (1) sign may be erected for each business or contractor who is actually engaged in permitted work on the property where said sign has been placed. No illumination is permitted.

- k. Incidental
- l. Personal Expression
- m. Political - In all zoning districts, political signs shall not project higher than ten (10) feet from the base of the sign or grade of the nearest adjacent roadway, whichever is higher.
- n. Walkway Signs
- o. Street Sign
- p. Informational Sign
- q. Instructional Sign
- r. Signs necessary for the identification and protection of public utility facilities, provided that no side of any such sign shall exceed twelve (12) square feet in area.
- s. Window Sign
- t. Holiday Decorations – Holiday decorations displayed for recognized federal, state or religious holidays shall be exempted from the provisions of this Section except where these signs interfere with traffic safety or in any other way found to be a public safety hazard, as determined by the Zoning Officer.
- u. Legal Notice – As may be posted upon properties by the Township, or its Zoning Officer, when they are required to do so under applicable local, state or federal laws and regulations.
- v. Cornerstone – As may be found on the cornerstone of significant public buildings (e.g. municipal offices, churches, schools etc.).
- w. Barber Pole – Revolving barbershop pole sign provided that it does not exceed thirty-six (36) inches in height and that it is erected only in conjunction with an operational barbershop.
- x. Special Event Sign
 - (1) For municipal, religious, charitable, non-profit or public service groups provided that:
 - (A) A maximum of two (2) signs shall be displayed for no more than sixty (60) days prior to the event which they advertise and shall be removed within fourteen (14) days after the conclusion of the event advertised.
 - (B) The area on one (1) side of any Free-Standing Sign shall not exceed ten (10) square feet. The area may be increased to thirty two (32) sq. ft. if the sign is set back twenty five (25) feet or more from the street right-of-way.

- (2) For the announcement of special events including, but not limited to, grand openings, new management, going-out-of-business sales and similar events provided that:
 - (A). Except for the announcement of grand openings and new management, a maximum of two (2) special-event signs may be displayed for up to seven (7) days prior to a special event.
 - (B). The announcement of grand openings and new management may be permitted for thirty (30) days only to announce the opening of a completely new enterprise or the opening of an enterprise under new management.
 - (C). Signs shall not exceed thirty-two (32) square feet in area each and shall be removed immediately following the event or announcement.
 - (D). Signs attached to walls shall meet the requirements of Wall Signs and be limited to thirty-two (32) square feet.
 - (E). A Special Event Sign shall not be used to continuously advertise the same event.

y. Identification Signs and Bulletin Board Signs, provided that:

- (1). No more than two (2) such signs shall be erected on any frontage of any one (1) property.
- (2). No side of any such sign shall exceed thirty (30) square feet in area.
- (3). A sign consisting of open lettering attached to a building shall not have a height exceeding ten (10) feet nor an area exceeding ten (10) percent of the building facade to which it is attached.
- (4). Signs shall be erected only upon the property on which the use is conducted.

z. Directional, Private Directional and Entrance Signs – No side of any such sign shall exceed forty (40) square feet in area.

- (1) No more than two (2) such sign shall be permitted per street entrance.
- (2) A maximum of 25% of the area of any directional sign may be utilized for a business identification or logo.
- (3) The required setback for Directional and Private Directional Signs may be reduced by the Zoning Officer in the event that the applicant demonstrates to the satisfaction of the Zoning Officer that application of the ten (10) foot setback would impede visibility of the Directional or Private Directional Sign to the traveling public.

7. Signs Permitted in the R-C, A-P, R-1, and R-2 Zoning Districts

- a. In addition to those signs specifically listed in Subsection 606.6 above, the following signs are allowed in the R-C, A-P, R-1, and R-2 Zoning Districts:
- (1). Signs advertising the sale of farm products, nursery products or livestock produced or raised on the premise, provided that a zoning permit obtained and that no side of any such sign shall exceed fifteen (15) square feet in area.
 - (2). Signs indicating membership in agricultural associations or cooperatives or specialization in a particular breed of animal or plants provided that zoning permit is obtained and that the area on one (1) side of any such sign shall not exceed fifteen (15) square feet.
 - (3). Development Signs, provided that one (1) such sign shall be allowed for each entrance to the subdivision from a public street and no such sign shall exceed fifteen (15) square feet in area.

8. Signs in the C-1 and I-1 Zoning Districts.

- a. In addition to those signs specifically listed in Subsection 606.6 above, the following signs are allowed in the C-1 and I-1 Districts:

(1). Signs for individual businesses

(A). Limitation on Number and Cumulative Area of Signs

	Single frontage property (facing only one public roadway)	Double frontage (corner) property
Maximum sign Area of attached signs*	2 sq. ft. of sign per lineal ft. of one building façade facing a public street	2 sq. ft. of sign per lineal ft. of two building façades facing a public street
Maximum Area of attached signs*	200 sq. ft.	200 sq. ft. per side of street frontage
Maximum Number of Attached Signs*	4	6
Maximum Number of Free-standing Signs	1	2
Maximum Area of Each Free-standing Sign	150 sq. ft.	150 sq. ft.
Total Area of all signs on Property	350 sq. ft.	400 sq. ft.
* Attached Signs: Any combination of Wall Sign (Parallel or Projecting), Roof Sign, Marquee, Awning, or Canopy Signs that are physically attached to the building .		

(2). Signs for multi-tenant commercial or industrial buildings, office/commercial parks and industrial parks.

- (A). No more than One (1) Plaza or Center Sign (as defined) shall face any one (1) public street frontage. The sign area shall not exceed two hundred (200) square feet.

- (B). Each individual tenant or development/ park lot owner shall be allowed the same building signage as allowed for individual businesses listed in Section 606. 8.a.(1)(A).
- (3). Off-Premises Signs Including “Billboards” and “Advertising Signs”).
- (A). Off-Premises Signs are as defined in Subsection 606.3.
 - (B). Off-Premises Signs are controlled by this Ordinance for the following purposes: to prevent visual pollution in the Township, to protect property values; to prevent glare from said signs adversely affecting adjacent property and streets; to protect the open space and natural character of areas of the Township planned to remain agricultural, woodland, or rural preservation areas; to avoid the creation of additional visual distractions to motorists, especially along the busy arterial streets that involve complex turning movements, congestion and numerous traffic hazards; recognize that this ordinance allows every landowner a reasonable use for their land; and to avoid to the extent possible the placement of off-premises signs that would have an unfair advantage over on-premises signs in the competition for attention, as off-premises signs are typically placed higher and are typically larger than on-premises signs.
 - (C). An Off-Premises Sign is only permitted within a maximum of two hundred (200) feet of an existing right-of-way of an arterial road and shall be placed a minimum of ten (10) feet from any lot line. Any off-premises sign shall be setback a minimum of twenty (20) feet from all existing and ultimate road rights-of-way. No off-premise(s) sign shall be located within two hundred (200) feet of any existing residential dwelling unit.
 - (D). No Off-Premises Sign shall be attached in any way to any other off-premises sign. Off-Premises Signs shall have a maximum of two (2) sign faces.
 - (E). The maximum area of each sign face of any and all types of Off-Premises Signs shall be two hundred (200) square feet.
 - (F). One (1) Off Premises Sign is permitted on any one (1) property. In no case shall a proposed Off Premises Sign be located within one thousand (1,000) feet of another existing or proposed Off Premises Sign regardless of whether or not the proposed or existing signs are on opposite sides of a street; or regardless of whether or not the proposed or existing signs are visible from any location on the street. The distance is to be measured from the centerline of the street between both signs.

- (G). The maximum height of such sign shall not exceed the maximum height permitted for buildings in the zoning district.
- b. Supplemental requirements for individual sign types permitted in the C-1 and I-1 districts
- (1). Free-standing Signs
 - (A). A Free-Standing Sign for a commercial or industrial business shall not be located within twenty (20) feet of any lot line adjoining a property with an existing residential dwelling.
 - (B). No portion of a Free-Standing Sign shall be closer than ten (10) feet to any street right-of-way or property line.
 - (C). The total area of a Free-Standing Sign shall not exceed one hundred fifty (150) square feet.
 - (2). Wall Signs
 - (A). The maximum elevation of Parallel Wall Signs shall be equal to the highest elevation of the wall to which it is attached and shall not project more than twelve inches (12") from the building face to which it is attached. When located above a public walkway, these signs shall be at least eight (8) feet above the ground, measured from the highest grade elevation under the sign to the lowest part of the sign.
 - (B). Projecting Wall Signs shall project from the face of a building a distance of not more than six (6) feet. When located above a public walkway, all such signs shall be at least eight feet (8') above the ground, measured from the highest grade elevation under the sign to the lowest part of the sign.
 - (C). Projecting Wall Signs shall not be located or erected on the roof area of any building, shall be located only on the building walls, and may not project above the building roof line or roof ridge.
 - (D). Projecting signs shall not project into any public or private street right-of-way.
 - (3). Roof Signs
 - (A). No Roof Sign shall exceed one hundred fifty (150) square feet in area.
 - (B). The height of a Roof Sign may not exceed twenty-five (25) percent of the vertical height from the roof eave to the roof ridge as indicated in Appendix 2.

- (C). In no case may the highest point of a Roof Sign be more than seventy (70) feet above the average elevation of the ground immediately adjacent to the building on which it is erected.
- (D). No portion of a Roof Sign may project further than any roof overhang on which it is erected.
- (E). All roof signs shall be safely affixed to the roof of a structure. The supporting design shall be structurally sound and approved by the Township's building code official.

(4). Awning, and Canopy Signs

- (A). The permitted area of awning or canopy signs shall be as per maximum of wall signage for commercial & industrial zones provided that the copy area on the canopy or awning does not exceed an area equal to fifty percent of the total building façade area fronting the public street.
- (B). Graphic treatment and/ or embellishment in the form of striping, patterns, or valances shall be permitted on the face or side surfaces of any awning or backlit awning without restriction, and the area of any such graphic treatment and/ or embellishment shall not be calculated as a component of permitted copy area.

(5). Marquee Signs

- (A). The permitted area of marquee signs shall not exceed one hundred fifty (150) square feet in area.
- (B). The top of all marquee signs shall be below the roof line and at a height no greater than twenty (20) feet above the ground immediately adjacent to the sign.
- (C). Theaters may erect one (1) of the permitted free-standing, wall, or marquee signs with changeable copy board to display the name(s) and time(s) of the current motion picture or theatrical production.

(6). Portable, A-Frame, and Wheeled Signs

- (A). Any, and all, portable signs shall have a maximum total area of forty (40) square feet with a maximum of two (2) sides.
- (B). Any, and all, Portable Signs shall only be displayed on a lot for four (4) periods per calendar year, which shall not exceed thirty (30) consecutive days per period during a calendar year. Failure to remove the sign after each thirty (30) day period shall constitute a zoning violation.

- (7). Directional, Private - A Private Directional Sign is allowed only when the Zoning Officer has determined that the sign will aid the public in the safe navigation to the premises to which it is travelling

Section 607. HIGHWAY FRONTAGE DEVELOPMENT FOR NON-RESIDENTIAL AND NON-AGRICULTURAL USES

- 1. All areas for off-street parking, off-street unloading and loading, and the storage or movement of motor vehicles shall be physically separated from public streets or highways by a raised curb, planting strip, or other suitable barrier against unchanneled motor vehicle entrance or exit, except for necessary accessways or access roads which supply entrance to and egress from such parking, loading or storage areas.

Along Arterial Highways and Major Collectors, as classified in the Township's Comprehensive Plan, each use with less than one hundred (100) feet of frontage on a public street shall have not more than one (1) access way to each such street.

- 2. In no case shall a use with less than one hundred (100) feet of frontage on a public street have more than two (2) accessways to each such street. No use with one hundred (100) feet or more frontage shall have more than two (2) accessways to any one (1) street for each three hundred (300) feet of frontage.
- 3. The width, excluding radii, of entrances to and exits from parking areas, measured at the street line, shall conform to the following schedule:

Width in Feet

	<u>Minimum</u>	<u>Maximum</u>
One Way	(18)	(36)
Two Way	(36)	(50)

Each lane provided shall be a minimum of eighteen (18) feet in width.

The radius of the edge of the driveway apron shall be at least twenty (20) and no more than forty-five (45) feet.

Provided that along State Legislative Routes, if these standards are in conflict with Pennsylvania Department of Transportation requirements, driveways shall be designed to conform as closely as possible to the requirements of this Ordinance, while conforming to the requirements of the Pennsylvania Department of Transportation.

- 4. The location and width of exit and entrance driveways shall be planned to interfere as little as possible with the flow of vehicular traffic on adjacent streets. Access driveways shall not be located in such a manner that they will cause a hazard to the movement of normal highway traffic or cause areas of undue congestion on the highway. The center line of an access driveway to any public street shall be located at least eighty (80) feet from the intersection of any street cartway lines, except in the case of a street intersecting the road which the driveway intersects directly opposite from the driveway.

Section 608. LOADING AREAS

1. All-weather, hard-surfaced off-street loading and unloading spaces with proper access from a street, driveway, or alley, shall be provided on any lot on which a building for trade, business, industry, or warehousing, or other uses involving large volume receipt of or distribution of materials or merchandise by motor vehicle is hereafter erected or expanded. All such areas for the loading and unloading of vehicles, and for the servicing of establishments by refuse collection, fuel and other service vehicles, shall be of such size, design and arrangement that they may be used without blocking or otherwise interfering with the use of automobile accessways, parking facilities and pedestrian ways. Loading areas shall not be located within required front yards and shall not be located within thirty-five (35) feet of a street right of way line and ten (10) feet of any side or rear lot line, except where a loading area faces a residential or institutional use, in which case said loading area shall not be located within twenty (20) feet of the side or rear lot lines.
2. The number and size of loading spaces provided shall be appropriate for the use to be conducted on the premises and sufficient to accommodate all vehicles serving the use. At least one (1) loading space shall be provided for each use. The required size and number of spaces is per the chart in Appendix 4. When a zoning permit is applied for, the application for the permit shall show all provisions for off-street loading and include supporting data (data on number, frequency and size of vehicles which will use the loading facilities) that justifies the number and size of spaces provided. Any use not specified in Appendix 4 shall have the number and size of spaces determined by the Township Zoning Officer.

Section 609.A. OFF-STREET PARKING GENERAL REGULATIONS

1. Off-street parking facilities shall be provided whenever:
 - a. A building is constructed or a new use established.
 - b. The use of an existing building or a lot is changed to a use requiring more parking facilities.
 - c. An existing building or use is altered so as to increase the amount of parking spaces required.
2. Each parking space shall have a minimum area of two hundred (200) square feet and minimum dimensions of ten (10) by twenty (20) feet. In addition, appropriate driveways, aisles, and maneuvering space shall be provided as necessary to permit safe and convenient access to and use of the area provided for parking purposes. Proper access from a street, alley, or driveway shall be provided. When parking spaces are provided parallel to a driveway or aisle, the minimum dimensions of the spaces shall be ten (10) feet by twenty-two (22) feet.
3. Parking spaces shall be located on the same lot as the use served and shall be located behind the street right-of-way line.
4. Joint parking facilities for two (2) or more uses may be established, provided that the number of spaces provided may be reduced to not less than seventy five percent

(75%) of the total spaces required for all uses. Further reduction may be allowed by the Township Board of Supervisors upon presentation of satisfactory proof that the peak parking demands for the uses do not occur concurrently and that the total numbers of spaces satisfies actual demand. Under the Conditional Use Procedures Established in Section 808 of this Ordinance, the Board of Supervisors may permit a conditional reduction of the number of parking spaces required by this Ordinance, in individual cases, if they believe that meeting the condition of this Ordinance could result in more spaces than are actually needed as required by Section 609.B.

5. All parking spaces and means of access, other than those relating to a dwelling, shall be illuminated during night hours of use. The illumination shall be designed and located so that the light sources are shielded from adjoining properties and public and private streets. The illumination shall not produce a glare noxious at or beyond the boundaries of the parking area and shall not exceed a light intensity greater than one-half (0.50) foot-candle at or beyond the lot boundaries.
6. All parking areas and access drives serving residential, institutional, commercial, or industrial uses shall be (1) adequately drained, (2) permanently surfaced with an All-Weather surface (as defined in this Ordinance) such as but not limited to, concrete, macadam, brick or other paving material, and (3) maintained adequately. Gravel, stone and similar loose materials shall not be permitted to be used upon any commercial, industrial, or institutional uses parking areas or access drives but may be permitted for residential uses at the discretion of the Zoning Officer. The maximum grade of areas used for parking shall not exceed six (6) percent, and the maximum grade of access drives shall not exceed ten (10) percent. Surface water shall not be concentrated onto public streets or sidewalks, and adjoining properties and other premises.
7. No areas necessary to fulfill the off-street parking requirements of this Ordinance shall be used for the sales, dead-storage, repair, dismantling, or servicing of vehicles, or for any purpose other than parking of motor vehicles.
8. Off-street parking facilities existing at the effective date of this Zoning Ordinance shall not be subsequently reduced to an amount less than that required under this Ordinance for a similar new building or use.
9. The width of aisles in parking areas shall be no less than listed in the following table:

<u>Angle of Parking</u>	<u>Aisle Width</u>	
	<u>One-Way</u>	<u>Two-Way</u>
90° degrees	20'	24'
60° degrees	18'	24'
45° degrees	15'	24'
30° degrees	12'	24'

10. When the required number of parking spaces is computed and a fraction of a parking space results in any fraction below one-fourth (1/4), it may be disregarded and any fraction over one-fourth (1/4) shall necessitate the provision of a full parking space.
11. Parking areas for non-residential uses shall be designed such that vehicles will not back out onto public streets.

12. The design of parking areas shall be such to prevent to the greatest extent possible the back-up of vehicles on a public street at entrance(s) to parking areas.
13. Where parking requirements are determined by the number of seats and no permanent seats are provided the number of parking spaces to be provided shall be based upon the capacity for temporary seats in normal usage.
14. Parking areas for residential uses shall be arranged so that no portion of any vehicle parked within a designated parking space can extend over any property line of the lot on which it is parked. Unless otherwise stated in this Ordinance Parking areas for residential uses shall be arranged so that no portion of the parking area is within five (5) feet of a property line.
15. Parking areas for non-residential uses shall be located a minimum of ten (10) feet from a street right-of-way line, and the area between the parking area and the street right-of-way line shall be landscaped per Section 604 of this Ordinance and the Township SALDO. Such parking areas shall be located a minimum of ten (10) feet from any side or rear lot line adjacent to any commercial or industrial use, and a minimum of fifteen (15) feet if adjacent to a residential or institutional use.
16. Parking areas for non-residential uses which are designed to contain more than five (5) vehicles shall not be visible from any adjacent lot containing any residential or institutional use, and shall be located a minimum of fifteen (15) feet from the lot lines of said land. Screening shall meet Section 604 of this Ordinance and the Township SALDO.
17. Parking in the R-C, A-P, R-1 and R-2 Zoning Districts shall be limited to those vehicles customarily used for non-commercial or agricultural purposes except:
 - a. Commercial Vehicles
 - (1). One (1) commercially licensed motor vehicle may be parked on a non-commercial lot within the R-C, A-P, and R-1 Zoning Districts, provided that said vehicle is owned or operated by the owner of said lot, and parked in a visually screened area. The vehicle shall not be left running unattended.
 - (2). No commercially licensed vehicles, other than a commercial vehicle used in conjunction with, and parked upon, a lawful conforming or lawful non-conforming use, shall be parked or stored within an R-2 Zoning District unless the vehicle is parked or stored within a completely enclosed building.
18. Parking of recreational vehicles, travel trailers, buses, boats (including trailers), and other trailers used solely for the transport of the residents' recreational vehicles is permitted on any residential lot exceeding twenty thousand (20,000) square feet in the R-C, A-P, and R-1 Zoning Districts; any lot exceeding twenty thousand (20,000) square feet containing a lawful non-conforming residential use in the C-1 and I-1 Zoning Districts; or any residential lot exceeding thirty thousand (30,000) square feet in the R-2 Zoning District, subject to the following:
 - a. For purposes of this section these are divided into three (3) categories:

- (1). Class I Vehicles - Those recreational vehicles, travel trailers, buses, boats (including trailers), and other trailers used solely for the transport of the residents' recreational vehicles that possess no more than two hundred (200) square feet, as measured to the vehicle's outermost edges, nor exceed a height of ten (10) feet, as measured from the ground to the highest point of the main body of the vehicle. Vehicle height shall not be measured on vehicle accessories (e.g., air conditioners, vents, hatches, masts, antennas, outrigger fishing poles, etc.), but will be measured to the highest point of any flybridge or other boat console.
 - (2). Class II Vehicles - Those recreational vehicles, travel trailers, buses, boats (including trailers), and other trailers used solely for the transport of the residents' recreational vehicles that possess more than two hundred (200) square feet, but less than three hundred and twenty (320) square feet as measured to the vehicle's outermost edges, and/or exceed a height of ten (10) feet, but not more than thirteen (13) feet, as measured from the ground to the highest point of the main body of the vehicle. Vehicle height shall not be measured on vehicle accessories (e.g., air conditioners, vents, hatches, antennas, masts, outrigger fishing poles, etc.), but will be measured to the highest point of any flybridge or other boat console.
 - (3). Class III Vehicles - Those recreational vehicles, travel trailers, buses, boats (including trailers), and other trailers used solely for the transport of the residents' recreational vehicles that possess more than three hundred and twenty (320) square feet as measured to the vehicle's outermost edges, and/or exceed a height of thirteen (13) feet, as measured from the ground to the highest point of the main body of the vehicle. Vehicle height shall not be measured on vehicle accessories (e.g., air conditioners, vents, hatches, antennas, masts, outrigger fishing poles, etc.), but will be measured to the highest point of any flybridge or other boat console.
- b. The storage and parking of two (2) Class I vehicles shall be permitted behind the building setback line, so long as the unit is set back no less than ten (10) feet from any adjoining lot line. All areas used for the storage of Class I vehicles shall be maintained so as to keep vegetation properly trimmed and debris or litter disposed of regularly. All vehicles shall maintain required licensing and current inspection and shall prevent the leakage of fuels and/or lubricants into the ground.
 - c. The storage and parking of one (1) Class II vehicle on a residentially-zoned parcel, or a parcel used for a principal residence, is permitted, subject to the vehicle being set back a horizontal distance equal to twice the vehicle's height from every side and rear lot line. No vehicle shall be stored in front of the building setback line. On vacant lots, the vehicle must be stored behind the required front yard setback line, as specified for principal uses. All areas used for the storage of Class II vehicles shall be maintained so as to keep vegetation properly trimmed and debris or litter disposed of regularly. All

vehicles shall maintain required licensing and prevent the leakage of fuels and/or lubricants into the ground.

- d. The storage and parking of Class III Vehicles on any lot in the R-C, A-P, R-1, or R-2 Zoning District, or any lawful non-conforming residential use in the C-1 and I-1 Zoning District is prohibited.
 - e. The parking and storage of these vehicles does not include their occupation as living quarters or overnight lodging.
19. The parking and storage of non-licensed, non-registered vehicles is regulated in Section 611.
 20. The number of off-street parking spaces to be provided for each use shall be sufficient to accommodate all employee, visitor, and customer parking. Minimum off-street parking requirements shall be as detailed in Appendix 4.

In order to avoid unwarranted additional paved area, the parking provided for any use shall not exceed one hundred fifty (150) percent of the minimum shown herein, unless a special exception is granted by the Zoning Hearing Board upon presentation of proof that any such additional parking area is necessary.

Section 609.B. ADDITIONAL PARKING REGULATIONS FOR COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS

1. No parking lot shall be located closer to a building than five (5) feet to allow adequate room for landscaping.
2. No more than twenty-five (25) parking spaces shall be placed in a continuous row without an intervening planting island of at least ten (10) feet in width and the length of a parking stall.
3. A minimum of ten (10) percent of any parking lot facility over two thousand (2,000) square feet in gross area (measured from the outside edge of paving to outside edge of paving) shall be devoted to landscaping. This landscaping shall include a minimum of one tree per twenty (20) parking spaces and all planting beds within a parking lot shall be surfaced in lawn or ground cover planting.
4. For any land use where the total number of parking spaces exceeds one hundred (100) stalls, the parking area shall be divided by continuous islands perpendicular to the spaces every one hundred twenty (120) feet this assumes four (4) rows of parking at twenty (20) foot lengths and two (2) aisles each being twenty five (25) feet wide. These divider islands shall be a minimum of ten (10) feet wide.

Section 609.C. DRIVE-THROUGH FACILITIES

1. Drive through facilities includes lanes and canopies.
2. The proposed traffic flow and ingress-egress pathways shall not cause traffic hazards on adjacent streets.
3. On-lot traffic circulation and parking areas shall be clearly marked.

4. A drive-through use shall be designed with space for an adequate number of waiting vehicles while avoiding conflicts with traffic onto, around and off the site. All drive-through facilities shall be designed to minimize conflicts with pedestrian traffic.
5. A drive-through lane or canopy situated adjacent to a residential property shall be no less than ten (10) feet from the lot line, with a buffer strip ten (10) feet in width and screening of at least six (6) feet in height established between said canopy and the lot line.
6. The drive through area of a canopy shall be a minimum of nine (9) feet above grade.
7. All signage, except for clearance, directional and lane availability signs, is prohibited from canopies.

Section 609.D. PARKING DEMAND NEEDS ASSESSMENT (PDNA) FOR EXISTING STRUCTURES

1. Where an applicant or the Township believes that the parking requirements are inappropriate for a proposed use or shared parking arrangement for existing buildings. The applicant can submit a Parking Demand and Needs Assessment (PDNA) which will be prepared and submitted at the developer's expense. The Township may authorize the reduction of the parking requirements when a PDNA shows that the requirements, as applied to the particular use, would exceed the minimum necessary to conveniently serve the customers, clients, visitors, and employees. The Township may substitute or rely on the special study for that specific property. The structure must be existing.
2. The components of a PDNA shall include the following:
 - A. A narrative discussion of the type of use and an explanation of why such use is unique from a parking needs standpoint.
 - B. Basic traffic generation data, such as numbers of anticipated vehicles entering and existing the site at peak hours. This should include data derived from ITE or similar uses at other sites.
 - C. Existing or proposed public transit facilities available to the site and the availability of potential pedestrian or bicycle access to the site.
 - D. Proposed means of parking/traffic mitigation measures, such as carpools/vanpools, varied work shifts, company operated buses or shuttles and employee incentives for utilizing alternate modes of transportation.
 - E. Anticipated number of employees, parking counts from similar land uses, amount of time a typical user parks at the site, possibility of shared parking between one or more adjacent land uses, peak period parking demand information, and any additional relevant information requested by the Township.
3. The Township Board of Supervisors shall review and provide a decision on the parking demand needs assessment.
4. Where the Township authorizes a reduction in parking, an area suitable for the number of parking spaces no longer required as a result of the PDNA analysis shall be reserve on site and shown on the plan as reserved parking should the proposed use(s) change and the reductions granted no longer be applicable.

Section 610. DRIVEWAYS

1. All Township driveways must be in accordance with the most current West Brunswick Township Driveway Ordinance.
2. A Township driveway permit, PennDOT minimal use driveway permit, or a PennDOT Highway Occupancy Permit must be presented to the Township Office prior to any Zoning Permits for uses involving access points being issued.

Section 611. STORAGE OF VEHICLES

1. In all Zoning Districts all automotive vehicles, *or* vehicular dwellings of any type, or any other Vehicle (as defined in this Ordinance), except agricultural equipment, that meets the definition of Unregistered Vehicle shall be parked or stored within completely enclosed buildings unless the vehicles or vehicular dwellings are for sale at a sales agency dealing in automotive vehicles and/or vehicular dwellings or are stored within a junk yard permitted by this Ordinance.
2. The parking of licensed, registered vehicles is regulated in Section 609.A.

Section 612.A. HOME OCCUPATION REGULATIONS

1. Such occupations shall be incidental or secondary to the use of the property as a residence and are limited to those occupations customarily conducted within a dwelling unit. The home occupation use shall not change the character of the property as a residence.
2. This resident(s) shall be the sole practitioner of the home occupation. Home occupations shall include, but not be limited to, the office of a architect, lawyer, accountant, insurance agent, real estate broker, tax collector, engineer, music or voice instructor (if limited to a single pupil at a time), artisan, craftsman, computer programmer, web-site designer, computer consultant, barber or beautician (both limited to one [1] chair), caterer, dressmaker, milliner, tailor or seamstress.
3. All of the goods available for retail sale, except those accessory to the home occupation, shall be produced upon the premises. None of the goods available for retail sale shall be fireworks, explosives, or other hazardous materials or substances.
4. The use shall be conducted indoors. No storage of materials or products shall be permitted outside of the home. No storage of materials or products related to the home occupation shall be permitted outside buildings.
5. No display of products related to the home occupation shall be visible from adjoining properties or streets.
6. There shall be no outside advertising other than one (1) two-sided or two (2) one-sided signs of no more than two (2) square feet in area on each side.
7. Not more than one (1) person, whether paid or unpaid, may be employed by the practitioner of the occupation to provide secretarial, clerical, or other similar assistance.

8. No noise, odor, dust, vibration, electromagnetic interference, smoke, heat or glare resulting from the home occupation shall be perceptible at or beyond the lot boundaries.
9. Not more than the equivalent of thirty-five (35) percent of the area of the first floor of the principal building shall be used for the purposes of home occupation for an occupation carried out within a dwelling.
10. Any need for parking generated by the home occupation shall be met off-street on the lot on which the home occupation is carried out and shall be provided behind the building setback line. A minimum of two (2) off-street parking spaces shall be required in addition to two (2) off-street parking spaces for the residence.
11. No accessory buildings or structures shall be constructed for the sole purpose of housing a home occupation. Home occupations shall be conducted within a dwelling, provided that by Special Exception the Zoning Hearing Board may permit the occupation to be conducted within an accessory building or structure subject to such controls deemed necessary by the Zoning Hearing Board.
12. No more than two (2) home occupations may be practiced on any one premises.
13. A home occupation shall not be conducted in a manner that is perceptible to other residents between the hours of 9:00 p.m. and 7:30 a.m.
14. The use shall not require delivery by tractor-trailer trucks.

Section 612.B. NO-IMPACT HOME-BASED BUSINESS

1. A “No-impact Home-based Business” is a business or commercial activity administered or conducted as an accessory use in a residence, which is clearly secondary to the use as a residential dwelling and which involves no customer, client or patient traffic, whether vehicular or pedestrian, pickup, delivery or removal functions to or from the premises, in excess of those normally associated with residential use. The business or commercial activity shall satisfy the following requirements:
 - a. The business activity shall be compatible with the residential use of the property and surrounding residential uses.
 - b. The business shall employ no employees other than family members residing in the dwelling.
 - c. There shall be no display or sale of retail goods and no stockpiling or inventory of a substantial nature.
 - d. There shall be no outside appearance of a business use, including, but not limited to, off-street parking (beyond what is required by Ordinance for a residential use) signs or lights.
 - e. The business activity may not use any equipment or process which creates noise, vibration, glare, fumes, odors or electrical interference, including any

- interference with radio, television, or telephone reception, in the residential neighborhood.
 - f. The business activity may not generate any solid waste or sewage discharge, in volume or type, beyond that which is normally associated with residential use in the neighborhood.
 - g. The business activity shall be conducted only within the existing residential dwelling unit and shall not occupy more than 25% of the habitable floor area.
 - h. The business shall not involve any illegal activity.
2. The permitting of any No-impact Home-based Business by any municipality shall not supersede any deed restriction, covenant or agreement restricting the use of land, nor any master deed, by law or other document applicable to a common interest ownership community.

Section 613. FRONT YARD EXCEPTIONS

When an unimproved lot is situated between two (2) improved lots with front yard dimensions less than those required for the zoning district in which the unimproved lot is located, the front yard required for the unimproved lot may be reduced to a depth equal to the average of the two (2) adjoining lots; provided, however, that this provision shall only apply in such cases where the improved lots in question are improved as of the time of the adoption of this Ordinance and the improvements are located within one hundred (100) feet of the unimproved lot. For the purpose of this section, an unimproved lot shall be the same as a vacant lot and an improved lot shall be one on which a principal building is erected.

Section 614. FENCES, WALLS AND HEDGES

Except as otherwise provided in this Ordinance, fences, walls, and hedges may be placed within front, rear, and side yards, provided that no fence, wall hedge or other obstruction shall be erected or planted within the right-of-way lines of any street, nor shall they violate clear sight triangle distances per Section 615.

Section 615. CORNER LOT RESTRICTIONS

1. Corner Lot – As defined in Section 201.
2. Clear sight triangles shall be provided at all street intersections. Within such triangles, nothing which impedes the vision between a height of two and one-half (2-1/2) feet and ten (10) feet above the center line grades of the intersecting streets shall be erected, placed, planted, or allowed to grow, except street signs, traffic lights or signs, utility poles, and mail boxes. Such triangles shall be established from a distance of seventy-five (75) feet from the point of intersection of the center lines of the intersecting streets.

Section 616. PROJECTIONS INTO YARDS

1. The following projections shall be permitted into required yards:
 - a. Lamp posts, mailboxes, walkways, driveways (to the extent regulated within this ordinance), retaining walls, and fences may be allowed in all yards.

- b. Terraces, patios, decks or open porches provided that such terraces, patios, decks, or open porches are not roofed or otherwise enclosed, and shall not be located closer than ten (10) feet to any rear, side, or front property line (except a lot line which is an extension of a party wall).
- c. A platform or landing place, not covered by a roof, canopy or trellis, which does not extend above the level of the first floor of the building may be erected to extend into a required yard a distance of not more than ten (10) feet.
- d. A porte-cochere or carport may be erected over a driveway in a required side yard, provided that such structure is:
 - (1). Not more than fourteen (14) feet in height and twenty (20) feet in length.
 - (2). Entirely open on at least three sides, exclusive of the necessary supporting columns and customary architectural features.
 - (3). At least ten (10) feet from the side lot line.
- e. A window sill buttress, pier, or pilaster of a building may project not more than eighteen (18) inches into a required yard.
- f. Open, unenclosed fire escapes, steps, bay windows and balconies, and projecting architectural features such as cornices, eaves, roof overhang, chimneys, shall project no more than three (3) feet into any required yard, and shall not be located closer than six (6) feet to any lot line (except lot lines which are the projection of party walls).
- g. Uncovered steps, stairs, and landings, which do not exceed three (3) feet six (6) inches in height, may project four (4) feet into any required yard, but shall not be located closer than six (6) feet to any lot line (except lot lines which are the projection of party walls).

Section 617. ACCESSORY BUILDING SETBACK EXCEPTIONS

On any lot on which a principal building existed prior to the effective date of this Ordinance, an accessory building to such existing principal building which is constructed after the effective date of this Ordinance does not have to be set back further from any street right-of-way than that principal building.

Section 618. HEIGHT EXCEPTIONS

The building height limitations contained within this Ordinance shall not apply to chimneys, spires, cupolas, antennas, and other similar appurtenances usually required to be placed above the roof level provided they are not intended for human occupancy.

Section 619. ENVIRONMENTAL PERFORMANCE STANDARDS

The Township Supervisors shall require safeguards to assure compliance with the following performance standards. Upon request of the Township, a landowner shall furnish proof at his own expense that he is in compliance with the following standards:

1. Air Management- All uses shall comply with the standards of the Air Pollution Control Act, 35 P.S. §4001 through 4015, as amended, and the following standards:
 - a. Except as may be permitted in Section 623, open burning is not permitted.
 - b. No gases, vapors or particulates which are harmful to persons, property, animals, or vegetation beyond the lot lines of the lot on which such gases, vapors, or particulates originate shall be emitted.
 - c. No odors causing annoyance or discomfort to the public shall be detectable beyond the lot lines of the lot on which such odors originate.
 - (1). The prohibition on odors shall not apply to odor emissions arising from a property being legally used for agricultural activities.
 - (2). Any person who causes an odor emission shall be required to alter their operations in such a manner that, the escaping odors are eliminated. Backup odor reduction equipment shall be maintained to support any primary odor reduction equipment used to control odors.
 - d. Hazardous air emissions - All emissions shall comply with National Emissions Standards for Hazardous Air Pollutants promulgated under Federal & State Statutes.
 - e. The emission of any smoke at a density greater than No. 1 on the Ringlemann Smoke Chart as published by the U.S. Bureau of Mines shall not be permitted, except that smoke of a density of No. 2 may be emitted for not more than four (4) minutes in any thirty (30) minute period. This standard shall not be applied to emissions where the presence of uncombined water is the only reason for the failure of the emission to meet the opacity limits. (Uncombined water produces a white "smoke" which vanishes a short distance from the stack).
 - f. Visible air contaminants shall comply with Pennsylvania Code Title 25, Chapter 127A (7), or its most recent update.
2. Waste Water Management
 - a. In addition to compliance with all state and federal standards, effluent must meet standards established by the Township, if any.
 - b. In no case shall potentially dangerous or contaminating effluent or waste from plant operations be discharged into the ground or into a watercourse.
3. Solid Waste Management
 - a. No permanent storage of waste material shall be permitted (except within permitted landfills). The landowner shall properly dispose of all waste materials. All waste and recycled materials awaiting transport shall be concealed from view from all adjacent properties and streets and shall be stored in a manner that does not attract or harbor vermin or insects.

- b. Except as allowed in Sections 619.3. c and d below, the burning of waste materials in the Township is prohibited.
- c. Waste materials and residues generated from the production of agricultural products are exempt from the burning prohibition.
- d. Burning of unmilled wood, chemically untreated wood (milled or unmilled), or chemically untreated byproducts of wood (milled or unmilled), brush and leaves within noncombustible containers or open fires are permitted by property owners provided the following conditions are met:
 - 1. For fires within noncombustible containers, burning shall not occur within thirty (30) feet of any structure, property line, or right-of-way.
 - 2. For open fires, burning shall not occur within one hundred (100) feet of any structure, property line, or right-of-way.
 - 3. Noncombustible containers must be covered during burning with a screen containing openings of not more than one-half (1/2) inch.

4. Noise and Vibration

- a. At no point on any lot boundary shall the sound pressure level of any operation including the riding of licensed or unlicensed motorized vehicles exceed the maximum decibel levels shown below for the districts indicated. At no time on any lot boundary, for more than an aggregate total of thirty (30) minutes during any twelve (12) hour period, shall the sound pressure of any operation exceed the maximum continuous decibel levels shown below for the districts indicated.

	<u>Maximum</u>	<u>Maximum Continuous</u>
R-C/A-P/R-1/R-2 Districts		
7:00 A.M. to 10:00 P.M.	63 dbA	58 dbA
10:00 P.M. to 7:00 A.M.	60 dbA	55 dbA
C-1/I-1 Districts		
7:00 A.M. to 10:00 P.M.	80 dbA	75 dbA
10:00 P.M. to 7:00 A.M.	68 dbA	64 dbA

- b. In no case shall any physical vibration be deemed to be perceptible without being measured by the proper instrument at or beyond the lot lines.

5. Glare and Heat Control.

Any operation producing intense glare or heat shall be performed within an enclosed building or behind a solid fence in such manner as to be completely imperceptible from any point beyond the lot lines.

6. Ground Water Supplies

No use shall endanger ground water levels and quality in the area of the use, nor adversely affect ground water supplies of nearby properties. When required by the Township, a hydrologic study which shall indicate the impact of the proposed use upon the ground water supply and the ground water quality in the area of the proposed use shall be submitted to the Township.

7. Electromagnetic

All electromagnetic radiation shall comply with the regulations of the Federal Communication Commission. No electromagnetic radiation which interferes with radio or television reception or the operation of other equipment beyond the lot lines shall be radiated.

8. Outdoor Storage

- a. All outdoor storage of materials or products shall be screened from view from adjacent properties where homes are erected and occupied.
- b. Waste materials awaiting transport shall be kept in enclosed containers.
- c. No materials or waste shall be deposited upon a lot in such form or manner that they may be transferred off the lot by natural causes or forces.
- d. All outdoor storage facilities for fuel, flammable or explosive materials and similarly dangerous materials shall be enclosed by a fence at least ten (10) feet in height and of sturdy enough construction to adequately prevent the access of the general public to said facility.

9. Carcinogenic Substances

No carcinogenic substances shall be released into the air, ground, or water.

10. PADEP Requirements

All regulations of the Pennsylvania Department of Environmental Protection shall be complied with.

11. Stormwater Management/Erosion and Sedimentation Controls

The development of all properties zoned for commercial or industrial use must prepare and submit Stormwater Management and Erosion and Sedimentation Control Plans pursuant to the requirements detailed by the West Brunswick Township SALDO.

12. Flammable and explosive hazards. Flammable and explosive materials shall be stored, used and transported in accordance with the applicable state and federal regulations regarding such materials.

13. Electrical power. Every use shall be designed and operated so that the service lines, and related paraphernalia, shall conform to the most acceptable safety requirements

recognized by the Pennsylvania Bureau of Labor and Industry, and shall be so constructed, installed, etc., as to be an integral part of the architectural features of the plant or, if visible from abutting residential properties, shall be concealed in accordance with the landscaping requirements contained within this Ordinance and the SALDO.

14. Public water or sewer service. Industrial uses shall be served by public water and/or sewer, where available.

Section 620. SLOPE CONTROLS

The following controls shall apply in all areas where the natural ground slope of the land at the site of proposed earth moving exceeds twenty-five (25) percent (a ratio of one foot rise for each four feet of run).

1. Prior to moving earth or the establishment of any building, structure, or use, and before the issuance of a zoning permit, an Erosion and Sedimentation Control Plan shall be approved by the Schuylkill County Soil Conservation District.
2. Prior to any alteration of the existing grade, and before the issuance of a zoning permit, a grading plan shall be approved by the Township Supervisors. The grading plan shall indicate existing and proposed contours at intervals of no more than two feet in elevation.
3. The applicant shall supply the Township with a structural foundation design certified to by a registered Pennsylvania Engineer (P.E.). Any such foundation design shall be approved by the Township Supervisors.
4. No more than fifteen (15) percent of wooded areas on the lot existing at the time a zoning permit is applied for shall be subsequently cleared.
5. Areas of twenty-five (25) percent slope or greater, which are subject to these controls are defined as follows:
 - a. Where the horizontal distance between two (2) foot contour lines is eight (8) feet or less, the condition extends across five (5) or more contour intervals, and extends along the lowest and highest of the contour lines for fifty (50) feet or more.
 - b. For any lot of one (1) acre or less where the ratio of the difference in elevation from the highest corner to the lowest corner, divided by the horizontal length between those corners exceeds twenty five (25) percent.

Section 621. FLOODPLAIN CONTROLS

1. Development within floodplains is subject to the requirements of Township Ordinance No. 97-1 regulating areas subject to flooding, enacted March 5, 1997, as may be amended from time to time.

Section 622. STRIPPING OF TOPSOIL

1. Except where listed as a permitted use, the stripping and removal of topsoil from lots shall not be permitted. Topsoil may be removed from areas of construction, grading,

excavation, and other earthmoving activities, but shall be stored elsewhere on the lot and stabilized to minimize erosion. Upon completion of the earthmoving activities, the topsoil shall be redistributed on the lot.

2. If any site being graded yields more than one thousand and fifty (1050) cubic yards of topsoil per net acre of area to be restored with lawn or landscaping, the excess topsoil may be removed from the site.

Section 623. PROHIBITED USES

Except as noted in Section 647.A, no building or structure may be erected, altered, or used, and no lot or premises may be used for any activity which is continuously noxious, injurious, or offensive by reason of dust, smoke, odor, fumes, noise, vibration, gas, effluent discharge, illumination, or similar substances or conditions.

Section 624. FAIR HOUSING

The Fair Housing Amendments Act of 1988, 42 U.S.C. §§ 3601-3631, prohibits certain practices which discourage or obstruct choices of people with disabilities to live in a community, neighborhood or development. To the extent that any provision of this Zoning Ordinance discriminates against individuals with handicaps (as defined and/or construed in the Fair Housing Amendments Act of 1988) with respect to use and enjoyment of a dwelling, the Township shall make reasonable accommodations to such individuals as may be necessary to afford such individuals equal opportunity to use and enjoy a dwelling.

Section 625. PLACEMENT OF FILL

For the purpose of this Ordinance, Fill is defined as:

Fill, Clean - Uncontaminated, nonwater-soluble, nondecomposable inert solid material. The term includes soil, rock, stone, dredged material, used asphalt, and brick, block or concrete from construction and demolition activities that is separate from other waste and recognizable as such. The term does not include materials placed in or on the waters of the Commonwealth unless otherwise authorized.

Fill, Regulated - Soil, rock, stone, dredged material, used asphalt, historic fill, and brick, block or concrete from construction and demolition activities that is separate from other waste and recognizable as such that has been affected by a spill or release of a regulated substance and the concentrations of regulated substances exceed the values in Table FP-1a and b of the Management of Fill Policy.

Fill Policy, Management of – The policy of the Pennsylvania Department of Environmental Protection titled “Management of Fill Policy”, Document Number: 258-2182-773, Effective Date: April 24, 2004 as amended and incorporated herein as Appendix 3.

1. The placement of clean or regulated fill as defined in this ordinance for the purposes of, including but not limited to, disposing of fill from another site, leveling an area, and bringing an area up to a desired elevation shall be conducted in accordance with the Management of Fill Policy (Appendix 3).
2. Prior to the placement of clean or regulated fill, proof of compliance with all applicable permits and approvals shall be attached to the zoning permit application. This includes, but is not limited to, an Erosion and Sedimentation Pollution Control/

Post Construction Stormwater Management approval letter from the Schuylkill County Conservation District; and copies of permits obtained in accordance with Pa. 25 Code Chapter 102 (Erosion and Sediment Control) and Chapter 105 (Dam Safety and Waterways Management).

3. The placement of clean or regulated fill in a flood plain shall comply with The Township's Floodplain Management Ordinance (Ordinance No. 97-1).
4. Prior to the placement of clean or regulated fill in quantities larger than 200 cubic yards (regardless of whether or not the placement occurs within a short period of time or over an extended period of time), the applicant shall submit a land development plan for approval in accordance with the Township SALDO.

Section 626 through 628 (Reserved)

SPECIFIC USE REGULATIONS

Section 629.A. ESSENTIAL SERVICES

Essential Services – As defined in Section 201 of this Ordinance.

Section 629.B. MUNICIPAL, STATE, AND FEDERAL USES

1. Municipal Uses
 - a. Municipal Use – As defined in Section 201 of this Ordinance.
 - b. In all zoning districts, Municipal uses shall be exempt from lot area, width and depth regulations. Municipal uses shall not be required to comply with regulations concerning yard areas, setback or lot coverage.

Section 629.C. PUBLIC UTILITIES REGULATIONS; PUBLIC UTILITIES CORPORATION EXEMPTION CRITERIA

Public Utilities – As defined in Section 201 of this Ordinance.

1. Public Utilities Regulations. If it shows the Public Utility is not an Essential Service or exempt in Subsection 629.C.2, below:
 - a. The use shall be licensed by the Pennsylvania Public Utilities commission.
 - b. The proposed installation in a specific location is necessary for efficient service to the public in the neighborhood or area in which the particular use is to be located.
 - c. The design of any building in connection with such facility, as approved by the Zoning Hearing Board, shall conform to the general character of the area and will not adversely affect the safe and comfortable enjoyment of property rights.
 - d. Approved fencing and other security devices shall be provided.

- e. A buffer strip ten (10) feet in width and screening are provided and shall be continually maintained as well as any landscaping requirements of the Township SALDO.
 - f. Adequate off-street parking is required as per Section 609.A of this Ordinance.
 - g. All area yard and building coverage requirements of the zoning district in which the use is located shall be met.
2. Public Utilities Exemption Criteria
- a. This Ordinance shall not apply to any existing or proposed buildings, or extension thereof, used or to be used by a public utility corporation if, upon petition of said public utility corporation, the Pennsylvania Public Utility Commission shall, after a public hearing, decide that the present or proposed situation of the building in question is reasonably necessary for the convenience or welfare of the public.
 - b. It shall be the responsibility of the Pennsylvania Public Utility Commission to ensure that both the corporation and the Municipality have notice of the hearing and are granted an opportunity to appear, present witnesses, cross-examine witnesses presented by other parties and otherwise exercise the rights of a party to the proceedings.

Section 629.D. EMERGENCY SERVICE FACILITIES

- 1. The minimum lot area shall be two (2) acres, except for volunteer Emergency Service Facilities that have no activities meeting the definition of a Club, that conduct no social functions and /or fundraisers on site, in which case the minimum lot size shall be one (1) acre.
- 2. Required parking shall be as follows:
 - a. Three (3) off-street parking spaces for every four (4) employees or volunteers on the two major shifts.
 - b. Four (4) off-street parking spaces for each emergency vehicle.
 - c. Where a community room/garage are provided, or a Club is permitted by this Ordinance, one (1) off-street parking space for each four (4) seats. Where no permanent seats are provided, the number of parking spaces to be provided shall be based upon the capacity for temporary seats in normal usage.
 - d. Screening ten (10) feet wide shall be provided along all side and rear lot lines adjacent to any residential or institutional use. Said screen shall meet or exceed Section 604 of this Ordinance and the Township SALDO.

Section 630.A. TOWNHOUSES

1. Maximum number of townhouses permitted in one row is eight (8) townhouses.
2. Minimum distance between townhouse buildings and another residential building is fifty (50) feet.
3. Minimum distance between townhouses and dwellings not within the same row of townhouses is fifty (50) feet.
4. Minimum open space area for townhouse developments is ten percent (10%) of the Lot Area.
5. Maximum height of any townhouse is thirty-five (35) feet.
6. Whenever a side or rear yard of a townhouse development adjoins a residential use, a vegetative screen ten (10) feet wide shall be placed within the side and/or rear yard. Said vegetative screen shall be as specified in Section 604 of this Ordinance and the Township SALDO.
7. No townhouse shall be located closer than fifteen (15) feet to any driveway or parking area.
8. All dead-end parking lots shall provide adequate areas so that cars parked in the end stalls of the lots may back out properly.
9. No parking area or driveway may be located within fifteen (15) feet of the exterior boundary lines of the development.
10. Parking areas shall not be designed or located as to require or encourage cars to back into a public or private street in order to leave the lot.
11. Entrance and exit ways to parking areas shall have a minimum width of twelve (12) feet for each lane of traffic entering or leaving the area.
12. The connection of a townhouse development to a public or private community sewerage system and a public or private community water system is required.
13. Minimum Lot Size is five (5) acres.
14. The maximum length of a townhouse grouping, or row, shall be 195 feet.
15. Parking of recreational vehicles, travel trailers, buses, boats (including trailers), and other trailers used solely for the transport of the residents' recreational vehicles are permitted in an area designated for such use. Class I and Class II vehicles as defined in Subsection 609.A.18 of this Ordinance are to be parked in spaces at least twelve (12) by twenty-two (22) feet in size. There shall be one (1) such space provided for every four townhouse units. The parking area for said vehicles shall not be within twenty (20) feet of any property line. Class III vehicle storage is prohibited. The outdoor storage of unregistered vehicles, as defined in this Ordinance, is prohibited.
16. Minimum number of off-street parking spaces:

- (1). Two (2) per unit for one (1) and two (2) bedroom townhouses.
 - (2). Three (3) per unit for three (3) bedrooms or more townhouses.
17. Provide 0.25 space/unit as “overflow parking” which shall be provided throughout the development area in a series of off-street parking areas.

Section 630.B. DUPLEXES

1. A “Duplex” is a two-family detached building having two (2) dwelling units one above the other, being fully separated by a horizontal floor and where each dwelling unit has its own separate access. See Section 201, Dwelling.
2. The connection of a duplex development to a public or private sewerage system and public or private water system is required.
3. A duplex building shall mimic single family detached dwellings in appearance to the extent possible when viewed from the street.
4. Entrance for the first floor shall be through the front wall and entrance for the second floor shall be from the side or rear wall.
5. The lot area per dwelling unit is that which is required for the zoning district in which the duplex is located.
6. Parking: Four (4) off-street parking spaces per each Duplex.
7. Minimum Lot Size is Five (5) acres.
8. Maximum height of any duplex is forty (40) feet.
9. No duplex shall be located closer than fifteen (15) feet to any driveway or parking area.

Section 631.A. PLANNED RESIDENTIAL DEVELOPMENT (PRD) REGULATIONS

1. The minimum amount of land in the development shall be twenty-five (25) acres.
2. The development shall be served by a public or private community sewerage system and a public or private community water supply facility.
3. The overall density of the development shall not exceed six (6) dwelling units per acre.
4. Permitted uses include single family detached dwellings, single family semi-detached dwellings, duplexes, townhouses, garden apartments, medium density apartments, and accessory uses thereto.
5. Not less than twenty (20) percent of the gross area to be developed shall be permanently set aside for non-commercial common open space purposes, such as recreation or conservation of natural features. These non-commercial open space areas shall be suitable by size, surface conditions, shape, and location for the designated purpose and contain no structure or parking facility except as related to

and incidental to open space uses. Common open spaces shall not include land included within street right-of-ways nor shall they include required open areas between buildings or between buildings and street right-of-ways, driveways, parking areas, and property boundary lines. No more than fifty (50) percent of the minimum required common open space shall be land with slope of over fifteen (15) percent and/or land otherwise not conducive to active recreation. The Township Supervisors may require all or part of common open space to be improved and/or equipped for suitable active recreation.

Common open space areas shall be readily accessible to residents of the development, but shall be so located that they can be reached and used safely, without undue traffic or other hazards.

Written agreements satisfactory to and approved by the Township Supervisors shall be made for the perpetual preservation and maintenance of the common open space areas.

Common open space shall not be used for storm water detention or retention unless approval is given by the Township.

6. A system for pedestrian circulation within the tract shall be provided. This system shall consist of a series of paved walkways four (4) feet in width and shall provide access to community facilities and recreation areas, though they shall also be designed to provide privacy for dwelling units.
7. The maximum building height shall be thirty-five (35) feet.
8. The maximum permitted total impervious coverage shall not exceed thirty (30) percent of the tract area.
9. No more than five (5) percent of those portions of the tract with a slope of twenty-five percent (25) or greater shall be covered by impervious surfaces.
10. No more than fifteen (15) percent of those portions of the tract with a slope of between fifteen (15) and twenty-five (25) percent shall be covered by impervious surfaces.
11. No more than five percent (5) of those areas of the tract which have a high water table (as mapped in the Soils Survey of Schuylkill County) shall be covered by impervious surfaces.
12. No one dwelling type listed in Section 631.A.4 shall comprise more than sixty-five (65) percent of the total number of dwelling units within the development.
13. Areas designated for one (1) bedroom apartments, or townhouses shall not be developed at a density to exceed fourteen (14) dwelling units per acre. Areas designated for two (2) bedroom apartments, or townhouses shall not be developed to exceed a density of twelve (12) dwelling units per acre. Areas designated for three (3) or more bedroom apartments, or townhouses shall not be developed to exceed a density of ten (10) dwelling units per acre.
14. When apartments, or townhouses with varying numbers of bedrooms are mixed within areas, there must be at least three thousand, one hundred and twelve (3,112) square feet of land provided for each dwelling unit with one (1) bedroom, at least

three thousand six hundred and thirty (3,630) square feet of land provided for each dwelling unit with two (2) bedrooms and at least four thousand three hundred and fifty six (4,356) square feet of land provided for each dwelling unit with three (3) or more bedrooms.

15. The maximum length of an apartment building shall be one hundred sixty five (165) feet. The maximum length of a townhouse row shall be eight (8) units and one hundred ninety-five (195) feet.
16. No more than two (2) contiguous townhouses shall have the same front setback and the variations in front setback shall be at least four (4) feet.
17. No apartment building or townhouse shall be located within fifty (50) feet of a property line of the development.
18. No apartment building shall be located within fifty (50) feet of another dwelling.
19. A townhouse shall be located at least forty (40) feet from any dwelling which is not in the same continuous grouping of townhouses.
20. The minimum building setback line for a townhouse shall be twenty (20) feet.
21. The minimum building setback line for a one (1) story apartment building shall be twenty (20) feet, for a two (2) story apartment building, thirty (30) feet, and for a three (3) story apartment building, fifty (50) feet.
22. The maximum distance from the entrance of a residential building to a parking space serving the dwelling units contained within that building shall be three hundred (300) feet.
23. In the case of townhouses for sale where the sale of land with the townhouse will not be limited to the land actually covered by the townhouse, the following regulations shall apply to the townhouse lot:

Minimum Lot Width	18	feet
Minimum Lot Size	1800	sq. ft.
Minimum Rear Yard	25	feet
Minimum Side Yard (end of row)	20	feet

24. Requirements for single family detached and single family semi-detached dwellings shall be as follows:

	Single Family <u>Detached</u>	Single Family <u>Semi -Detached</u>
Minimum Lot Size	8,000 sq. ft.	12,000 sq. ft.
Minimum Lot Width		
At Street Line	50 Feet	50 Feet
At Building Setback Line	70 Feet	70 Feet
Minimum Building Setback	20 Feet	20 Feet
Minimum Rear Yard	25 Feet	25 Feet
Minimum Side Yard		
Total	16 Feet	16 Feet
One Side	8 Feet	8 Feet

- | | | | |
|-----|--|------------|------------|
| | Maximum Lot Coverage | 35 Percent | 35 Percent |
| 25. | Refuse stations shall be suitably screened and placed in locations which are convenient for collection removal and not offensive to the occupants of dwelling units. | | |

Adequate storage capacity shall be provided within containers at each refuse station to accommodate the projected solid waste volumes to be stored at that station.

26. Adequate lighting shall be provided to outdoor areas used by occupants after dark, including parking areas and recreation areas. Appropriate lighting fixtures must be provided for walkways. Lighting should be located to avoid shining directly into habitable room windows and into private outdoor open spaces associated with dwelling units. Number, type and illumination standards shall conform to the specifications published by the Illuminating Engineering Society of North America.

27. Existing trees shall be preserved whenever possible and desirable. The location of trees must be considered when planning the development. The developer shall indicate the means whereby trees and other natural features shall be protected during construction.

The proposed development shall be accomplished without excessive earth moving, tree clearance and destruction of natural amenities.

Natural features such as lakes, streams, topsoil, trees, shrubs, rock outcroppings and scenic views shall be preserved and incorporated into the final landscaping of the development whenever possible and desirable.

All housing shall be designed with regard to topography and natural features of the site.

28. The developer shall attempt to minimize the interruptions to traffic along roads within the development by limiting the number of points at which access is provided to the roads from parking areas.

In the design of the street system the developer shall attempt to eliminate or minimize through-traffic within the development which originates outside the development and limit any through-traffic to streets with minimal or no residential frontage. The developer shall attempt to provide a system of collector and local streets such that traffic entering and leaving the development is directed to a limited number of collector streets with limited residential frontage and traffic. Entering and leaving the development is discouraged from local residential streets.

29. The design of all common parking areas is subject to the approval of the Township. All common parking areas shall be paved.

Common parking areas shall be designed such that aisles within the parking areas will not be used for through-traffic, unless otherwise permitted by the Township.

30. No more than ten (10) parking spaces shall be permitted in a continuous row without being interrupted by approved landscaping.

No more than sixty (60) parking spaces shall be accommodated in any single parking area.

All common parking areas shall be landscaped.

31. Common parking areas shall not be designed or located to require cars to back into streets in order to leave the parking areas. All deadend parking lots shall provide adequate areas into which cars parked in the end stalls of the lots may back out.

Common parking areas and access drives shall be located a minimum of twenty (20) feet from all structures and from the exterior lot lines of the development.

Entrance and exit ways to common parking areas shall have a minimum width of twelve (12) feet for each lane of traffic entering or leaving the areas.

32. The minimum distance between common parking areas shall be twenty (20) feet.

The design of common parking areas shall recognize the possible need for emergency service and access by emergency vehicles. The Township may require that secondary means of access and egress be provided for parking areas.

Common parking areas shall be screened from adjacent land and roads not included within the development by means of plantings, changes in grade or other means approved by the Township.

33. Entrances to driveways serving multiple-family dwellings shall be located at least seventy-five (75) feet from the point of intersection of the nearest street curb lines.

34. Parking of recreational vehicles, travel trailers, buses, boats (including trailers), and other trailers used solely for the transport of the residents' recreational vehicles are permitted in an area designated for such use. Class I and Class II vehicles as defined in Subsection 609.A.18 of this Ordinance are to be parked in spaces at least twelve (12) by twenty-two (22) feet in size. There shall be one (1) such space provided for every six (6) dwelling units. The parking area for said vehicles shall not be within twenty (20) feet of any property line. Class III vehicle storage is prohibited. The outdoor storage of unregistered vehicles, as defined in this Ordinance, is prohibited.

35. Retail and Personal Service uses within developments of fifty (50) or more dwelling units in a PRD.

- a. If a PRD includes a minimum of fifty (50) dwelling units, a maximum of four (4) acres within the PRD may be used for Retail and Personal Service uses (as defined in this Ordinance). At the Conditional Use Hearing, the applicant shall provide the Board of Supervisors sufficient evidence to adequately demonstrate that the proposed Retail and Personal Service uses will primarily serve the PRD and will be designed, coordinated, and located with the PRD's internal traffic design. To the maximum extent feasible, traffic access shall be fully coordinated with any adjacent developments.
- b. No Retail or Personal Service shall be open for business until a minimum of twenty-five (25) dwelling units within the PRD have been constructed and lawfully occupied.
- c. No Retail or Personal Service uses approved under this subsection shall be open to the public nor receive truck deliveries between the hours of 11:00 p.m. and 7:00 a.m.

Section 631.B. RETIREMENT COMMUNITY

1. A Retirement Community as defined in Section 201 of this Ordinance is a planned residential community for persons fifty-five (55) years or older, their spouses or companions.
2. A Retirement Community may be composed of single family detached dwellings, single family semi-detached dwellings, townhouses, and garden apartment buildings.
3. It is a specific intent of this section to:
 - a. Ensure that these communities are suitably designed and sited so as to protect the character of adjacent neighborhoods.
 - b. Ensure that any institutional development will be adequately served by public facilities and services.
 - c. Promote the development of safe and affordable housing for elderly persons and to ensure that such housing provides accessibility to essential community facilities and services.
 - d. Provide the elderly individual with a variety of structural housing options within a single development, including the option of the Retirement Community to include a “Healthcare Facility” to allow the residents the opportunity to transfer from an independent living situation to a semi dependent or dependent care environment, should the need arise.
4. Any tract proposed for such a Retirement Community shall be at least ten (10) acres in size and shall have direct access to an arterial or collector street.
5. The proposed use shall be serviced by a public or private community sewerage system and a public or private community water system.
6. A traffic study shall be performed in compliance with the Township Subdivision and Land Development Ordinance (SALDO).
7. The applicant shall guarantee occupancy only by persons fifty-five (55) years or older, their spouses or companions to the extent possible under state and federal law.
 - a. The guaranty shall be in a form acceptable to the Township upon recommendation by the Township Solicitor.
 - b. The guaranty shall be a covenant running with the land, applicable to the applicant and his heirs, successors, and assigns.
 - c. If, at any time, elderly residents cannot be guaranteed, the property may be converted to another permitted institutional use such as:
 - (1). Medical and surgical hospitals or clinics, convalescent homes, and other health care facilities of a similar nature.

- (2). Nursing homes, personal or intermediate care facilities and similar uses providing elderly care.
8. Any such development shall be designed with unified standards for building design, landscaping, lighting and access to interior roads. These standards shall be submitted in the form of protective covenants which shall be binding upon developers of individual lots.
9. Any commonly owned elements shall be owned and maintained in accordance with the Pennsylvania Uniform Condominium Act or other ownership arrangement reviewed by the Township Solicitor.
10. The overall density of the single family detached dwellings, single family semi-detached dwellings, townhouses, and garden apartment buildings shall not exceed eight (8) dwelling units per acre. The overall development density shall not exceed ten (10) dwelling units per acre. For any Healthcare Facility housing persons overnight each two (2) beds shall be considered one (1) dwelling unit. The planning for the overall development shall take into consideration the stated overall densities if a Healthcare Facility is not to be built as part of the initial development.
11. The following standards shall apply:
 - a. Minimum lot area: 10 acres
 - b. Minimum lot width: 300 feet
 - c. Minimum front yard: 100 feet
 - d. Building setback from side or rear lot lines: 100 feet
 - e. Maximum impervious coverage: 40% of total tract area
 - f. Maximum building height: 35 feet
12. Not less than twenty (20) percent of the gross area to be developed shall be permanently set aside for non-commercial common open space purposes, such as recreation or conservation of natural features. These non-commercial open space areas shall be suitable by size, surface conditions, shape, and location for the designated purpose and contain no structure or parking facility except as related to and incidental to open space uses. Common open spaces shall not include land included within street right-of-ways nor shall they include required open areas between buildings or between buildings and street right-of-ways, driveways, parking areas, and property boundary lines. No more than fifty (50) percent of the minimum required common open space shall be land with slope of over fifteen (15) percent and/or land otherwise not conducive to active recreation. The Township Supervisors may require all or part of common open space to be improved and/or equipped for suitable active recreation.

Common open space areas shall be readily accessible to only residents of the development, but shall be so located that they can be reached and used safely, without undue traffic or other hazards.

Written agreements satisfactory to and approved by the Township Supervisors shall be made for the perpetual preservation and maintenance of the common open space areas.

Common open space shall not be used for storm water detention or retention unless approval is given by the Township.

13. A system for pedestrian circulation within the tract shall be provided. This system shall consist of a series of paved walkways four (4) feet in width and shall provide access to community facilities and recreation areas, though they shall also be designed to provide privacy for dwelling units.
14. No more than five (5) percent of those portions of the tract with a slope of twenty-five percent (25) or greater shall be covered by impervious surfaces.
15. No more than fifteen (15) percent of those portions of the tract with a slope of between fifteen (15) and twenty-five (25) percent shall be covered by impervious surfaces.
16. No more than five percent (5) of those areas of the tract which have a high water table (as mapped in the Soils Survey of Schuylkill County) shall be covered by impervious surfaces.
17. No one dwelling type listed in Section 631.B.2 shall comprise more than sixty-five (65) percent of the total number of dwelling units within the development.
18. When apartments or townhouses are proposed, there must be at least three thousand, five hundred (3,500) square feet of land provided for each dwelling unit.
19. The maximum length of an apartment building shall be one hundred sixty five (165) feet. The maximum length of a townhouse row shall be eight (8) units and one hundred ninety-five (195) feet
20. No more than two (2) contiguous townhouses shall have the same front setback and the variations in front setback shall be at least four (4) feet.
21. No apartment building or townhouse shall be located within fifty (50) feet of a property line of the development.
22. No apartment building shall be located within fifty (50) feet of another dwelling.
23. A townhouse shall be located at least forty (40) feet from any dwelling which is not in the same continuous grouping of townhouses.
24. The minimum building setback line for a townhouse shall be twenty (20) feet.
25. The minimum building setback line for a one (1) story apartment building shall be twenty (20) feet, for a two (2) story apartment building, thirty (30) feet, and for a three (3) story apartment building, fifty (50) feet.
26. The maximum distance from the entrance of a residential building to a parking space serving the dwelling units contained within that building shall be three hundred (300) feet.
27. In the case of townhouses for sale where the sale of land with the townhouse will not be limited to the land actually covered by the townhouse, the following regulations shall apply to the townhouse lot:

Minimum Lot Width	18	feet
Minimum Lot Size	1800	sq. ft.
Minimum Rear Yard	25	feet

Minimum Side Yard
(end of row) 20 feet

28. Requirements for single family detached and single family semi-detached dwellings shall be as follows:

	Single Family <u>Detached</u>	Single Family <u>Semi -Detached</u>
Minimum Lot Size	8,000 sq. ft.	12,000 sq. ft.
Minimum Lot Width		
At Street Line	50 Feet	50 Feet
At Building Setback Line	70 Feet	70 Feet
Minimum Building Setback	20 Feet	20 Feet
Minimum Rear Yard	25 Feet	25 Feet
Minimum Side Yard		
Total	16 Feet	16 Feet
One Side	8 Feet	8 Feet
Maximum Lot Coverage	35 Percent	35 Percent

29. Refuse stations shall be suitably screened and placed in locations which are convenient for collection removal and not offensive to the occupants of dwelling units.

Adequate storage capacity shall be provided within containers at each refuse station to accommodate the projected solid waste volumes to be stored at that station.

30. Adequate lighting shall be provided to outdoor areas used by occupants after dark, including parking areas and recreation areas. Appropriate lighting fixtures must be provided for walkways. Lighting should be located to avoid shining directly into habitable room windows and into private outdoor open spaces associated with dwelling units. Number, type and illumination standards shall conform to the specifications published by the Illuminating Engineering Society of North America.

31. Existing trees shall be preserved whenever possible and desirable. The location of trees must be considered when planning the development. The developer shall indicate the means whereby trees and other natural features shall be protected during construction.

The proposed development shall be accomplished without excessive earth moving, tree clearance and destruction of natural amenities.

Natural features such as lakes, streams, topsoil, trees, shrubs, rock outcroppings and scenic views shall be preserved and incorporated into the final landscaping of the development whenever possible and desirable.

All housing shall be designed with regard to topography and natural features of the site.

32. The developer shall attempt to minimize the interruptions to traffic along roads within the development by limiting the number of points at which access is provided to the roads from parking areas.

In the design of the street system the developer shall attempt to eliminate or minimize through-traffic within the development which originates outside the development and limit any through-traffic to streets with minimal or no residential frontage. The

developer shall attempt to provide a system of collector and local streets such that traffic entering and leaving the development is directed to a limited number of collector streets with limited residential frontage and traffic entering and leaving the development is discouraged from local residential streets.

Safe and efficient means of ingress and egress from the development shall be provided. Points of ingress and egress shall be located so as to not create congestion or traffic hazards.

33. The minimum parking requirements shall comply with Section 609.A, Appendix 4, and be in accordance with Section 631.A.34.

34. The design of all common parking areas is subject to the approval of the Township. All common parking areas shall be paved.

Common parking areas shall be designed such that aisles within the parking areas will not be used for through-traffic, unless otherwise permitted by the Township.

35. No more than ten (10) parking spaces shall be permitted in a continuous row without being interrupted by approved landscaping.

No more than sixty (60) parking spaces shall be accommodated in any single parking area.

All common parking areas shall be landscaped.

36. Common parking areas shall not be designed or located to require cars to back into streets in order to leave the parking areas. All deadend parking lots shall provide adequate areas into which cars parked in the end stalls of the lots may back out.

Common parking areas and access drives shall be located a minimum of twenty (20) feet from all structures and from the exterior lot lines of the development.

Entrance and exit ways to common parking areas shall have a minimum width of twelve (12) feet for each lane of traffic entering or leaving the areas.

37. The minimum distance between common parking areas shall be twenty (20) feet. The design of common parking areas shall recognize the possible need for emergency service and access by emergency vehicles. The Township may require that secondary means of access and egress be provided for parking areas.

Common parking areas shall be screened from adjacent land and roads not included within the development by means of plantings, changes in grade or other means approved by the Township.

38. Entrances to driveways serving multiple-family dwellings shall be located at least seventy-five (75) feet from the point of intersection of the nearest street curb lines.

39. Retirement Communities shall retain or install a ten (10) foot wide perimeter property line vegetative buffer per Section 604 of this Ordinance and the Township SALDO.

Section 631.C. LIFE CARE RETIREMENT FACILITY

1. All accessory uses within the Life Care Retirement Facility shall be limited to facilities serving employees, residents and guests of residents. Accessory uses may include offices, health care services, maintenance facilities, recreational facilities, libraries, chapels, health-care facilities, gift shops, banks, snack bars, pharmacies, barber/beauty shops and other personal services.
2. The types of housing units allowed in a Life Care Retirement Facility are single family detached; single family semi-detached; townhouses; garden apartments; and congregate facilities as part of personal-care and skilled nursing-care facilities.
3. The density of all dwelling types, but excluding congregate facilities, of a Life Care Retirement Facility shall not exceed six (6) units per acre. In addition, congregate facilities shall be permitted at forty (40) beds per acre, with a maximum of one hundred and twenty (120) beds permitted for the overall development.
4. The maximum lot coverage shall be 40% of the total tract area.
5. Life Care Retirement Facilities shall comply with the following dimensional requirements:
 - a. Minimum lot area: 10 acres.
 - b. Minimum lot width: 300 feet.
 - c. Minimum front yard: 100 feet.
 - d. Minimum side yard: 100 feet.
 - e. Minimum rear yard: 100 feet.
 - f. Separation of buildings.
 - (1). Side to side: 20 feet.
 - (2). Side to rear: 30 feet.
 - (3). Side to front: 50 feet.
 - (4). Front to front: 50 feet.
 - (5). Front to rear: 50 feet.
 - (6). Rear to rear: 50 feet.
 - (7). Corner to corner: 20 feet.
 - g. Building setback from parking and street: twenty (20) feet from a parking area with more than four (4) spaces, alleys or streets.
 - h. The maximum height of buildings shall be thirty-five (35) feet.
6. The applicant shall guarantee occupancy only by persons fifty-five (55) years or older, their spouses or companions to the extent possible under state and federal law.
 - a. The guaranty shall be in a form acceptable to the Township upon recommendation by the Township Solicitor.
 - b. The guaranty shall be a covenant running with the land, applicable to the applicant and his heirs, successors, and assigns.
7. Any development shall be designed with unified standards for building design, landscaping, lighting and access to interior roads. These standards shall be submitted

in the form of protective covenants which shall be binding upon developers of individual lots.

8. Any commonly owned elements shall be owned and maintained in accordance with the Pennsylvania Uniform Condominium Act or other ownership arrangement reviewed by the Township Solicitor.
9. Not less than twenty (20) percent of the gross area to be developed shall be permanently set aside for non-commercial common open space purposes, such as recreation or conservation of natural features. These non-commercial open space areas shall be suitable by size, surface conditions, shape, and location for the designated purpose and contain no structure or parking facility except as related to and incidental to open space uses. No more than fifty (50) percent of the minimum required common open space shall be land with slope of over fifteen (15) percent and/or land otherwise not conducive to active recreation.

Common open space areas shall be readily accessible to residents of the development, but shall be so located that they can be reached and used safely, without undue traffic or other hazards.

Written agreements satisfactory to and approved by the Township Supervisors shall be made for the perpetual preservation and maintenance of the common open space areas.

Common open space shall not be used for storm water detention or retention unless approval is given by the Township.

10. No more than five (5) percent of those portions of the tract with a slope of twenty-five percent (25) or greater shall be covered by impervious surfaces.
11. No more than fifteen (15) percent of those portions of the tract with a slope of between fifteen (15) and twenty-five (25) percent shall be covered by impervious surfaces.
12. No more than five (5) percent of those areas of the tract which have a high water table (as mapped in the Soils Survey of Schuylkill County) shall be covered by impervious surfaces.
13. No one dwelling type listed in Section 702.A.2 shall comprise more than sixty-five (65) percent of the total number of dwelling units within the development.
14. When apartments or townhouses are proposed, there must be at least three thousand, five hundred (3,500) square feet of land provided for each dwelling unit.
15. The maximum length of an apartment building or a congregate facility shall be one hundred sixty five (165) feet. The maximum length of a townhouse row shall be eight (8) units and one hundred ninety-five (195) feet.
16. No more than two (2) contiguous townhouses shall have the same front setback and the variations in front setback shall be at least four (4) feet.
17. No congregate facility, apartment building or townhouse shall be located within fifty (50) feet of a property line of the development.

18. No congregate facility or apartment building shall be located within fifty (50) feet of another dwelling.
19. A townhouse shall be located at least forty (40) feet from any dwelling which is not in the same continuous grouping of townhouses.
20. The minimum building setback line for a townhouse shall be twenty (20) feet.
21. The minimum building setback line for a one (1) story apartment building shall be twenty (20) feet, for a two (2) story apartment building, thirty (30) feet, and for a congregate facility or three (3) story apartment building, fifty (50) feet.
22. The maximum distance from the entrance of a residential building to a parking space serving the units contained within that building shall be three hundred (300) feet.
23. In the case of townhouses for sale where the sale of land with the townhouse will not be limited to the land actually covered by the townhouse, the following regulations shall apply to the townhouse lot:

Minimum Lot Width	18	feet
Minimum Lot Size	1800	sq. ft.
Minimum Rear Yard	25	feet
Minimum Side Yard (end of row)	20	feet

24. Requirements for single family detached and single family semi-detached dwellings shall be as follows:

	<u>Single Family Detached</u>	<u>Single Family Semi -Detached</u>
Minimum Lot Size	8,000 sq. ft.	12,000 sq. ft.
Minimum Lot Width		
At Street Line	50 Feet	50 Feet
At Building Setback Line	70 Feet	70 Feet
Minimum Building Setback	20 Feet	20 Feet
Minimum Rear Yard	25 Feet	25 Feet
Minimum Side Yard		
Total	16 Feet	16 Feet
One Side	8 Feet	8 Feet
Maximum Lot Coverage	35 Percent	35 Percent

25. Refuse stations shall be suitably screened and placed in locations which are convenient for collection removal and not offensive to the occupants of dwelling units.

Adequate storage capacity shall be provided within containers at each refuse station to accommodate the projected solid waste volumes to be stored at that station.

26. Adequate lighting shall be provided to outdoor areas used by occupants after dark, including parking areas and recreation areas. Appropriate lighting fixtures must be provided for walkways. Lighting should be located to avoid shining directly into habitable room windows and into private outdoor open spaces associated with dwelling units. Number, type and illumination standards shall conform to the specifications published by the Illuminating Engineering Society of North America.

27. Existing trees shall be preserved whenever possible and desirable. The location of trees must be considered when planning the development. The developer shall indicate the means whereby trees and other natural features shall be protected during construction.

The proposed development shall be accomplished without excessive earth moving, tree clearance and destruction of natural amenities.

Natural features such as lakes, streams, topsoil, trees, shrubs, rock outcroppings and scenic views shall be preserved and incorporated into the final landscaping of the development whenever possible and desirable.

All housing shall be designed with regard to topography and natural features of the site.

28. The developer shall attempt to minimize the interruptions to traffic along roads within the development by limiting the number of points at which access is provided to the roads from parking areas.

In the design of the street system the developer shall attempt to eliminate or minimize through-traffic within the development which originates outside the development and limit any through-traffic to streets with minimal or no residential frontage. The developer shall attempt to provide a system of collector and local streets such that traffic entering and leaving the development is directed to a limited number of collector streets with limited residential frontage and traffic entering and leaving the development is discouraged from local residential streets.

Safe and efficient means of ingress and egress from the development shall be provided. Points of ingress and egress shall be located so as to not create congestion or traffic hazards.

29. The design of all common parking areas is subject to the approval of the Township. All common parking areas shall be paved.

Common parking areas shall be designed such that aisles within the parking areas will not be used for through-traffic, unless otherwise permitted by the Township.

30. No more than ten (10) parking spaces shall be permitted in a continuous row without being interrupted by approved landscaping.

No more than sixty (60) parking spaces shall be accommodated in any single parking area.

All common parking areas shall be landscaped.

31. Common parking areas shall not be designed or located to require cars to back into streets in order to leave the parking areas. All dead end parking lots shall provide adequate areas into which cars parked in the end stalls of the lots may back out.

Common parking areas and access drives shall be located a minimum of twenty (20) feet from all structures and from the exterior lot lines of the development.

Entrance and exit ways to common parking areas shall have a minimum width of twelve (12) feet for each lane of traffic entering or leaving the areas.

32. The minimum distance between common parking areas shall be twenty (20) feet.

The design of common parking areas shall recognize the possible need for emergency service and access by emergency vehicles. The Township may require that secondary means of access and egress be provided for parking areas.

Common parking areas shall be screened from adjacent land and roads not included within the development by means of plantings, changes in grade or other means approved by the Township.

33. Entrances to driveways serving multiple-family dwellings shall be located at least seventy-five (75) feet from the point of intersection of the nearest street curb lines.

34. Parking of recreational vehicles, travel trailers, buses, boats (including trailers), and other trailers used solely for the transport of the residents' recreational vehicles are permitted in an area designated for such use. Class I and Class II vehicles as defined in Subsection 609.A.18 of this Ordinance are to be parked in spaces at least twelve (12) by twenty-two (22) feet in size. There shall be one (1) such space provided for every six (6) dwelling units. The parking area for said vehicles shall not be within twenty (20) feet of any property line. Class III vehicle storage is prohibited. The outdoor storage of unregistered vehicles, as defined in this Ordinance, is prohibited.

35. Life Care Retirement Facilities shall retain or install a ten (10) foot wide buffer yard complying with Section 604 of this Ordinance and the Township SALDO along all adjacent property lines (excluding property lines along public roads). In addition, storage areas for trash and recyclable materials shall be screened from view of adjacent properties.

36. Lighting facilities shall not produce direct glare on adjacent properties and shall meet Section 605 of this Ordinance.

37. Identification signs, not to exceed twenty-five (25) square feet, shall be permitted, provided that no more than one (1) such sign is located at each public street access to the facility. Such signs shall be located a minimum of ten (10) feet from the cartway or outside the right-of-way and fifty (50) feet from all side yard property lines. Signs may be illuminated with indirect focused lighting only. All other sign requirements shall meet Section 606 of this Ordinance.

38. The following minimum parking standards, and those of Section 609.A shall apply to a Life Care Retirement Facility:

- a. Single-family detached; semi-detached; and townhouses: two (2) spaces per unit.
- b. Garden Apartment dwelling unit: one (1) space for each unit plus one visitor space for every five units.
- c. Healthcare Facilities: one (1) space for every four (4) beds.
- d. Staff parking: one (1) space per staff member working the largest shift.
- e. Congregate Facility: one (1) space for every unit.

39. Interior drives, alleys or streets shall be designed to prevent the blockage of vehicles entering or leaving the site. The minimum cartway width shall be twelve (12) feet for one-way streets and twenty (20) feet for two-way streets. In addition, all any Life Care Retirement Facility shall have at least two (2) means of ingress and egress from a public street into said facility.
40. A system for pedestrian circulation within the tract shall be provided. This system shall consist of a series of paved walkways four (4) feet in width and shall provide access to community facilities and recreation areas, though they shall also be designed to provide privacy for dwelling units. Pedestrian walkways shall be accessible from the entrance of each residential structure.
41. The applicant shall demonstrate that the proposed use will be provided with a public or private sewerage system and a public or private water system.
42. A traffic impact study, subject to the requirements of the Township SALDO, shall be submitted.
43. The applicant proposing a Life Care Retirement Facility shall obtain documentation from appropriate providers of ambulance and fire services indicating the ability to provide service to the site.

Section 632. CLUSTER DEVELOPMENT

1. Intent of Cluster Development in the R-C and A-P Zoning Districts
 - a. Cluster Development allows for the reduction of lot area and other bulk requirements so that dwellings may be grouped in certain areas of the Parent Tract, while the remainder of the site is set aside as common open space.
 - b. Within the R-C and A-P Zoning Districts, development is restricted in its intensity and limited in the type of non-agricultural land uses allowed, therefore, the only allowable residential uses permitted in these districts are single-family detached dwellings.
 - c. The intensity of development (e.g. how many “lots” or “Development Units” are allowed to be created from a farm) is more restricted in the R-C and A-P Zoning Districts than in other zoning districts in the Township. The intent of cluster development in the R-C and A-P Zoning Districts is to allow for more “lots” on less acres of land in a “clustered” arrangement while still making a good faith effort to maintain the existence of large contiguous agricultural parcels through open space requirements. The density restrictions in this Section shall apply to all Parent Tracts as of the effective date of this Ordinance.
2. Site Requirements for Cluster Development Use.
 - a. Cluster Development shall be permitted as a Special Exception Use in the R-C and A-P Zoning Districts.

- b. Only tracts of land which are at least twenty-five (25) gross acres in size may propose a cluster development.
- c. The cluster development shall be served by both a community sewerage system and a community water system.
- d. The tract of land to be developed shall be in single ownership.
- e. At least sixty (60) percent of the land shall be permanently preserved by deed restriction as open space and/or agricultural land.
- f. All cluster developments shall be served by an internal private road network which shall be designed and constructed to meet the standards set forth in the West Brunswick Township SALDO.
- g. All cluster developments which propose more than twenty-five (25) single family dwellings shall provide two (2) points of access from said development to an existing public road.

3. Density and Dimensional Standards for Cluster Development

	<u>R-C</u>	<u>A-P</u>
a. Minimum Tract Size	25 Acres	25 Acres

b. Area, Yard, and Height Regulations for Cluster Development in the R-C and A-P Zoning Districts

- (1). Use - Single Family Detached Dwelling
 - A. Min. Lot Area - 15,000 sq. ft.
 - B. Min. Lot Width - 100 feet
@ Lot Line
 - C. Min. Lot Width - 100 feet
@ Setback Line
 - D. Min. Front Yard 30 feet
 - E. Min. Side Yard 20 feet each side
 - F. Min. Rear Yard 30 feet

c. Maximum Density of Cluster Development

- (1). The maximum density shall be determined by a Yield Plan. The Yield Plan will show the maximum number of lots that could be developed on the Parent Tract using the cluster development criteria contained in this Ordinance.
- (2). The Yield Plan shall, at minimum, contain the following:
 - A. A boundary survey signed and sealed by a Professional Land Surveyor (PLS) registered in the Commonwealth of Pennsylvania indicating the gross area of the Parent Tract.
 - B. Any and all road rights of way.

- C. Utility rights of way, whether they were established by easement or fee simple transactions.
 - D. Areas of wetlands as determined via a Jurisdictional wetland delineation performed by a qualified individual.
 - E. Areas containing slopes in excess of 25% as determined by a topographic survey performed by a Professional Land Surveyor.
 - F. Areas subject to floodplains determined either by using current FEMA maps; or, in the case of an unmapped stream via an actual calculated floodplain limit derived from a field survey.
- (3). The Yield Plan shall indicate the gross acreage of each topographic feature listed in Subsections 632.3.c.(2).A. through F. above. Where two (2) or more of these categories overlap, the overlapping acreage shall be counted only once, using the most restrictive classification. The acreages of these various topographic features shall be added together and this total acreage figure shall be referred to as the “Deducted Acreage”.
- (4). The gross acreage of the Parent Tract minus the “Deducted Acreage” is then multiplied by the open space coefficient (the percentage of the Parent Tract required to be preserved as open space and/or agricultural land as stated in Subsection 632.2.e). The resultant figure is the amount of area available for the cluster development of single family detached dwellings.

(As an example using a 100 gross acre parent tract in A-P Zoning District and 20 acres designated as the “deducted acreage”).

The area required to be preserved as open space and/or agricultural land shall equal 60 percent of the difference between the gross parent tract acreage minus the “deducted acreage” of the features indicated in Subsections 632.3.c.2.B. through F.

The formula is: (Gross Acreage – Deducted Acreage) X .60 = required open space and/or agricultural land.

Using the above figures: (100 acres – 20 acres) X .60 = 48 acres

This 100 acre tract would require the preservation of 48 acres of open space or agricultural land. 32 acres would be available for cluster development.

4. Neighborhood Standards for Cluster Developments

- a. All residential lots are required to be grouped into “Neighborhoods” according to any open space residential provisions of the Township SALDO.

- b. Neighborhoods shall contain at least five (5) but no more than ten (10) lots surrounded by open land. Neighborhoods are defined by the outer perimeter of contiguous lotted houses.
 - c. Neighborhoods shall be defined and separated by open land in order to provide direct access to open space. Roads may not be used to separate adjacent neighborhoods unless one or more of the following are provided:
 - (1). The road is designed as a parkway, with a minimum ten (10) foot wide planted median.
 - (2). A fifty (50) foot setback is provided along one side of the road measured from the right of way line to the closest residential lot line.
 - (3). A landscape buffer, that forms an effective visual screen, shall be planted within said fifty (50) foot setback. The buffer shall meet the requirements of Section 604 of this Ordinance and the Township SALDO.
 - d. Neighborhood residential lots shall not be directly accessed from existing state or township roads. All lots in a neighborhood shall take access from interior private roads.
 - e. Views of neighborhoods from exterior roads shall be minimized by existing vegetation and/or additional landscaping but in all cases, said landscaping shall be designed in a way to preserve scenic views.
5. Neighborhood Setbacks for Cluster Developments
- a. Twenty-five (25) feet from wetlands or floodplain.
 - b. One hundred (100) feet from public roads adjoining the Parent Tract.
 - c. Fifty (50) feet from the Parent Tract's external boundaries.
 - d. Seventy-five (75) feet (unless Subsection 632.4.c is utilized) from other neighborhoods within the same cluster development.
 - e. All setbacks along public roads shall be planted with a vegetative landscaped buffer, in order to screen the view of the cluster development from the traveling public. The buffer shall meet the requirements of Section 604 of this Ordinance and the Township SALDO.

Section 633. GARDEN/MEDIUM DENSITY (MID-RISE) APARTMENT BUILDINGS

- 1. Minimum Lot Size is one (1) acre for garden apartments and two (2) acres for medium density.
- 2. Minimum Lot Width is one hundred (100) feet.

3. Minimum Front Yard is seventy-five (75) feet (fifty [50] feet of which may be used for parking with a required ten (10) foot wide planting strip, starting at the right-of-way line).
4. Minimum Side Yard is twenty (20) feet (with a ten (10) foot planting strip at the property line).
5. Minimum Rear Yard is fifty (50) feet (with a ten (10) foot planting strip at the property line).
6. Density requirements shall comply with Section 631.A.14.
7. Minimum Apartment Size: is five hundred (500) square feet of Habitable Floor Area for each one (1) bedroom apartment (with an additional one hundred and fifty [150] square feet of Habitable Floor Area per each additional bedroom).
8. Minimum Spacing between Apartment Buildings is twenty five (25) feet.

	<u>Garden Apartments</u>	<u>Medium Density</u>
Maximum Height	35 feet	48 feet
Maximum Stories	3 ½	6
Maximum Impervious Surface	80%	80%

9. PARKING:

- a. Minimum number of off-street parking spaces:
 - (1). Two (2) per unit for one (1) and two (2) bedroom apartments.
 - (2). Three (3) per unit for three (3) bedrooms or more apartments.
 - (3). Provide a 0.25 space/unit as “overflow parking” which shall be provided throughout the development area in a series of off-street parking areas.
- b. The maximum distance from the entrance of an apartment building to a parking space serving the dwelling units contained within that building shall be three hundred (300) feet.
- c. No more than ten (10) parking spaces shall be permitted in a continuous row without being interrupted by approved landscaping.
- d. No more than sixty (60) parking spaces shall be accommodated in any single parking area.
- e. Common parking areas shall not be designed or located to require cars to back into streets in order to leave the parking areas. All deadend parking lots shall provide adequate areas into which cars parked in the end stalls of the lots may back out.
- f. Common parking areas and access drives shall be located a minimum of twenty (20) feet from all structures and from the exterior lot lines of the development.

- g. Entrance and exit ways to common parking areas shall have a minimum width of twelve (12) feet for each lane of traffic entering or leaving the areas.
 - h. The minimum distance between common parking areas shall be twenty (20) feet.
 - i. The design of common parking areas shall recognize the possible need for emergency service and access by emergency vehicles. The Township may require that secondary means of access and egress be provided for parking areas.
 - j. All other parking requirements shall meet Section 609.A of this Ordinance.
10. A minimum of one (1) off-street loading space for each apartment building shall be provided. Off street loading shall meet the requirements of Section 608 of this Ordinance.
 11. A system for pedestrian circulation within the tract shall be provided. This system shall consist of a series of paved walkways four (4) feet in width and shall provide access to community facilities and recreation areas, though they shall also be designed to provide privacy for dwelling units.
 12. Outdoor storage areas and refuse and refuse collection facilities shall be screened by walls or opaque fencing, at least six (6) feet and no more than eight (8) feet high. Said Facilities shall be no closer than fifty (50) feet to any property line. Refuse stations shall be suitably screened and placed in locations which are convenient for collection removal and not offensive to the occupants of dwelling units.
 13. Landscaping shall meet the requirements of Section 604 of this Ordinance and the Township SALDO.
 14. The connection of any apartment development to a public or private community sewerage system and a public or private community water supply system is required.
 15. Not less than twenty (20) percent of the Net Lot Area to be developed shall be permanently set aside for non-commercial common open space purposes, such as recreation. Common open space areas shall be readily accessible to residents of the development, but shall be so located that they can be reached and used safely, without undue traffic or other hazards.
 16. Parking of recreational vehicles, travel trailers, buses, boats (including trailers), and other trailers used solely for the transport of the residents' recreational vehicles are permitted in an area designated for such use. Class I and Class II vehicles as defined in Subsection 609.A.18 of this Ordinance are to be parked in spaces at least twelve (12) by twenty-two (22) feet in size. There shall be one (1) such space provided for every six (6) dwelling units. The parking area for said vehicles shall not be within twenty (20) feet of any property line. Class III vehicle storage is prohibited. The outdoor storage of unregistered vehicles, as defined in this Ordinance, is prohibited.
 17. Signs shall meet the requirements of Section 606 of this Ordinance.
 18. Adequate lighting shall be provided to outdoor areas used by occupants after dark, including parking areas and recreation areas. Appropriate lighting fixtures must be

provided for walkways. Lighting should be located to avoid shining directly into habitable room windows and into private outdoor open spaces associated with dwelling units. Number, type and illumination standards shall conform to the specifications published by the Illuminating Engineering Society of North America. No direct beams of light shall be directed toward adjacent properties or roads. No lighting shall be utilized in such a manner to produce a noxious glare or light intensity greater than one-half (0.50) foot-candle beyond the lot boundaries.

19. Apartment Building Accessory Uses – Shall be restricted to uses designed for residents of the apartment units and may include such uses as areas for washing machines and dryers and vending machines; lockers and storage areas; recreational rooms, areas and lounges; swimming pools and outdoor recreational areas. One (1) office for the purposes of administering and renting dwelling units may be established. One (1) “sample” apartment for display purposes shall be permitted for each type of dwelling unit to be constructed.

Section 634.A RESIDENTIAL CONVERSION

1. Residential Conversion – As defined in Section 201 of this Ordinance.
2. The Residential Conversion shall retain its single-family dwelling appearance from the street.
3. Each dwelling unit shall not have less than two (2) bedrooms and seven hundred (700) square feet of Habitable Floor Area which meet the definition of this Ordinance.
4. The lot area for a Residential Conversion shall not be reduced to any amount less than that required by this Ordinance for the zoning district in which the original single family home is located.
5. The yard and building area requirements for the zoning district in which the original single family dwelling unit is located shall not be reduced.
6. There shall be no external alteration of the original single family dwelling except as for the alteration which are necessary to provide each new dwelling unit with it’s own separate access. Fire escapes and outside stairways shall, where practicable, be located to the rear of the building.
7. For each dwelling unit, there shall be a minimum of two (2) parking spaces onsite, or any other arrangements as may be deemed appropriate by the Zoning Officer.
8. The Residential Conversion shall be served by both a public community sewerage system and a public community water supply.
9. The Zoning Officer shall have the right to specify any further conditions and restrictions as he may consider appropriate.

Section 634.B. BOARDING HOUSE

1. The boarding house shall retain its single family dwelling appearance from the street. No signs other than those relating to the identification of the owner of the dwelling are allowed.
2. The Habitable Floor Area (which meet the definition of this Ordinance) of rooms for lodgers shall be two hundred and fifty (250) square feet.
3. Each boarding house shall contain complete bath facilities and a central kitchen with complete cooking and washing facilities. The facilities shall be available to the occupants of the boarding house at all hours. No cooking facilities of any kind shall be located in any room except the central kitchen.
4. No basement or cellar shall be used as a habitable room.
5. The applicant shall provide documentation to the Zoning Officer stating that the boarding house meets all of the plumbing, electrical, heating, building, fire, and similar standards set by the Township and the Commonwealth of Pennsylvania.
6. One (1) off-street parking space for every one (1) renter and two (2) off-street parking spaces for the owners of the dwelling shall be provided, as well.

Section 635. GROUP HOMES

1. A Group Home shall not include “treatment centers” or “methadone treatment centers” as defined in this Ordinance.
2. If a Group Home is in a residential district, an appearance shall be maintained that is closely similar to nearby dwellings, and no sign shall identify the use. The only physical changes to the dwelling shall be those required by law. When the use is abandoned, any subsequent use shall conform to permitted uses in the zoning district.
3. A Group Home shall function as a common household unit. A Group Home shall meet the restrictions in this ordinance’s definition of family for the maximum number of unrelated persons, except that up to two (2) paid professional staff may reside in the Group Home, but they shall not count towards such maximum number.
4. The Group Home shall have adequate staff supervision for the number and type of residents.
5. Although live-in supervision is not required, the sponsoring social service agency shall document to the Zoning Hearing Board that the agency shall provide the residents of the Group Home with the physical safety and the emotional support they require. Because residents of a Group Home are likely to be suffering from personal crises, some form of immediate contact with a counselor should be available at all hours. Likewise, immediate contact with sponsoring social service agencies should be available to members of the public who may be in need of the services of the Group Home.

6. A licensed physician, psychologist, counselor or social worker in the employ of or under contract to the social service agency shall be responsible for the assignment of residents to the Group Home.
7. At least one (1) supervisor shall be on call during all hours during which any resident of the Group Home is on the premises.
8. The Group Home shall provide, in writing, its location, general type of treatment/care, maximum number of residents and sponsoring agency to the Zoning Hearing Board.
9. The applicant shall provide evidence of any applicable federal, state, or county licensing or certification to the Zoning Hearing Board.
10. A site plan and architectural plans, drawn to scale, shall be submitted to the Zoning Hearing Board. These plans shall show the location and dimensions of off-street parking, private entrances, walkways, landscaping, the dimensions and the square footage of each room and storage space and shall indicate the intended use of each room.
11. No Group Home shall be located within five hundred (500) feet of any church, hospital, nursing home, convalescent home, or other similar type of facility that provides skilled nursing care, charitable institution, school or public playground another Group Home or a group institution, Adult Day Care Home, or Adult Day Care Center measured on a straight line radius from the property line so used to the property line proposed to be used. Upon request by the Township, a landowner shall furnish proof that the Group Home is licensed under an applicable program by the Commonwealth of Pennsylvania.
12. The premises at which the Group Home is located shall be owned or leased by the social service agency sponsoring the Group Home.
13. The sponsoring social service agency shall document to the Zoning Officer that all building, fire, plumbing, heating, electrical, and similar systems meet the standards set by the Township and by the Commonwealth of Pennsylvania.
14. A minimum of one (1) off-street parking space shall be provided per on-site employee, plus one (1) space for every two (2) residents of a type reasonably expected to be able to drive a vehicle.

Section 636. DWELLING UNITS IN COMBINATION WITH OFFICES OR COMMERCIAL USES

1. No dwelling unit shall be located on a floor below an office or commercial use.
2. Dwelling units shall have a separate entrance from the principal commercial uses.
3. A minimum of one hundred fifty (150) square feet of open space or balcony area shall be provided per unit.
4. Parking spaces for dwelling units shall be provided at a rate of one and one-half (1.5) spaces per unit and clearly demarcated.

Section 637 through 639 (Reserved)

Section 640.A. HOSPITALS, GENERAL

1. It is the specific intent of this section to:
 - a. Ensure that Hospitals as defined in this Ordinance are suitably designed and sited so as to protect the character of adjacent neighborhoods.
 - b. Ensure that Hospitals will be adequately served by public facilities and services.
2. The following shall apply to General Hospitals:
 - a. Minimum Lot Area: 5 Acres.
 - b. Minimum Lot Width: 200 feet.
 - c. Minimum Front Yard: 100 feet.
 - d. Minimum separation between buildings: 75 feet.
 - e. Minimum setback from side or rear lot lines: 100 feet.
 - f. Maximum Impervious Coverage 60 %.
3. The subject property shall have frontage along an arterial or collector road.
4. The applicant shall submit a traffic impact study per the Township SALDO.
5. Adequate provision shall be made for a system of roads sufficient to accommodate predictable vehicular traffic and to ensure safe and efficient vehicular access for emergency management equipment.
6. Emergency entrances shall be located on a building wall that faces away from adjoining residential zoned properties, or separated by at least three hundred (300) feet from residential properties.
7. A public water supply and a public sewerage system are required.
8. Adequate provision shall be made for the collection, disposal and recycling of garbage, trash, and medical and hazardous waste.
9. Where more than one (1) of the permitted uses enumerated below are proposed, either at one (1) time or separately over time, integrated site function and design shall be required, consistent with the creation of a campus-like environment:
 - a. Commercial day-care facilities for children of the hospital staff.
 - b. Commercial schools with exclusively health care-related curricula intended to prepare enrolled students for careers in health care, nursing schools, and other allied health technology training programs.
 - c. Health and fitness equipment for staff and patients.
 - d. Hospices.

- e. Intermediate care and skilled nursing facilities.
 - f. Medical and dental offices.
 - g. Outpatient health services, including, but not limited to, laboratories, radiological and diagnostic imaging services, blood banks, outpatient surgery centers, and outpatient clinics and patient care facilities.
 - h. Accessory buildings, uses and services customarily incidental to the above uses, including, but not limited to, the following:
 - (1). Administrative offices.
 - (2). Automobile parking lots and parking garages.
 - (3). Housing for students, employees and their families in accordance with the underlying Zoning District.
 - (4). Heliport, per Subsection 640.A.10.a below.
 - (5). Customary accessory uses such as cafeterias, gift shops, news stands, other small retail operations, intended primarily for the occupants' visitors. If any of these accessory uses are housed in a separate building, they must meet the dimensional regulations of the zoning district in which it is located.
10. Additional accessory use regulations:
- a. Heliport- The heliport shall only be used for the emergency transport by helicopter or patients to or from other permitted health care-related uses. The heliport shall not include auxiliary facilities, such as fueling and maintenance equipment. The heliport shall be set back a minimum of three hundred (300) feet from any adjoining property and any street. The applicant must demonstrate compliance, through a written statement, and continue to comply with applicable state and federal standards.
 - b. Hospital waste – Only the processing of waste generated on-site is permitted. All processing and storage of waste shall be conducted within a completely enclosed building. All storage of waste shall be in a manner that is leak-and-vector-proof. No storage of waste shall exceed seven (7) days in length. Incineration of hospital waste is prohibited on-site. The applicant must demonstrate compliance with all applicable state and federal standards and regulations.
11. Maximum permitted height: sixty (60) feet for hospitals, provided all structures are set back a horizontal distance equal to their height from each property line and street right-of-way line and thirty-five (35) feet for all other uses.
12. Parking
- a. One (1) off-street parking space for every three (3) patient beds.
 - b. One (1) off-street parking space for every one point five (1.5) employee and staff member.

Section 640.B HEALTHCARE FACILITIES/SERVICES

1. It is the specific intent of this section to:
 - a. Ensure that Healthcare Facilities and Services as defined in this Ordinance are suitably designed and sited so as to protect the character of adjacent neighborhoods.
 - b. Ensure that Healthcare Facilities & Services will be adequately served by public facilities and services.
2. Healthcare Facilities & Services shall be served by a public water supply and public sewerage system.
3. A traffic study shall be performed in compliance with the Township SALDO.
4. The following shall apply to Healthcare facilities & Services:
 - a. Minimum Lot Area: 2 Acres – Healthcare Facilities only
1 Acre – Healthcare Services
 - b. Minimum Lot Width: 100 feet
 - c. Minimum Front Yard: 50 feet
 - d. Minimum separation between buildings: 50 feet – Healthcare Facilities
35 feet – Healthcare Services
 - e. Minimum setback from side or rear lot lines: 50 feet – Healthcare Facilities
25 feet – Healthcare Services
 - f. Maximum Impervious Coverage: 50%
 - g. Maximum Building Height: 35 feet
5. Customary accessory uses such as cafeterias, gift shops, newsstands, other small retail operations, intended primarily for the occupants, visitors, and employees of the Healthcare Facilities as well as child day care centers for the children of staff personnel are allowed. The accessory uses shall meet the dimensional regulations of Healthcare Facilities.
6. Buffer yards shall be established along boundaries with residential districts or uses and along streets per the Township SALDO.
7. Parking for Healthcare Facilities
 - a. One (1) off-street parking space for every three (3) patient beds.
 - b. One (1) off-street parking space for every one (1) employee and staff member.
 - c. Three (3) off-street parking spaces for every physician, dentist or primary care-giver.
8. Parking for Healthcare Services
 - a. Two (2) off-street parking space for every one (1) employees and staff members.

Section 641.A. TREATMENT CENTER

For purposes of this section a “Treatment Center” is as defined in this Ordinance.

1. The applicant shall provide a written description of all types of persons intended to occupy the use during the life of the permit. Any future additions to this list shall require an additional special exception approval.
2. The applicant shall prove to the satisfaction of the Zoning Hearing Board that the use will involve adequate on-site supervision and security measures to protect public safety.
3. The Zoning Hearing Board may place conditions upon the use to protect public safety, such as conditions on the types of residents and security measures.

Section 641.B. METHADONE TREATMENT CENTER

For purposes of this section a “Methadone Treatment Center” is as defined in this Ordinance. This section of the ordinance regulates the location of Methadone Treatment Centers in certain locations in the Township.

1. Notwithstanding any other provision of law to the contrary and except as provided in Subsection 641.B.2, a methadone treatment facility shall not be established or operated within five hundred (500) feet of an existing school, public playground, public park, residential housing area, child-care facility, church, meetinghouse or other actual place of regularly stated religious worship established prior to the proposed methadone treatment facility.
2. The provisions of this subsection shall apply whether or not an occupancy permit or certificate of use has been issued to the owner or operator of a methadone treatment facility for a location that is within five hundred (500) feet of an existing school, public playground, public park, residential housing area, childcare facility, church, meetinghouse or other actual place of regularly stated religious worship established prior to the proposed methadone treatment facility.
3. Notwithstanding subsection 641.B.1, a methadone treatment facility may be established and operated closer than five hundred (500) feet to existing school, public playground, public park, residential housing area, child-care facility, church, meetinghouse or other actual place of regularly stated religious worship established prior to the proposed methadone treatment facility if, by majority vote, the Board of Supervisors for the municipality in which the proposed methadone treatment facility is to be located votes in favor of the issuance of an occupancy permit or certificate of use for said facility at such a location. At least fourteen (14) days prior to the governing body of a municipality voting on whether to approve the issuance of an occupancy permit or certificate of use for a methadone treatment facility at a location that is closer than five hundred (500) feet to a school, public playground, public park, residential housing area, child-care facility, church, meetinghouse or other actual place of regularly stated religious worship established prior to the proposed methadone treatment facility, one (1) or more public hearings regarding the proposed methadone treatment facility location shall be held within the municipality following public notice. All owners of real property located within five hundred (500) feet of

the proposed location shall be provided written notice of said public hearings at least thirty (30) days prior to said public hearings occurring.

4. This section shall not apply to a methadone treatment facility that is licensed by the Department of Health prior to May 15, 1999.
5. As used in this section, the term “Methadone Treatment Facility” shall mean a facility licensed by the Department of Health to use the drug methadone in the treatment, maintenance or detoxification of persons.

Section 642. SCHOOLS

1. A principal use in which supervised education or instruction is offered including, but not limited to, the following:

The following are defined in Section 201.

- a. Public School.
 - b. Private School.
 - c. Parochial School.
 - d. Day School.
 - e. Boarding School.
 - f. Business, Trade or Vocational School.
 - g. Technical School.
 - h. Commercial School.
 - i. Junior College.
 - j. Community College.
 - k. College.
 - l. University.
 - m. Hobby School/Hobby Studio.
2. Facilities which are subject to licensing by the Commonwealth shall show evidence of the license and the continued certification of the license.
 3. All property boundaries shall retain existing vegetation or provide a vegetative landscape buffer of at least ten (10) feet wide per Section 604 of this Ordinance and the Township SALDO.
 4. No storage of equipment or material shall be permitted outside a structure. Outdoor storage areas and refuse and refuse collection facilities shall be screened by walls or opaque fencing, at least six (6) feet and no more than eight (8) feet high. Said Facilities shall be no closer than fifty (50) feet to any property line.
 5. All lights shall be shielded and reflected away from adjoining property. Adequate lighting shall be provided to outdoor areas used by occupants after dark, including parking areas and recreation areas. Appropriate lighting fixtures must be provided for walkways. Lighting should be located to avoid shining directly into habitable room windows. No direct beams of light shall be directed toward adjacent properties or roads. No lighting shall be utilized in such a manner to produce a noxious glare or light intensity greater than one-half (0.50) foot-candle beyond the lot boundaries.
 6. The subject property shall have frontage along an arterial or collector road.

7. Ingress, egress and internal traffic circulation shall be designed to ensure safety and access by emergency vehicles.
8. The applicant shall submit a traffic impact study per the Township SALDO.
9. Adequate off-street parking and loading facilities shall be provided in accordance with the requirements of Section 609.A. of this Ordinance. In addition, passenger “drop off” and “pickup” areas shall be provided and arranged so that students do not have to cross traffic lanes on or adjacent to the site.
10. Swimming pools shall be subject to the provisions of this Ordinance.
11. Adequate provision shall be made for the collection, disposal, and recycling of garbage and trash. All dumpsters shall be set back a minimum of fifty (50) feet from any adjoining lots adjoining a residential or institutional use, screened from adjoining streets or lots, and completely enclosed within a fenced enclosure equipped with a self-latching door or gate.
12. When dormitories are proposed the following shall apply:
 - a. This use shall be limited to full-time students, faculty or staff of an accredited college, university, nursing school, medical training program or teaching hospital.
 - b. The building shall be set back a minimum of eighty (80) feet from any existing single-family detached dwelling or single-family semidetached (twin) dwelling that is not owned by the institution providing such dormitory.
 - c. A dormitory shall include a maximum of one cooking area for every twenty (20) students.
13. As defined in this ordinance, Public, Private, Parochial, Day, Boarding, and Business, Trade, or Vocational Schools shall provide an outdoor area reserved for recreation at a rate of one hundred (100) square feet per individual enrolled. Off-street parking lots shall not be used as outdoor recreation areas. Outdoor recreation areas shall not be located within the front yard, and must be set back twenty-five (25) feet from all property lines. Outdoor recreation areas shall be completely enclosed by a minimum (4) four-foot-high fence and screened from adjoining residentially zoned properties. Any vegetative materials located within the outdoor recreation area shall not be a harmful type (poisonous, thorny, allergenic, etc.). All outdoor recreation areas must provide a means of shade, such as a shade tree(s) or pavilion(s). “Enrollment” shall be defined as the largest number of students on the site at any one time during a seven (7) day period.
14. Signs shall meet the requirements of Section 606 of this Ordinance.

Section 643.A CHILD DAY-CARE FACILITIES

1. The following types of child day-care facilities are regulated by this section and defined in Section 201.

- a. Family Day-Care Home.
- b. Group Day-Care Home.
- c. Day-Care Center.

These are to be considered Commercial day-care facilities as defined and regulated by the Department of Public Welfare of the Commonwealth of Pennsylvania. These activities are not an accessory use to a dwelling.

2. All commercial day-care centers must obtain a valid certificate of compliance from the Department of Public Welfare, and the Department of Labor and Industry of the Commonwealth of Pennsylvania, prior to operation.
3. When allowed by Special Exception the Zoning Hearing Board shall determine whether the use will be detrimental to the surrounding area and the design of any structures erected in connection with such use shall be in keeping with the general character of the area, and such lot shall meet the requirements of the Zoning District in which it is located.

4. Family Day-Care Home and Group Day-Care Home

- a. The dwelling shall retain a residential appearance with no change to the exterior of the dwelling to accommodate the use, other than cosmetic improvements.
- b. The use shall be actively operated by a permanent resident of the dwelling.
- c. A minimum of five hundred (500) square feet of habitable floor area exclusive of halls, bathrooms, offices, kitchens, locker rooms, and related areas must be maintained on the premises.
- d. There shall be a minimum lot area of ten thousand (10,000) square feet and a minimum setback of any structure for the use shall be fifteen (15) feet from an abutting lot line.
- e. When an off-premises play area is utilized, it must be located within five hundred (500) feet and be safely accessible without crossing (at grade) any arterial street or other hazardous area.
- f. Any outdoor play area shall be surrounded by a four (4) foot high safety fence or natural barrier impenetrable by children or small animals.
- g. Outdoor play shall be limited to the hours between 8:00 a.m. and 7:00 p.m.
- h. No portion of on-premises or off-premises outdoor play area shall be located less than one hundred (100) feet from an existing occupied dwelling without the owner's written consent.

- i. Any sign shall comply with the regulations applicable to the zoning district in which the center is located.
- j. It shall be shown that a ten (10) by twenty (20) foot loading space is provided.
- k. It shall be shown that sewage and water facilities serving the dwelling are adequate.
- l. All other applicable requirements of this section and any Building Code, Fire Code or other applicable municipal and state ordinances shall be met.

5. Day-Care Center

- a. Sewer and Water - A public sewerage system and a public water system are required.
- b. Minimum Lot Area - Twenty thousand (20,000) square feet.
- c. Minimum Lot Width.
 - (1) At Street Line - One hundred (100) feet.
 - (2) At Front Yard Setback Line - One hundred (100) feet.
- d. Minimum Yard Dimensions.
 - (1) Front Yard - Fifty (50) feet.
 - (2) Side Yard - Each side - Twenty-five (25) feet.
 - (3) Rear Yard - Fifty (50) feet.
- e. A minimum of five hundred (500) square feet of habitable floor area exclusive of halls, bathrooms, offices, kitchens, locker rooms, and related areas shall be maintained on the premises.
- f. One off-street parking space shall be provided for each employee and one safe passenger unloading space measuring ten (10) by twenty (20) feet for each ten (10) children that the center is licensed to accommodate.
- g. In any residential district, no day-care center in a freestanding building shall be located within five hundred (500) feet of any other freestanding day-care center, private nursery or kindergarten. Day-care centers in schools or places of worship are exempt from this requirement.
- h. When an off-premises play area is utilized, it must be located within five hundred (500) feet and be safely accessible without crossing (at grade) any arterial street or other hazardous area.
- i. Any outdoor play area shall be surrounded by a four (4) foot high safety fence or natural barrier impenetrable by children or small animals.

- j. Outdoor play shall be limited to the hours between 8:00 a.m. and 7:00 p.m.
- k. No portion of on-premises or off-premises outdoor play area shall be located less than one hundred (100) feet from an existing occupied dwelling without the owner's written consent.
- l. Any sign shall comply with the regulations applicable to the zoning district in which the center is located.
- m. All other applicable requirements of this section and any Building Code, Fire Code or other applicable municipal and state ordinances shall be met.

Section 643.B ADULT DAY-CARE FACILITIES

1. The following apply to Adult Day-Care Homes as defined in Section 201 of this Ordinance:
 - a. The dwelling shall retain a residential appearance with no change to the exterior of the dwelling to accommodate the use, other than cosmetic improvements.
 - b. The use shall be actively operated by a permanent resident of the dwelling.
 - c. A minimum of five hundred (500) square feet of habitable floor area exclusive of halls, bathrooms, offices, kitchens, locker rooms, and related areas must be maintained on the premises.
 - d. There shall be a minimum lot area of ten thousand (10,000) square feet and a minimum setback of any structure for the use shall be fifteen (15) feet from an abutting lot line.
 - e. Any outdoor recreation area shall be surrounded by a four (4) foot high safety fence or natural impenetrable barrier.
 - f. It shall be shown that a ten (10) by twenty (20) foot loading space is provided.
 - g. It shall be shown that sewage and water facilities serving the dwelling are adequate.
 - h. Any sign shall comply with the regulations applicable to the zoning district in which the center is located.
 - i. All other applicable requirements of this section, and any Building Code, Fire Code, or other applicable municipal and state ordinances shall be met.
2. The following apply to Adult Day-Care Centers:
 - a. Adult day-care centers must be registered with the Pennsylvania Department of Aging and must demonstrate compliance with all applicable regulations for such facilities.

- b. One off-street parking space shall be provided for each employee and one safe passenger unloading space measuring ten by twenty (10 x 20) feet for each five (5) clients the center is licensed to accommodate.
- c. Any sign shall comply with the regulations applicable to the district in which the center is located.
- d. Sewer and Water - A public sewerage system and a public water system are required.
- e. Minimum Lot Area - Twenty thousand (20,000) square feet.
- f. Minimum Lot Width.
 - (1) At Street Line - One hundred (100) feet.
 - (2) At Front Yard Setback Line - One hundred (100) feet.
- g. Minimum Yard Dimensions
 - (1) Front Yard - Fifty (50) feet.
 - (2) Side Yard - Each side - Twenty-five (25) feet.
 - (3) Rear Yard - Fifty (50) feet.
- h. A minimum of five hundred (500) square feet of habitable floor area exclusive of halls, bathrooms, offices, kitchens, locker rooms, and related areas must be maintained on the premises.
- i. In any residential district, no day-care center in a freestanding building shall be located within five hundred (500) feet of any other free standing day-care center.
- j. All other applicable requirements of this section, and any Building Code, Fire Code, or other applicable municipal and state ordinances shall be met.

Section 644.A CHURCH / PLACE OF WORSHIP

- 1. The proposed use is a bona fide nonprofit religious use.
- 2. The intended use in the proposed location will not adversely affect the comfortable enjoyment of property rights and otherwise adversely affect the value of adjacent properties; that the design of any structure to be erected in connection with such use is in keeping with the general character of the area; and that sufficient landscaping, including trees, shrubs and lawn are provided to appropriately buffer these from adjoining properties and to insure an attractive appearance for the use.
- 3. Church-related (Place of Worship) residences (rectories and convents).
 - a. All residents' uses shall be accessory, and located upon the same lot or directly adjacent to a lot containing a Place of Worship.

- b. All residents' uses shall be governed by the location, and bulk standards imposed upon other residences within the underlying zoning districts.
4. Church-related educational or day-care facilities.
- a. All educational or day-care users shall be accessory, and located upon the same lot as a Place of Worship.
 - b. If education or day-care is offered below the college level, an outdoor play area shall be provided, at a rate of one hundred (100) square feet per individual enrolled. Off-street parking lots shall not be used as outdoor play areas, unless the applicant can demonstrate that such parking lots are not in use during play periods. Outdoor play areas shall not be located within the front yard, and must be set back ten (10) feet from all property lines. Outdoor play areas shall be completely enclosed by a minimum four (4) foot high fence. Any vegetative materials located within the outdoor play areas shall not be of a harmful type (poisonous, thorny, allergenic, etc.). All outdoor play areas must provide a means of shade, such as a shade tree(s) or pavilion(s).
 - c. "Enrollment" shall be defined as the largest number of persons under day-care supervision at any one time during a seven (7) day period.
 - d. Passenger "drop-off" areas shall be provided and arranged so that passengers do not have to cross traffic lanes adjacent to the site.
 - e. All educational or day-care uses shall be governed by the location, height, and bulk standards imposed upon principal uses within the underlying zone.
5. Parking requirements: Section 609.A of this Ordinance. Unless the applicant can demonstrate that the off-street parking associated with the Place of Worship is sufficient for the proposed use of a church-related education or day-care facility, one (1) off-street parking space shall be provided for each six (6) persons enrolled.

Section 644.B CEMETERIES

- 1. The minimum lot size for this use shall be two (2) acres which may be the same lot as an allowed Place of Worship.
- 2. Cemeteries may include mausoleums, crypts, and tombs above and below ground level.
- 3. A fence of no less than six (6) feet in height shall be placed around the entire perimeter of any cemetery.
- 4. An evergreen landscaped buffer, no less than six (6) feet in height shall be placed inside of the perimeter fence of the entire cemetery.
- 5. All structures and graves shall be set back a minimum of thirty (30) feet from the lot line of an abutting dwelling or any undeveloped residentially zoned lot, twenty (20) feet from the future right-of-way of any public street and ten (10) feet from the cartway of an internal driveway or any other lot line.

6. No grave sites shall be located within the one-hundred-year floodplain.
7. The applicant shall prove to the satisfaction of the Zoning Hearing Board, based upon review by the Township Solicitor, that the use will include an appropriate financial system to guarantee perpetual maintenance.

Section 645 and 646 (Reserved)

Section 647.A. CONDUCT OF AGRICULTURE

It is the intent of this Ordinance to allow the general and commercial practice of Agriculture in appropriate Zoning Districts. Agriculture, as defined in this Ordinance is permitted to be conducted within the Township and may be conducted even though those activities may create an annoyance or inconvenience to neighboring residential uses due to sights, sounds, smells or other conditions resulting from the agricultural activities, provided that the Agricultural activities are conducted in accordance with any and all regulations of the Township and the State and are not conducted in a manner which creates a definite danger to the health or safety of neighboring uses. Therefore, it is the intent of this Ordinance that Agriculture in the R-C, A-P, R-1, and R-2 Zoning Districts be regulated for the purpose of balancing the benefits and enjoyment of Agriculture, while minimizing it's potential conflicts with public health, safety and welfare. To achieve this balance, this Ordinance will regulate agricultural activities as General Agriculture and Agricultural Operations.

For the purposes of this Section "General Agriculture" and "Agricultural" operations are defined in Section 201 of this Ordinance.

Section 647.B. GENERAL AGRICULTURE REGULATIONS AND THE KEEPING OF DOMESTIC FARM ANIMALS

1. The keeping of certain small domestic animals (excluding mink which is an Intensive Agricultural activity) is permitted by right provided the regulations of this Ordinance are met, including the following (for purposes of this subsection, small domestic animals shall include animals such as rabbits and chinchilla; and poultry and fowl such as chickens, turkeys, geese, ducks, and pigeons):
 - a. The area within which small domestic animals are kept shall be enclosed by a suitable fence or structure designed for the containment of such animals.
 - b. The area where such small domestic animals are maintained shall be kept in a suitable grass cover and shall not be allowed to degrade to an erodible condition.
 - c. The owner of the small domestic animals shall exercise suitable control over the animals and shall not allow a nuisance condition to be created in terms of excessive noise, dirt, or odor.
 - d. No buildings housing small domestic animals shall be located within one hundred (100) feet of the nearest lot line.

2. Certain large domestic animal operations (except swine over one thousand (1,000) pounds/acre which is an Intensive Agricultural activity) are permitted by right provided the regulations of this Ordinance are met, including the following (for purposes of this subsection, large domestic animals shall include animals of the bovine, swine, equine and sheep families):
 - a. The area within which large domestic animals are kept shall be enclosed by a suitable fence designed for containment of such animals.
 - b. All areas utilized for grazing purposes shall be completely and entirely enclosed within a fence of sufficient type, height (and if necessary electrically activated) to ensure that grazing animals can not escape from said grazing area.
 - c. The area within which large domestic animals are maintained shall be kept in a suitable grass cover of at least two (2) acres in area and shall not be allowed to degrade to an erodible condition.
 - d. There shall be suitable control over the animals to not allow a nuisance condition to be created in terms of excessive noise, dirt, or odor.
 - e. All buildings erected to house such animals shall meet the setback requirements of this Ordinance.
3. The keeping of large and small domestic animals as described are permitted in accordance with Appendix 6.
4. No slaughter area, manure storage area, or structure designed or designated for the raising of pigs shall be established within one hundred (100) feet of any lot line.
5. Market Gardens as part of a General Agriculture activity. For the purpose of this Ordinance, a Market Garden is a General Agriculture activity and is allowed where General Agriculture is permitted. A Market Garden is a limited commercial activity of growing and selling fresh produce through the local growing season, as well as horticulture products. The sale of the fresh produce and horticultural products is limited to that which is grown and harvested on the property where the sales will occur. Sales may occur on said property in the Zoning District where this use is permitted from the field; greenhouse or nursery; the single family dwelling; or from Vehicles temporarily parked on said subject property for this purpose. The sales may only occur as a secondary activity in any structure since General Agriculture is a residential accessory use. Farm Stands, as defined in this Ordinance, are not permitted to be used as part of a Market Garden or General Agriculture activity; Farm Stands and structures resembling Farm Stands are only permitted on properties which meet the definition of Agricultural Operations.

Section 647.C. AGRICULTURAL OPERATION REGULATIONS

1. Agricultural Operations are only allowed on Farms (as defined) where permitted in West Brunswick Township. Agricultural Operations may include Intensive Agriculture but only as permitted in this Ordinance.

2. The processing of farm products, where such use is accessory to the raising or growing of such products and is located on the property on which the products are grown or raised is permitted by right.
3. The display and sale of farm products shall be permitted provided that throughout a calendar year, at least fifty percent (50%) of the quantity of products for sale have been produced on the property on which they are offered for sale. The sale of farm products may be conducted in a Farm Stand which shall not exceed one-thousand (1,000) square feet or twenty (20') feet in building height and which shall be located at least thirty (30') feet from the applicable street right-of-way. It must be shown to the Zoning Officer's satisfaction that adequate space for four (4) customer parking spaces and turn-around areas can be provided for use with existing buildings and conditions or the use of Farmstands. These required spaces are in addition to the two (2) required for any dwelling on the property, as well as employee parking for any permitted Family Farm Support Business. The determination of the Zoning Officer will include the evaluation that conditions will not allow vehicles to back out onto public roads and that the parking and turnaround areas will be adequate for all weather use and will not cause parking and driveway materials to be deposited onto public roads. It must also be shown to the Zoning Officer's satisfaction that adequate sight distance and driveway width (but not exceeding twenty [20'] feet) at the street line can be provided in a manner to provide safe ingress and egress for this use. Any alterations to existing driveways or the construction of a new driveway must meet the regulations of Section 610 of this Ordinance. The Farm Stand, parking area, and driveway will require a Township Zoning Permit and/or Driveway Permit (and/or Penn Dot Permits if adjacent to a State Road) and any other permits required by County, State, or Federal authorities.
4. Signs displaying information for the sale of farm products in Farm Stands or announcing the location of the Agricultural Operation is limited to one (1) free standing sign which shall not exceed fifteen (15) square feet in total area and shall be regulated as per Section 606 of this Ordinance.
5. All new agricultural buildings, which will not be an expansion of an existing building, intended for the housing of animals, poultry, or fowl shall be at least one hundred (100) feet from any lot line. All other new agricultural buildings (except those used for Intensive Agriculture), which will not be an expansion of an existing building, shall meet the yard regulations of the applicable zoning district. Within R-C and A-P Districts, all lawful agricultural buildings which existed at the effective date of this Ordinance may be expanded subject to the yard requirements of the applicable zoning district, provided which, prior to the effective date of this Ordinance, was constructed closer to a lot line than is permitted by this Ordinance, the agricultural building may be expanded into the required yard provided that the expanded portion of the building is located no closer to the lot line than the existing portion of the building.
6. The large and small domestic animal operations described herein are permitted in accordance with the following table. The Standard Animal Weights used to calculate Animal Units are found within Appendix 5 of this Ordinance.

No. of Acres	Maximum Animal Units Per Acre (1 Animal Unit = 1,000 lbs.) *

More than 10 and up to and including 20	1.0 (1000 lbs/acre)
More than 20	2.0 (2,000 lbs/acre)

* Any concentration of swine equal to or greater than one thousand (1,000) lbs/acre and any, and all, mink farms shall be considered an Intensive Agricultural activity. Any concentration of animal units of three point zero (3.0) or greater/acre shall be considered an Intensive Agricultural activity. Intensive Agriculture shall be limited to those lands of more than twenty-five (25) acres in the A-P Zoning District, and are subject to Section 648 of this Ordinance.

7. Any combination of large and small domestic operations is permitted, but in no instance shall any such combination exceed the animal units/acre in the chart above. The animal units per acre as stated above are permitted only if all other criteria of this Ordinance are met.
8. Large and small domestic animal operations are subject to all other sections of this Ordinance as applicable; the requirements set forth in the West Brunswick Township SALDO; any and all ordinances adopted by the Township; and all county, state, and federal regulations as may be applicable to these operations.
9. No slaughter area, spent mushroom compost storage area, manure storage area, or structure designed or designated for the raising of pigs shall be established within one hundred (100') feet of any lot line.
10. A Fly and Odor Abatement Plan shall be developed for all buildings and structures proposing any agricultural activity, and shall be submitted to the Township as part of the Zoning Permit review and approval process. The Township will forward a copy of the Fly and Odor Abatement Plan to the Penn State Cooperative Extension or an equivalent agency for its review and comments. Recognition is hereby given that certain agricultural activities will produce odors, but the applicant shall show that odors can be reduced to a minimum or abated. The plan of the applicant shall show such steps as may be necessary to abate odors or to stipulate times when there can be odors generated which will have minimal interference with neighbors.
11. Animal manure storage facilities planning, design, construction, and operation shall be in accordance with PA DEP approved manure management practices as described in the publication entitled "*Manure Management for Environmental Protection*" and addenda or amendments thereto prepared by PA DEP; "*The Pennsylvania Technical Guide*" and addenda or amendments thereto; Pennsylvania Code, Title 25, Chapter 83, Section 83.351, "Minimum Standards for the Design, Construction, Location, Operation, Maintenance and Removal From Service of Manure Storage Facilities" when applicable; and Pennsylvania Code, Title 25, Chapter 91, Section 91.36 "Pollution Control and Prevention at Agricultural Operations".

Section 648. INTENSIVE AGRICULTURE STANDARDS

1. Intensive Agriculture is regulated by this Section of this Ordinance.
2. Agricultural activities that meet the definition of Intensive Agriculture in Section 201 or exceed the standards and provision specified under Section 647.C. of this Ordinance (Agricultural Operations) shall be construed as Intensive Agriculture.

3. For purposes of this Zoning Ordinance the raising and ownership of horses, cattle, sheep, goats, poultry, rabbits or similar animals in any number or amount which exceeds three point zero (3.0) animal units per acre shall be considered Intensive Agriculture. Any swine operation in excess of one thousand (1,000) pounds per acre (1.0 animal unit per acre), the production processing or cultivation of mushrooms, and mink farms shall be also considered an Intensive Agricultural activity. Any and all Intensive Agricultural activities shall be conducted on lands, that exceed twenty-five (25) acres in size, and are located in the A-P Zoning District. Standard animal weights, which must be used to calculate animals units, are found within Appendix 5 of this Ordinance.
4. The raising and ownership of horses, cattle, pigs, hogs, sheep, goats, poultry, rabbits or similar animals shall be limited to four point zero (4.0) animal units per acre on lands which are greater than twenty-five (25) but less than forty (40) contiguous acres. Lands which exceed forty (40) acres are limited to five point zero (5.0) animal units per acre. Any Intensive Agricultural Use that intends to exceed the animal units per acre specified above shall require prior approval of a Variance by the Zoning Hearing Board before commencing operations. Standard animal weights, which must be used to calculate animal units, are found within Appendix 5 of this Ordinance.
5. No agricultural building or other accessory outbuilding utilized for any type of Intensive Agriculture shall be constructed within two hundred (200) feet of any residence, or within one hundred (100) feet of any property line, whichever distance is greater.
6. All areas utilized for grazing purposes shall be completely and entirely enclosed within a fence of sufficient type, height (and if necessary electrically activated) to ensure that grazing animals can not escape from said grazing area.
7. The production, processing or cultivation of mushrooms shall be construed as Intensive Agriculture.
 - a. Mushroom houses and complexes will require a Special Exception for up to one hundred thousand (100,000) square feet total gross building space for growing. Any use including more than one hundred thousand (100,000) square feet of mushroom growing space will require a Variance.
 - b. Mushroom houses shall be operated under the guidelines as set forth in “Best Practices for Environmental Protection in the Mushroom Farm Community”, draft of December, 1996, as may be amended, revised or adopted, which is incorporated herein by reference thereto.
 - c. Mushroom industry housing for workers will not be allowed except as it relates to single-family residences as regulated by this Zoning Ordinance.
8. A Nutrient Management Plan shall be prepared and approved under the guidelines of Title 25, Chapter 83, Subchapter D, Pennsylvania Code (as may be amended) for all proposed Intensive Agricultural uses. A copy of approved Nutrient Management Plan shall be submitted to the Township.

9. A stormwater management plan shall be prepared pursuant to the (SALDO) and any other stormwater management ordinances adopted by the Township. All such stormwater management plans shall be reviewed and approved by the Township Engineer for all proposed Intensive Agriculture uses.
10. No construction of any improvements required to support Intensive Agriculture shall be permitted except pursuant to an approved Land Development Plan.
11. An Erosion and Sedimentation Pollution Control Plan shall be prepared for and approved by the Schuylkill County Conservation District for all proposed Intensive Agricultural uses. A copy of the approved Erosion and Sedimentation Pollution Control Plan shall be submitted to the Township.
12. A Conservation Plan shall be prepared and approved by the Conservation District for all proposed Intensive Agricultural uses. The approved Conservation Plan shall be submitted to the Township.
13. A Landscaping Plan shall be submitted to the Township pursuant to this Ordinance, for all proposed Intensive Agricultural uses.
14. Solid and liquid wastes shall be disposed of in a manner that will avoid creating insect or rodent problems and in a manner which shall be consistent with the Nutrient Management Plan.
15. No discharges of liquid wastes and/or sewage shall be permitted into any water bodies, water reservoir, sanitary sewage or storm sewer disposal system, holding pond, stream or open body of water, or into the ground unless any such discharges are in compliance with any permits approved by the applicable local, state and/or federal regulatory agencies.
16. Any and all Intensive Agriculture uses and activities shall be reviewed and/or permitted by the Township, the Schuylkill County Conservation District, the Schuylkill County Cooperative Extension, and any and all applicable Federal and State Regulatory Agencies having jurisdiction over such matters prior to the commencement of any activities associated with said use.

Section 649 and 650 (Reserved)

Section 651.A. FAMILY FARM SUPPORT BUSINESS

West Brunswick Township recognizes the need to establish regulations pertaining to additional Farm businesses allowed on a Farm as a result of the increased need for the diversity of income for farmers to help offset the rising cost of living. Such regulations must be developed in a manner which protects adjacent uses from adverse effects. Since Farm related activities in sparsely populated areas do not typically represent a significant threat to adjacent property owners, the Township has created regulations for Family Farm Support Businesses in order to promote and preserve family farms within the Township. A Family Farm Support Business is permitted only as part of Agricultural Operations in the R-C, A-P, R-1, and R-2 Zoning Districts. A Family Farm Support Business is permitted as a use by right as part of Agricultural Operations, subject to the following standards:

1. For the purposes of this Ordinance, Family Farm Support Business may involve any one of a wide range of uses, so long as the use is compatible with the primary agricultural use of the land. The applicant must demonstrate that the Family Farm Support Business is compatible with the existing rural setting of the Township and will not create nuisances for nearby residences.
2. The Family Farm Support Business must be owned and operated by a person in residence of the property.
3. Examples of Family Farm Support Businesses shall include the following: agricultural equipment repair; welding; small machine repair; painting service; fencing service; sharpening service, livestock grooming; shearing or trimming services; agricultural consulting services; specialized small agricultural equipment and/or parts manufacturing; small-scale feed or fertilizer franchise; butcher shops; blacksmith shops; carriage shop or harness shop; riding academies, riding stables, horse boarding facility; woodworking.
4. No more than the equivalent of three (3) full time non-resident employees shall be employed by the Family Farm Support Business.
5. The Family Farm Support Business shall occupy an area no greater than a maximum of four thousand (4,000) square feet of gross floor area, of any structure that is used for said business.
6. The maximum acreage devoted to a Family Farm Support Business (including the structure, parking, storage and driveway, if separate) shall be no more than five (5) contiguous acres except for lands used for grazing and riding trails for riding academies, riding stables, and horse boarding facilities.
7. Where practical, Family Farm Support Business shall be conducted within an existing farm building. However, any new building constructed for use by the farm occupation shall:
 - a. Be located at least one hundred (100) feet from rear and side property lines.
 - b. Meet, or exceed, the current Zoning District front yard setback requirements, as established in this Ordinance.
 - c. Be located within one hundred (100) feet of existing farm buildings.
 - d. Not devote more than four thousand (4,000) square feet of the gross floor area of said new structure to said business.
8. No outdoor storage of supplies, materials or products shall be located within fifty (50) feet from property lines. Such outdoor storage shall also be screened from adjoining roads and properties per the Township SALDO.
9. One (1) free-standing sign shall be permitted for a Family Farm Support Business. Such signs shall not exceed fifteen (15) square feet in total area and shall be regulated as per this Ordinance.

10. No construction or other improvements required to support a Family Farm Support Business other than those in existing farm buildings shall be permitted except pursuant to an approved Land Development Plan.
11. The Zoning Officer shall review the application for compliance with this Section, visit the property, and approve or deny the application for the Family Farm Support Business Zoning Permit.

Section 651.B. FARM RELATED BUSINESS

Within the A-P Zoning District, Farm related Businesses may be permitted by Special Exception. All activities and services should be directed at meeting the needs of those engaged in local farming. "Local farming" is considered to include customers whose primary farming activity is conducted within twenty-five (25) miles of the location of the proposed farm related business. The proposed farm related business should be directed at providing materials and services necessary to local farming and the processing and distribution of goods produced on said farms. Therefore, the applicant must provide evidence to the Zoning Hearing Board that the proposed Farm related Business is important to local farming and is specifically sized to serve primarily local users. Additionally, Farm related Businesses are subject to the following standards:

1. For the purposes of this Zoning Ordinance, farm related businesses may only involve the following types of uses:
 - a. Facilities for the manufacturing, warehousing, sales, repair and service of agricultural equipment, vehicles (including carriages and buggies) or supplies. For the purposes of this Section, "agricultural equipment" shall be limited to those vehicles/equipment that are classified by the Pennsylvania Vehicle Code as a "Farm Vehicle", "Implement of Husbandry", or "Multipurpose Agriculture Vehicle" (MAV).
 - b. Blacksmith shops, farrier, harness making.
 - c. Butcher shops.
 - d. Grain mills.
 - e. Facilities devoted to the processing of locally produced agricultural products.
 - f. Veterinary offices or clinics which serve primarily local farm animals, subject to Section 653.A.
 - g. Feed supply, fuel and fertilizer distributors.
 - h. Other uses similar in character to those listed above.
2. The Farm related Business shall occupy no more than five (5) acres. The applicant shall justify to the Zoning Hearing Board that the size of the site is the minimum needed to conduct the Farm related Business.
3. Any access drive which serves the Farm related Business shall be of a sufficient length to accommodate stacking of delivery and customer vehicles.

4. Farm related Businesses shall not be permitted within fifty (50) feet of any property line.
5. Composting and other farm waste storage facilities shall not be permitted within two hundred (200) feet of any property line. Additionally, any use permitted under Subsection 651.B.1 may require setbacks of a greater width, as may be determined by the Zoning Officer.
6. A screen buffer at least fifteen (15) feet wide, designed according to the requirements of the Township SALDO shall be provided along all property lines of any adjacent residential or institutional properties. Certain pieces of apparatus used for Farm related Businesses, which create noxious dust, odor, light or noise, may require setbacks and vegetative screening, of a greater width or density as may be determined by the Zoning Officer.
7. Off-street parking, loading areas, and driveways shall be designed in accordance with Sections 608, 609.A., B., and D.; and 610 of this Ordinance as well as the Township SALDO.
8. Any outdoor storage of supplies, materials and products shall be screened from adjoining roads and properties per Section 603 of this Ordinance. The outdoor display of mechanized farm equipment for sale shall be excluded from this screening provision.
9. One (1) free-standing sign shall be permitted for a Farm related Business. Such sign shall not exceed 15 (fifteen) square feet in total area and shall be regulated as per Section 606 of this Ordinance.
10. Additional requirements for any facility for the manufacturing, warehousing, sales, repair and service of agricultural equipment, vehicles (including carriages and buggies) or supplies:
 - a. No vehicles, equipment or merchandise shall be permitted to be parked, stored or displayed within either, the legal right-of-way of any public or private street or within any areas intended for pedestrian use.
 - b. All service and/or repair activities shall be conducted within a completely-enclosed building.
 - c. No outdoor storage of parts, equipment, lubricants, fuel, or other materials used or discarded, as part of the service or repair operation, shall be permitted.
 - d. Any ventilation equipment outlets associated with the service/repair work area(s) shall not be directed toward any adjoining property.
 - e. The demolition or junking of farm equipment is prohibited.
 - f. The applicant shall furnish evidence of how the storage and disposal of materials will be accomplished in a manner that complies with all applicable State and Federal regulations.

- g. In no case shall a use with less than one hundred (100) feet of frontage on a public street have more than one (1) accessway to each such street. No use with one hundred (100) feet or more frontage shall have more than two (2) accessways to any one (1) street for each three hundred (300) feet of frontage.
 - h. The location and width of exit and entrance driveways shall be planned to interfere as little as possible with the flow of vehicular traffic on adjacent streets. Access driveways shall not be located in such a manner that they will cause a hazard to the movement of normal highway traffic or cause areas of undue congestion on the highway. The center line of an access driveway to any public street shall be located at least eighty (80) feet from the intersection of any street cartway lines, except in the case of a street intersecting the road which the driveway intersects directly opposite from the driveway.
 - i. Driveways along State Legislative Routes shall be designed to conform as closely as possible to the requirements of this Ordinance, while conforming to the requirements of the Pennsylvania Department of Transportation, when there is a conflict of standards.
11. If in the opinion of the Zoning Hearing Board, a proposed Farm related Business presents a fire hazard, emits smoke, dust or other air pollutants, noise, light or glare, or creates a nuisance as a result of the hours of operation, then the Zoning Hearing Board may attach reasonable conditions, as it deems appropriate, to adequately control and/or mitigate the potentially detrimental effects that any such Farm related Business may have on the surrounding area.
 12. No construction or other improvements required to support a Farm related Business shall be permitted except pursuant to an approved Land Development Plan.

Section 652. VACATION FARM

1. Vacation Farms (as defined in this Ordinance) are permitted only on Agricultural Operations (as defined in this Ordinance) which are regulated by Section 647.C of this Ordinance.
2. The minimum size of a Vacation Farm shall be ten (10) acres and shall be actively engaged in agricultural production.
3. No building housing livestock shall be erected within one hundred (100) feet of a lot line.
4. A maximum of six (6) rental units shall be provided; no more than three (3) adults may occupy one (1) rental unit; and no more than twelve (12) guests total may occupy the facility at one point in time.
5. One (1) off-street parking space shall be provided for each rental unit. The off-street parking spaces for the Vacation Farm shall be located either to the rear of the principal building or screened from the street and abutting dwellings by landscaping.

6. There shall not be any signs, show windows or any type of display or advertising visible from outside the premises, except for a single non-illuminated sign with a maximum sign area of four (4) square feet on each of the two (2) sides and with a maximum height of eight (8) feet. The sign shall be no closer than twenty (20) feet from any side lot line. The sign shall require a zoning permit.
7. The Vacation Farm shall have an agricultural appearance and character.
8. The Vacation Farm shall be operated by permanent residents of the property.
9. There shall not be separate cooking facilities in any guest room.
10. Retail sales are permitted, but limited to items commonly found at a Farm Stand (as defined in this Ordinance), and/or items containing information and/or logos on clothing, apparel, and household goods.
11. No sales of alcohol are permitted.
12. The Township Sewage Enforcement Officer must confirm if the Sewage Facilities are adequate for the number of rental units utilized. This confirmation must accompany the application to the Zoning Hearing Board.
13. The Township and the Township Engineer must confirm if the access drive(s) are adequate for safe ingress and egress for the anticipated volume of traffic for the proposed use. A Township Driveway Permit (or Penn DOT HOP Permits if applicable) needs to accompany the application to the Zoning Hearing Board.
14. The Township Road Master and Township Engineer must confirm if the applicant will be required to address stormwater issues prior to the issuance of any driveway, zoning and/or building permits.

Section 653.A. ANIMAL HOSPITAL / VETERINARY CLINIC

1. Minimum Lot Area: Two (2) Acres.
2. Prior to establishment of a kennel, an approved Land Development Plan per the requirements of the Township SALDO is required.
3. Any structure in which animals are treated or housed shall be a minimum of fifty (50) feet from any lot line. Buildings shall be adequately sound proofed so that sounds generated within the buildings cannot routinely be perceived within any adjacent dwellings.
4. All animal boarding buildings that are not wholly enclosed and any outdoor animal pens, stalls or runways shall be located within the rear yard.
5. All animal boarding buildings that are not wholly enclosed and any outdoor animal pens, stalls or runways shall be a minimum of one hundred (100) feet from all property lines and shall be screened from all adjacent properties.
6. Outdoor animal runs may be provided for small animals for use between 7:30 a.m. and 7:00 p.m., provided the runs are at least one hundred and fifty (150) feet from

any existing dwelling and provided that the runs for dogs are separated from each other by visual barriers a minimum of four feet in height, to minimize dog barking.

7. All outdoor pasture/recreation areas shall be enclosed to prevent the escape of the animals; all such enclosures shall be setback a minimum of twenty-five (25) feet from all property lines.
8. Although the overnight boarding of animals is an accessory use, a commercial kennel shall only be allowed if a kennel is permitted in that district and if the applicable requirements are met for a kennel as well as those in this section.
9. Where permitted by Special Exception, the maximum number of animals shall be determined by the Zoning Hearing Board in accordance with the area of the facility and the nature and character of the surrounding neighborhood.
10. Parking: Four (4) per Veterinarian and one (1) per employee.
11. Impervious Coverage: fifteen (15) percent of Lot Area.

Section 653.B. ANIMAL SHELTERS/KENNELS

1. For the purpose of this section Animal Shelters and Kennels are defined in Section 201.
2. Prior to establishment of an Animal Shelter/Kennel, an approved Land Development Plan per the requirements of the Township SALDO is required.
3. The minimum lot size for this use shall be five (5) acres: An Animal Shelter/Kennel may be located on the same lot with a single family residence. In such case the Shelter/Kennel will be considered the principal use for that lot.
4. The setback distance for all buildings and structures in which animals are housed and all pens and runs shall be at least two hundred (200) feet from lot lines or road lines and three hundred (300) feet any dwelling on adjoining properties.
5. A Certificate of Use shall be obtained from the Township annually after inspection by the Zoning Officer, if required by the Township. The new or annual Certificate shall be subject to the conditions that the Zoning Officer may impose as a result of complaints that are reasonable, as determined by the Zoning Officer and the Township. Complaints to be considered include, but are not limited to, offensive noise or odors, and animals not confined on the Kennel property.
6. All buildings in which animals are housed shall be made soundproof enough that noises from those animals are not heard beyond the lot lines.
7. Animals shall not be allowed in outdoor areas between 7:00 PM and 7:30 AM.
8. A visually impenetrable landscape screen or fence at least six (6) feet in height shall be installed such that any pens, runs, and exercise areas are not visible from adjoining lots or public roads. All outdoor areas for animals shall be fully enclosed with a fence at least six (6) feet in height.

9. All animal waste shall be removed from the premises for proper lawful disposal, or processed and disposed of in an on-lot facility approved by the Township Sewage Enforcement Officer.
10. Disposal of deceased animals shall not be done on the Shelter/Kennel property.
11. All organic waste, including material from grooming, clipping, or other procedures performed on the animals, shall be lawfully disposed of.
12. The sale of any animal-related products shall remain accessory to the Shelter/Kennel.
13. There shall be no outdoor storage of any materials whatsoever.
14. All loading and unloading of animals and supplies related to the Shelter/Kennel operation shall be accomplished on the Shelter property.
15. Parking: one (1) for every four hundred (400) sq. ft. of gross floor area but not less than four (4) spaces.
16. Impervious Coverage: Ten (10) percent.
17. All Kennels/Animal Shelters shall comply with all federal, state, county, and municipal regulations.
18. No Kennel shall have more than thirty (30) animals housed or boarded at one (1) time.
19. All Kennels/Animal Shelters must meet state and federal requirements.

Section 654 (Reserved)

Section 655. CLUB, LODGE, FRATERNAL ORGANIZATION

1. For the purposes of this section, "Club, Lodge, Fraternal Organization" is defined in Section 210.
2. The minimum lot area shall be one (1) acre.
3. The maximum area for the use shall not exceed three (3) acres unless a Specific Use Regulation states otherwise.
4. Sufficient off-street parking shall be provided to prevent traffic that is utilizing the facility from backing onto public streets. All required parking shall be located on the site of the facility. All off-street parking shall be provided between the front face of the building and a point twenty-five (25) feet from the right-of-way line of adjoining road. Parking compounds will also be screened and set back thirty (30) feet from any adjoining residential lot lines.
5. The applicant shall furnish evidence that an approved means of sewage disposal and water supply shall be used.
6. The organization shall provide a traffic study per the Township SALDO.

7. Screening ten (10) feet wide shall be provided along all side and rear lot lines adjacent to any residential or institutional use. Said screen shall meet or exceed the Township SALDO.
8. All permitted outdoor recreation areas and facilities shall be set back at least fifty (50) feet from all road rights-of-way, one hundred (100) feet from any residential lot lines and twenty-five (25) feet from all other properties unless a Specific Use Regulation states otherwise.
9. Adequate provision shall be made for the collection, disposal, and recycling of garbage and trash. All dumpsters shall be set back a minimum of fifty (50) feet from any adjoining lots adjoining a residential or institutional use, screened from adjoining streets or lots, and completely enclosed within a fenced enclosure equipped with a self-latching door or gate.
10. All lights shall be shielded and reflected away from an adjoining property.
11. Swimming pools shall be subject to the provisions of this Ordinance.
12. Applicants proposing uses which involve outdoor archery or shooting ranges shall meet the requirements of Section 658.A. of this Ordinance.
13. The hours of operations shall be between 9:00 a.m. and 10:00 p.m.

Section 656. RECREATION USES

For the purpose of this section “Recreation” is defined in Section 201.

- A. Even though there are a multitude of Recreation Uses, there are General Regulations within this Ordinance which can be applied to all Recreation Uses. Some Recreation Uses are specifically regulated and have Specific Use Regulations in addition to the General Regulations. If there appears to be a conflict between the General and Specific Use Regulations, the more restrictive regulations shall apply.

No Recreation Use which, in the opinion of the Township, constitutes a threat to the health, safety, and welfare of the general public or results in the degradation of the existing environment shall be permitted. Recreation Use shall never include any types of “Adult Businesses” as defined by this Ordinance.

1. Those uses involving any outdoor activities shall provide sufficient screening and/or landscaping measures to mitigate any visual and/or audible impacts on adjoining properties. All uses must comply with this subsection.
2. Structures may not exceed the maximum permitted height unless permitted by Special Exception or Variance.
3. The applicant shall furnish qualified evidence through a Report (as defined in this Ordinance) that the proposed use will not be detrimental to the use of adjoining properties due to hours of operation, noise, light, litter, dust, and pollution.
4. Required parking will be determined based upon the types of activities proposed and the schedule listed in this ordinance, unless otherwise stated as part of Specific Use

Regulations or decisions of the Township or Zoning Hearing Board. In addition, any recreation use not specifically regulated may require an unimproved, grassed, overflow parking area to be provided for peak use periods. Such overflow parking areas shall be accessible only from the interior driveways of any permanent parking lot. Overflow parking areas shall contain fencing to prevent vehicles from crossing adjoining properties or directly accessing adjoining roads.

5. Any booths or other structures used for the collection of admission and/or parking fees shall be set back and arranged to prevent vehicle backups on adjoining roads during peak arrival periods. Any other collection of fees (roaming parking lot attendants) shall be conducted in a manner to prevent vehicle backups on adjoining roads. If, at any time after the opening of the commercial recreation use, the Township determines that traffic backups are occurring on adjoining roads, and such backups are directly related to the means of access to the subject property, the Township can require the applicant to revise means of access to relieve the undue congestion.
6. Any outside pedestrian waiting lines shall be provided with a means of shade.
7. Wherever woods exist adjacent to an exterior lot line of the use, such woods shall be preserved to within fifty (50) feet of said lot line, except for approved driveways or utility crossings.
8. Any accessory use such as restaurants, tavern, retail business activity, etc., shall only be allowed if those uses are permitted in the underlying zoning district and they meet all the requirements for said use.
9. The use shall only be conducted between the hours of 9 a.m. and 10p.m. unless more restrictive hours are established.
10. Swimming Pool. Non-Household, Private and Commercial
 - (a). Minimum lot area- 1 acre.
 - (b). The water surface shall be setback at least fifty (50) feet from any existing dwelling.
 - (c). Any water surface within one hundred (100) feet of an existing dwelling shall be separated from the dwelling by a twenty-five (25) foot landscape buffer yard meeting Section 604 of this Ordinance and the Township SALDO.
 - (d). The water surface shall be surrounded by a secure, well- maintained fence at least six (6) feet in height.
 - (e). Drainage. A proper method shall be provided for drainage of the water from the pool that will not flood other properties.

Section 657. GAME ROOM / VIDEO ARCADE

1. A Game Room/Video Arcade shall not be located within five hundred (500) feet of another Game Room/Video Arcade, Adult Business Establishment, church, school or public or private recreational facility.
2. No amusement device shall be audible beyond the premises in which it is situated.
3. Where allowed by Special Exception it must be proved to the satisfaction of the Zoning Hearing Board that the hours of operation will be compatible with the surrounding neighborhood and that the Game Room / Video Arcade will control loitering outside the establishment.
4. Parking: One (1) off-street parking space for each one hundred (100) square feet of net floor area.

Section 658.A. HUNTING LODGES AND CLUBS, GUN CLUBS, ARCHERY CLUBS, TARGET AND FIRING RANGES

1. Gun Clubs and Archery Clubs are facilities where firearms and other projectile-type weapons (e.g., guns, rifles, shotguns, pistols, air guns, archery crossbows, etc.) can be shot for recreation, competition, skill development, training, or any combination thereof. Nothing within this definition shall be construed to include hunting when conducted in accordance with the rules and regulations of the Commonwealth of Pennsylvania.
2. Minimum Lot Area: Ten (10) acres.
3. Parking: One (1) space for each four (4) seats.
4. Impervious Coverage: Five percent (5%).
5. Target and Firing Ranges:
 - a. No part of a target or firing range shall be located within one thousand (1,000) feet from any property line.
 - b. May not substantially injure or detract from the lawful existing or permitted use of neighboring properties.
 - c. May not substantially damage the health, safety or welfare of the Township, or its residents and property owners.
 - d. Must comply with all applicable state and local laws, rules and regulations regarding the discharge of a firearm.
 - e. Shall store ammunition only in an approved secure vault.
 - f. Shall limit the number of shooters to the number of firing points or stations identified on the development plan.
 - g. Shall require all shooters to satisfactorily complete an orientation safety program given in accordance with the PA Game Commission, or show a

valid hunting permit or gun permit, before they are allowed to discharge firearms without supervision.

- h. Shall prohibit the consumption of alcoholic beverages within the area approved as the shooting range.
- i. Shall limit firing to the hours between one hour after official sunrise and one hour preceding official sunset, unless sufficient lighting is used, in which case all shooting shall cease by 10:00 p.m.
- j. A development plan shall identify the safety fan for each firing range. The safety fan shall include the area necessary to contain all projectiles, including direct fire and ricochet. The safety fan configuration shall be based upon qualified expert testimony regarding the trajectory of the bullet, and the design effectiveness of berms, overhead baffles, or other safety barriers to contain projectiles to the safety fan.
- k. The firing range, including the entire safety fan, shall be enclosed with a six (6) foot-high, nonclimbable fence to prevent unauthorized entry into the area. Range caution signs with eight (8) inch-tall red letters on a white background shall be posted at a maximum of one-hundred-foot (100') intervals around the range perimeter. Signs shall read "SHOOTING RANGE AREA. KEEP OUT!"
- l. Range flags shall be displayed during all shooting activities. Range flags shall be located in a manner visible from entrance drives, target areas, range floor, and the perimeter of the safety fan.
- m. All surfaces located within the safety fan, including the backstop, overhead baffles, berms, and range floor, shall be free of hardened surfaces, such as rocks or other ricocheting producing materials.
- n. All shooting range facilities, including buildings, parking, firing range, and safety fan shall be set back a minimum of one hundred (100) feet from the property line and street right-of-way.
- o. The applicant shall present credible evidence that sounds of shooting in the nearest residential zone do not exceed the ambient noise level.

Section 658.B. GAME PRESERVES

- 1. Where game preserves are permitted, all activities and services should be directed at the protection, care and feeding of the animals on the preserve and to ensure that the animals from the preserve do not interfere with the health and welfare of a municipality and neighboring residents or their property. Additionally, game preserves are subject to the following standards:
 - a. The entire game preserve must be surrounded by a fence of sufficient height to prevent the animals from leaving the game preserve.
 - b. The keeping of dangerous animals is prohibited.

- c. The owner/operator of the game preserve must demonstrate, to the satisfaction of the Township that they have the training, experience and knowledge necessary to safely handle those animals what will be kept in the game preserve.
- d. The owner/operator will show proof to the Township that any and all required Federal, State, and local licenses and permits have been obtained.
- e. The game preserve must be a minimum of twenty-five (25) acres.
- f. All game preserves shall comply with any and all local, state, and federal regulations governing game preserves.

Section 658.C. WILDLIFE SANCTUARY

This activity includes a nature center, outdoor education laboratory or research facility, woodland preserve, arboretum or a place of refuge for native animals indigenous to Pennsylvania. Wildlife Sanctuaries are non-commercial and non-residential facilities and do not include the definition of Camp or Campground. Any research facility shall contain no more than two hundred (200) square feet of floor area and shall be used only for temporary occupancy by those conducting research and as a shelter for their equipment and testing devices.

- 1. Minimum Lot Area: Ten (10) acres.
- 2. All water facilities, sewage disposal systems, restrooms and solid waste disposal shall be approved and maintained in accordance with the rules and regulations of the Pennsylvania Department of Environmental Protection.
- 3. Sufficient off-street parking shall be provided.

Section 658.D. HUNTING LODGES AND CLUBS; NATURE-BASED SPORTS CLUBS

- 1. This activity shall meet the definition of Club, Lodge, Fraternal Organization in Section 201.
- 2. Minimum Lot Size: Twenty-five (25) acres.
- 3. The facility shall be located in a manner that will protect any natural resources existing within the lot. Natural resources shall include those resources identified within the Township Comprehensive Plan or any other environmental study approved by the Board of Supervisors and shall include, but not be limited to, floodplains, wetlands, water resources, woodlands, unique geologic features, natural wildlife habitats, and slopes exceeding fifteen (15) percent.
- 4. All outdoor recreation areas and facilities shall be set back at least fifty (50) feet from all road rights-of-way, one hundred (100) feet from any property zoned R-2 or C-1, and twenty-five (25) feet from all other properties, except for those activities that involve outdoor archery or shooting ranges. Activities proposing uses which involve outdoor archery or shooting ranges shall conform to Section 658.A of this Ordinance.
- 5. Sufficient off-street parking shall be provided. Adequate off-street parking shall be provided based on the combination of all elements comprising the facility or club.

All required parking shall be located on the lot containing the facility.

6. Impervious Coverage: Five percent (5%).
7. All water facilities, sewage disposal systems, restrooms and solid waste disposal shall be approved and maintained in accordance with the rules and regulations of the Pennsylvania Department of Environmental Protection.
8. All lighting shall be arranged and shielded so that no glare or direct illumination shall be cast upon adjacent lots or public streets.
9. The facility shall be designed in a manner that insures it will not be detrimental to the use of adjoining lots due to hours of operation, noise, litter, dust and pollution.

Section 659.A. CAMPGROUNDS AND RECREATIONAL VEHICLE (RV) PARKS

1. Intent:

The intent of this section shall be to provide rules, regulations and standards for development of RV parks and campgrounds, ensuring that the public health, safety and general welfare are protected; that orderly growth and development together with the conservation, protection and proper use of land shall be ensured; that proper provisions for all public facilities shall be made; and that the municipality is given appropriate control over the zoning and location of RV parks and campgrounds in their respective municipalities.

2. Definitions for Section 659.A:

- A. Accessory Uses - Offices, recreational facilities, convenience stores, gift shops, service buildings, rest rooms, dumping stations, showers, laundry facilities, storage units and other uses and structures customarily a part of the RV park or campground operation for the use of occupants.
- B. Campground/Recreational Vehicle Site - A plot of ground within a recreation vehicle park or campground intended for the accommodation of a recreation vehicle, tent or other individual camping unit on a temporary basis.
- C. Camping Unit - A structure, shelter or vehicle designed and intended for occupancy by persons engaged in RV'ing or camping. The basic units are recreational vehicles, camping cabins, housekeeping cabins, tents and other rental accommodations for enjoying the outdoor experience.
- D. Density - The number of camping unit sites on a unit of land area.
- E. Developed - A site accessible by vehicular traffic where RV sites are substantially developed with two or more utilities, i.e., sewer, water or electricity.
- F. Greenbelt - A strip of land, containing landscaping or other aesthetic site obscuring features, intended to buffer potentially incompatible uses. Greenbelts may include utilities and other underground facilities but not camping units, buildings or recreation areas.

- G. Occupancy - The presence of guest(s) in a camping unit for a site night where rent is received.
 - H. Primitive - A site where no hookups are provided at the individual sites.
 - I. Recreation Area - A specific area of the RV park or campground, either of land or an area of water or a combination of land and water, which is designed and intended for the use or enjoyment of guests of the RV park or campground.
 - J. Recreational Vehicle (rv) – is as defined as in Section 201 of this ordinance.
 - K. Daily/Overnighter - Typical are the many RV'ers and campers who stay for a short time as an alternative to other types of lodging; the length of stay is specified in this section of the ordinance typically travelers, area visitors or tourists enjoying local attractions of a given area.
 - L. Extended Stay - Those who stay in a given recreational vehicle park or campground for an extended period of time; the length of stay is specified in this section of the ordinance. The term "extended stays" is generally used in describing three groups as follows:
 - Individuals who have selected a recreationally centered lifestyle and who list a specific location for a traditional season.
 - Individuals who have selected interim lodging during temporary transfer to a new locality or while awaiting construction of conventional housing who list a specific location.
 - Individuals who frequently relocate for employment purposes who list a specific location.
 - A type of camper not a period of time.
 - M. Service Building - A structure or portion thereof that is used to house sanitary facilities, such as water closets or lavatories. It may include other facilities for the convenience of the RV park or campground guests.
 - N. Site - The portion of an RV park or campground where the camping unit is situated.
3. Minimum Lot Size: Thirty (30) acres.
 4. Density and Campground/Recreation Vehicle:
 - a. Campgrounds and RV Parks may be used by campers and RV'ers. Campers and Rv'ers shall rent Camping Units on Campground/Recreational Vehicle Sites on a daily/overnight basis only and the rentees of said Campground/Recreational Vehicle Sites shall remain in the Campground/RV Park for not more fourteen (14) days unless the renters are of the Extended Stay category.

- b. Size and separation of Campground/Recreation Vehicle Sites
 - i. Daily/Overnight: minimum of sixteen hundred (1600) square feet with minimum site width of twenty-five (25) feet.
 - ii. Extended Stay: minimum of three thousand (3,000) square feet with a minimum site width of fifty (50) feet.
 - iii. The minimum distance between sites shall be fifteen (15) feet.
 - c. The maximum number of Campground/Recreation Vehicle Sites per acre shall be fifteen (15).
5. Areas for recreation/open space:
- a. A minimum of twenty (20%) percent of the gross area of the campground of which no more than fifty (50) percent can be a body of water shall be devoted to active and passive recreation areas. Responsibility for maintenance of the recreation area shall be with the landowner.
6. Buildings, structures, and accessory uses:
- a. “Accessory Uses”, as defined in this section are permitted. Such accessory and commercial uses shall be solely designed and constructed to serve the campground’s registered guests and their visitors. Any parking spaces provided for these commercial uses shall have vehicular access from the campground’s internal road, rather than the public street. All accessory commercial uses and related parking shall be screened from adjoining residentially zoned parcels.
7. Setbacks and Greenbelts:
- a. A greenbelt shall be provided between the campground and any abutting property unless natural or physical man-made barriers exist.
 - b. Any existing healthy trees within any setback shall be preserved, except as needed for entrance roads and utility crossings.
 - c. Campground Recreation Vehicle Sites shall be located a minimum of one hundred (100) feet from any public street right-of-way; fifty (50) feet from any side or rear property line; and one hundred and fifty (150) feet from all residential lot lines.
 - d. No Camping Unit used for sleeping quarters shall be within the one-hundred-year floodplain or on slopes over fifteen (15) percent.
 - e. Any “Accessory Use” shall be set back a minimum of one hundred (100) feet from any property line.
 - f. All outdoor play areas shall be set back one hundred (100) feet from any property line and screened from adjoining residentially zoned properties.

Such outdoor play areas shall be used exclusively by registered guests and their visitors.

- g. Any swimming pools, recreation centers, clubhouses, restrooms, trash receptacles or other similar areas of high use or noise potential shall be located not less than two hundred (200) feet from all property lines, and screened from residential properties.

8. Access and circulation:

- a. A commercial campground shall include at least one gravel or paved entrance road from a street, with a minimum width of twenty (20) feet. The first one hundred (100) feet of the campground road from the street cartway shall be paved.
- b. Entrances and exits to RV Parks and Campgrounds shall be designed for safe and convenient movement of traffic into and out of the park and to minimize marginal friction with free movement of traffic on adjacent streets. All traffic into or out of the park shall be through such entrances and exits. No entrance or exit shall require a turn at an acute angle for vehicles moving in the direction intended, and radii of curbs and pavements at intersections shall be such as to facilitate easy turning movements for vehicles with trailers attached. No material impediment to visibility shall be created or maintained which obscures the view of an approaching driver in the right lane of the street within one hundred (100) feet, where speed limit is less than 45 miles per hour, or one hundred fifty (150) feet, where speed limit is 45 miles per hour or more, or to PennDOT standards, whichever is more restrictive.
- c. No entrance or exit from a Campground/RV Park shall be permitted through a residential district nor require movement of traffic from the park through a residential district.
- d. Except for those surfaces which are required to be paved, exposed ground surfaces in all parts of RV Parks and campgrounds shall be covered with crushed stone or gravel or protected with a vegetative growth that is capable of preventing soil erosion and eliminating objectionable dust.
- e. Roads within the campground/RV Park shall have a minimum width of twelve (12) feet for one-way streets and twenty (20) feet for two-way streets. Vehicular access to campsites shall be provided only by way of the road network within the campgrounds.
- f. A traffic impact study is required subject to the requirements of the Township SALDO.

9. Sewage, water, and trash:

- a. All drinking water used in the operation of a campground shall be provided from a supply approved by PA DEP.
- b. All sewage disposal systems serving a campground shall be approved by PA DEP.

- c. Restrooms with toilet and water facilities shall be provided on the premises of each campground for the use of the employees and occupants of the campground. These facilities shall be approved by the PA DEP.
 - d. Solid waste disposal and vector control shall be the responsibility of the campground landowner and shall be performed in accordance with the requirements of PA DEP.
- 10. Impervious Coverage:
 - a. Maximum: Ten (10) percent.
- 11. Signs:
 - a. A Campground/RV Park may construct one (1) freestanding non-illuminated sign containing no more than thirty-two (32) square feet. Any reference to accessory commercial or recreational facilities shall remain secondary in size to the reference of the principal campground use. Such sign shall be set back at least ten (10) feet from the street right-of-way line, and at least twenty-five (25) feet from adjoining lot lines.
- 12. Lighting:
 - a. All lighting shall be arranged and shielded so that no glare or direct illumination shall be cast upon adjacent properties or public streets.
- 13. Plot Plan:
 - a. Every application for the construction, operation, maintenance and occupancy for an RV park or campground shall be accompanied by plans, and specifications, at a minimum scale of one inch to fifty (50) feet fully setting out the trailer spaces, the position of each travel trailer, motor vehicle parking spaces, the interior road giving access thereto, buildings, recreation areas and a plan of landscaping. The plan shall also show adjoining property uses and any structures within fifty (50) feet of any property lines.
- 14. Occupancy:
 - a. Every campground shall have an office in which shall be located the person responsible for operation of the campground. Such person shall maintain a daily registration log of tenants; such registration log shall be maintained for each calendar year. Any caretaker or person responsible for the operation of the campground is subject to Section 603.
 - b. Permanent occupancy prohibited: No Camping Unit shall be used as a permanent place of abode, dwelling, or business or for indefinite periods of time. Continuous occupancy extending beyond six (6) months in any twelve-month period shall be presumed to be permanent occupancy.

15. Zoning Permit/Certificate of Use and Occupancy:
 - a. Upon the proper installation of the campground, the Zoning Officer shall issue a temporary use and occupancy permit. Such permit shall be reviewed every twelve (12) months. A fee, in the amount to be set by the Township, shall be paid by the landowner upon each renewal of the temporary use and occupancy permit. Such fee shall be based upon the cost of the annual review of the permit.
 - b. Prior to the issuance or renewal of a certificate of use and occupancy, the owner shall submit a set of campground regulations.
 - c. The owner of the campground shall make certain that zoning and building permits are obtained prior to the construction or installation of all structures on the premises. This provision includes structures proposed on camping sites other than tents or campers.
 - d. Upon due notice, the Zoning Officer may revoke a certificate of use and occupancy for failure by the owner to enforce such regulations, or for the violation of this chapter or other provisions, and the same shall not be reinstated or renewed until satisfactory guarantees of future enforcement are provided.

Section 659.B CAMPS

1. Minimum Lot Area: Twenty (20) acres.
2. For the purpose of this Section, “Camp”, as defined in Section 201.
 - a. Campsite - for purposes of this section, “campsites” are those plots of ground in a “camp” which are used for “tents” or “cabins”.
 - b. Cabins - a rustic fully enclosed structure less than four hundred (400) square feet in area providing shelter and/or cooking and sanitary facilities.
3. Campsite and Density Regulations:
 - a. Campsites shall be a minimum of fifteen hundred (1500) square feet with a minimum width of thirty (30) feet.
 - b. Cabins and tents shall be placed only on campsites and shall be no closer than five (5) feet to campsite lines.
 - c. Campsites shall be delineated on the ground.
 - d. No more than fifteen (15) campsites per acre shall be allowed.
 - e. No campsites shall be permitted on slopes more than fifteen (15) percent.
4. Buildings, Structures, and Accessory Uses:

- a. Offices may be a stand alone fully enclosed structure or part of a fully enclosed structure, but in no case shall any structure be more than fifteen hundred (1500) square feet (except for caretakers).
 - b. No lodging shall be allowed in any structure other than cabins or tents except for living accommodations for a care taker, as regulated by Section 603. Such accommodations shall be no more than nine hundred (900) square feet in size.
 - c. Any items sold or provided shall be for the users of a camp.
5. Parking:
- a. Each campsite shall either provide a parking space which will not interfere with the convenient and safe movement of traffic, or equivalent parking shall be provided in a common parking area.
6. Setbacks and buffers:
- a. No building, off-street parking lot or loading area, athletic field or court, playground, picnic, pavilion, campsite, dumpster or other similar structure shall be located within one hundred (100) feet of a property line.
 - b. Those uses involving outdoor activities shall provide sufficient screening and/or measures to mitigate any visual and/or audible impacts on adjoining properties.
 - c. Sanitary and garbage collection/recycling facilities shall be screened from adjoining residentially zoned properties.
7. Access and circulation:
- a. A commercial campground shall include at least one gravel or paved entrance road from a street, with a minimum width of twenty (20) feet. The first one hundred (100) feet of the camp road from the street cartway shall be paved.
 - b. Entrances and exits to the camp shall be designed for safe and convenient movement of traffic into and out of the park and to minimize marginal friction with free movement of traffic on adjacent streets. All traffic into or out of the park shall be through such entrances and exits. No entrance or exit shall require a turn at an acute angle for vehicles moving in the direction intended, and radii of curbs and pavements at intersections shall be such as to facilitate easy turning movements for vehicles with trailers attached. No material impediment to visibility shall be created or maintained which obscures the view of an approaching driver in the right lane of the street within one hundred (100) feet, where speed limit is less than 45 miles per hour, or one hundred fifty (150) feet, where speed limit is 45 miles per hour or more, or to PennDOT standards, whichever is more restrictive.

- c. No entrance or exit from the camp shall be permitted through a residential district nor require movement of traffic from the park through a residential district.
 - d. Except for those surfaces which are required to be paved, exposed ground surfaces in all parts of the camp shall be covered with crushed stone or gravel or protected with a vegetative growth that is capable of preventing soil erosion and eliminating objectionable dust.
 - e. Roads within the camp shall have a minimum width of twelve (12) feet for one-way streets and twenty (20) feet for two-way streets. Vehicular access to the camp shall be provided only by way of the road network within the campgrounds.
 - f. A traffic impact study is required subject to the requirements of the Township SALDO.
8. Sewage, water and trash:
- a. All drinking water used in the operation of a the camp shall be provided from a supply approved by PA DEP.
 - b. All sewage disposal systems serving the camp shall be approved by PA DEP.
 - c. Restrooms with toilet and water facilities shall be provided on the premises of the camp for the use of the employees and occupants of the camp. These facilities shall be approved by the PA DEP.
 - d. Solid waste disposal and vector control shall be the responsibility of the camp landowner and shall be performed in accordance with the requirements of PA DEP.
9. Impervious Coverage:
- a. Maximum: Five (5) percent.
10. Signs:
- a. One (1) freestanding non-illuminated sign containing no more than thirty-two (32) square feet is allowed at the entrance to a camp. It shall be setback at least ten (10) feet from a road right-of-way line and at least twenty five (25) feet from adjoining lot lines.
 - b. An unlimited number of on-site directional and information signs are permitted provided such signs reasonably relate to the number and scale of facilities contained on the site. Such signs shall be limited to no more than ten (10) square feet of total sign area, with a maximum permitted height of eight (8) feet.
 - c. The applicant shall provide for adequate safety signs to warn pedestrians and motorists of rail crossings.

11. Lighting:
 - a. All lighting shall be arranged and shielded so that no glare or direct illumination shall be cast upon adjacent properties or public streets.
12. Plot Plan:
 - a. Every application for the construction, operation, maintenance and occupancy for the camp shall be accompanied by plans, and specifications, at a minimum scale of one inch to fifty (50) feet fully setting out the trailer spaces, the position of each travel trailer, motor vehicle parking spaces, the interior road giving access thereto, buildings, recreation areas and a plan of landscaping. The plan shall also show adjoining property uses and any structures within fifty (50) feet of any property lines.
 - b. The Plot Plan shall also show any of the following:
 - (1). One-hundred-year floodplains.
 - (2). Steep slopes (greater than fifteen [15] percent).
 - (3). Wetlands, wellhead protection areas, streams, ponds, or other water bodies.
 - (4). Sinkholes, caves, vistas, or other significant geologic features.
 - (5). Threatened or endangered species habitats.
 - (6). Archaeological resources.
 - (7). Historic resources.
 - (8). Significant stands of mature trees.
13. Occupancy:
 - a. Occupancy of any campsite shall be limited to no more than one hundred eighty-one (181) consecutive days during any calendar year, except for a caretaker.
14. Zoning Permit/Certificate of Use and Occupancy:
 - a. Upon the proper installation of the camp, the Zoning Officer shall issue a temporary use and occupancy permit. Such permit shall be reviewed every twelve (12) months. A fee, in the amount to be set by the Township, shall be paid by the landowner upon each renewal of the temporary use and occupancy permit. Such fee shall be based upon the cost of the annual review of the permit.
 - b. Prior to the issuance of a certificate of use and occupancy, the owner shall submit a set of campground regulations.
 - c. The owner of the camp shall make certain that zoning and building permits are obtained prior to the construction or installation of all structures on the premises. This provision includes structures proposed on camping site other than tents or campers.
 - d. Upon due notice, the Zoning Officer may revoke a certificate of use and occupancy for failure by the owner to enforce such regulations, or for the

violation of this chapter or other provisions, and the same shall be reinstated or renewed until satisfactory guarantees of future enforcement are provided.

Section 660. RIDING ACADEMY, RIDING STABLES, AND HORSE BOARDING FACILITIES

1. Riding Academies”, “Riding Stables”, and “Horse Boarding Facilities” are a use by right in those Zoning Districts where permitted if they qualify for, meet the criteria of, and are operated as part of a “Family Farm Support Business” as regulated by this Zoning Ordinance.
2. “Riding Academies”, “Riding Stables” and “Horse Boarding Facilities” which are not operated as Family Farm Support Business and which are operated as a commercial use are allowed by special exception in those Zoning Districts where allowed. This does not apply to non-commercial agricultural accessory uses in these Zoning Districts.
3. The minimum Lot Size for “Riding Academies”, “Riding Stables” and “Horse Boarding Facilities” is ten (10) acres.
4. The aggregate number of horses allowed for a “Riding Academy”, a “Riding Stable”, and a “Horse Boarding Facility” are determined as follows:

No. of Acres	Maximum Animal Units Per Acre (1 Animal Unit = 1,000 lbs.) *
More than 10 and up to and including 20	1.0 (1000 lbs/acre)
More than 20	2.0 (2,000 lbs/acre)

The Standard Animal Weights used to calculate Animal Units are found within Appendix 5 of this Ordinance.

5. In addition to the above regulations, the following shall apply:
 - a. Riding Academies, Riding Stables and Boarding Facilities
 - (1). All stables shall be maintained so as to minimize odors perceptible at the property line.
 - (2). All outdoor training or show facilities or areas shall be set back one hundred (100) feet from all property lines.
 - (3). All outdoor training, show, riding, and boarding, areas shall be enclosed by a minimum four-foot-high fence, which will be located at least ten (10) feet from all property lines.
 - (4). All parking compounds and unimproved overflow parking areas shall be set back at least ten (10) feet from adjoining lot lines. Unimproved overflow parking areas shall also provide a fence delineating occasional parking facilities for any shows preventing the

parking environment or movement of vehicles across neighboring properties.

- (5). The number of anticipated shows shall be part of any special exception use if applicable. It must be shown to the satisfaction of the Zoning Hearing Board there will be adequate parking facilities available for any shows associated with a Riding Academy.
- (6). In addition to any other parking requirements for any other uses on the subject property, there shall be one (1) space for each horse stall.
- (7). In addition to any other setback requirements of this Section, all structures must meet the setback requirements of the applicable Zoning District.

Section 661. MOTORSPORTS AND BICYCLE MOTO CROSS (BMX) FACILITIES

Motorsports Facilities and Bicycle Moto Cross (BMX) Facilities are as defined in Section 201 of this Ordinance. Motorsports Facilities and Bicycle Moto Cross (BMX) Facilities shall meet the criteria of this Ordinance and shall provide the following:

1. A conceptual site plan of the property that shows the approximate location, scale and character of all proposed site features and facilities, including, but not limited to, all areas devoted to racing, maintenance, spectator seating, parking, vehicle and pedestrian access and circulation, camping (if allowed in the underlying Zoning District), and concessions. Proposals for site landscaping, buffering and lighting shall be included on the plan.
2. A preliminary grading plan that shows the existing and proposed topography of the site, including the elevations of all proposed facilities and features, and their relationship to the elevation of surrounding properties and uses.
3. A detailed written narrative describing:
 - a. All proposed uses of the property, including the frequency of each use proposed and the anticipated hours of operation for each use.
 - b. The types of motorsports and BMX events proposed and the types of vehicles involved in each event.
 - c. Plans for providing safety and security on the property during all proposed events.
 - d. Plans for the provision of a public water supply and a public sewerage system to the property, or (if public facilities are not proposed), methods by which potable water shall be provided and sewage shall be disposed.
 - e. Plans for the abatement of noise, dust and particulate matter generated by the use and operation of the property, with information on methods to be employed to control same. The plans should include a noise study.

- f. Plans for the mitigation of lighting impacts on surrounding and nearby properties.
 - g. Plans for the adequate management of traffic generated by the proposed use, including an analysis of existing traffic patterns in the area, and any plans or proposals for off-site traffic improvements.
4. All proposals for Motorsports Facilities shall meet the following minimum standards; however, stricter standards may be established if the use is granted by Condition or by Special Exception:
- a. A minimum lot size of fifty (50) acres shall be provided for a Motorsports Facilities.

A minimum lot size of twenty-five (25) acres shall be provided for a Bicycle Moto Cross (BMX) Facility.
 - b. All proposed uses, structures, and other developed or activity areas shall be located at least two hundred (200) feet from any adjoining property line.
 - c. All exterior lighting on the property shall be designed, located and arranged so as not to direct glare on adjoining streets or properties. Lighting intensity at adjoining property lines shall not exceed 0.5 foot candles.
 - d. No recurrent or sustained noise generated from the operation of Motorsports Facilities and Bicycle Moto Cross (BMX) Facilities shall exceed 80dB (A), when measured from any adjoining property line.
 - e. Hours of operation shall be between 10 AM and 7 PM unless otherwise established by condition or special exception.

Section 662. GOLF DRIVING RANGE, CHIP & PUTT, & MINIATURE GOLF

- 1. Minimum lot area:
 - a. Golf Driving Range: thirty (30) acres.
 - b. Chip and Putt: fifteen (15) acres.
 - c. Miniature Golf: two (2) acres.
- 2. The course shall be designed so that golf balls are prevented from entering public streets or property that is not part of the facility. The design of the facility shall not require a golf ball to be driven across any building, road, or parking lot.
- 3. Any outdoor lighting shall be located and designed in such a way that it does not produce a glare or direct illumination onto abutting property, and is regulated by the SALDO and Section 605 of this Ordinance.

4. All buildings or structures shall be set back seventy-five (75) feet from a street right of way, and fifty (50) feet from adjoining residential structures.
5. All property boundaries shall be screened as required by the Township SALDO.
6. Adequate provision shall be made for sewage disposal facilities and the collection, disposal, and recycling of garbage and trash.
7. Adequate off-street parking and loading facilities shall be provided in accordance with the requirements of this Ordinance.
8. Accessory uses:
 - a. Pro shop.
 - b. Practice putting greens.
 - c. Snack bar.

Section 663. OFF-TRACK BETTING PARLORS

1. An Off-Track Betting Parlor shall not be permitted to be located within one thousand (1,000) feet of any other off-track betting parlor.
2. No Off-Track Betting Parlor shall be located within one thousand (1,000) feet of any residentially zoned land.
3. No Off-Track Betting Parlor shall be located within one thousand (1,000) feet of any parcel of land which contains any one or more of the following specified land uses:
 - a. Adult Business Establishment.
 - b. Amusement Park.
 - c. Camp.
 - d. Child Day Care Facility.
 - e. Place of Worship or other similar location for religious congregation.
 - f. Playground.
 - g. School.
 - h. Other lands where minors congregate.
4. The distance between any two (2) Off-Track Betting Parlors shall be measured in a straight line, without regard to intervening structures, from the closest point on the exterior parcel line of each establishment. The distance between any Off-Track Betting Parlor and any land use specified above shall be measured in a straight line, without regard to intervening structures, from the closest point on the exterior

property line of the Off-Track Betting Parlor to the closest point on the property line of said land uses.

5. No more than one (1) Off-Track Betting Parlor may be located within one (1) building or shopping center.
6. The applicant shall furnish expert evidence that the proposed use will not be detrimental to the use of adjoining properties due to hours of operation, light and/or litter.
7. The applicant shall furnish expert evidence as to how the use will be controlled so as to not constitute a nuisance due to noise or loitering outside the building.
8. A working plan for the cleanup and recycling of litter shall be furnished and implemented by the applicant.
9. Off-street parking shall be provided at the rate of one (1) space per each sixty-five (65) square feet of gross floor area, including related dining, restaurant and snack bar areas.
10. All Off-Track Betting Parlors shall comply with the Pennsylvania Horse and/or harness Racing Commission's Rules and Regulations pertaining to nonprimary locations, as defined therein.

Section 664.A. Taverns

1. For the purpose of this section, taverns are those facilities as defined in Section 201 of this Ordinance.
2. Taverns may include, but not be limited to, beer gardens, bars, barrooms, pubs, cocktail lounges, saloons, and taprooms. A nightclub, (as defined in this Ordinance) where entertainment is the primary use, shall not be classified in this definition.
3. Taverns shall hold a valid license for the premises on which the establishment is located.
4. Taverns shall only operate between the hours of 7:00 a.m. and 2:30 a.m. the following day.
5. No tavern shall contain less than three hundred (300) square feet of usable floor area.
6. All taverns shall comply with all state and local codes regulating such establishments.
7. Taverns shall not include Adult Entertainment or Adult Business of any type.
8. Except in non-residential zoning districts where it is allowed, no tavern shall be located within five hundred (500) feet of another tavern or other PLCB licensed establishment.
9. Except in non-residential zoning districts no tavern shall be located within one thousand (1,000) feet of a school, church, playground, hospital, child day care facility or charitable institution.

10. Accessory Use Entertainment (as defined in this Ordinance) in Taverns shall be allowed subject to the following:
 - a. Accessory Use Entertainment may be permitted as an accessory use to taverns in certain residential and commercial zoning districts provided that the use meets the following requirements:
 - (1) The tavern shall be a permitted, special exception or legal nonconforming use.
 - (2) The tavern shall have no more than three (3) Accessory Use Entertainment performances per week (Monday thru Sunday) in any zoning district where it is allowed.
 - (3) All Accessory Use Entertainment performances in taverns in residential districts where it is allowed shall begin no earlier than 7:00 a.m. and terminate no later than 12:00 a.m.
11. Parking: one (1) space for every thirty (30) sq. ft. of gross floor area.
12. No recurrent or sustained noise generated from the operation of the Tavern or its accessory uses shall exceed 80 db when measured from any adjoining property line as defined in Section 201 of this Ordinance.

Section 664.B NIGHTCLUBS

1. No nightclub shall be located within one thousand (1000) feet of a school, church, playground, hospital, child day care facility, or charitable institution.
2. All nightclubs shall hold a valid license for the premises on which the establishment is located.
3. All nightclubs shall only operate between the hours of 7:00 p.m. and 2:30 a.m. the following day.
4. No nightclub shall contain less than five hundred (500) square feet of usable floor area.
5. All nightclubs shall comply with all state and local codes regulating such establishments.
6. Parking: one (1) space for every one hundred (100) sq. ft. of gross floor area.
7. No recurrent or sustained noise generated from the operation of the nightclubs or its accessory uses shall exceed 80 db when measured from any adjoining property line as defined in Section 201 of this Ordinance.

Section 665. PAWN SHOP

1. All Pawn Shops shall provide proof of all applicable permits and licenses.
2. All Pawn Shops shall be registered with the State Police.

Section 666. ADULT BUSINESS AND ADULT ESTABLISHMENT

An “Adult Business and Adult Establishment” as defined in Section 201 of this Ordinance.

1. Special Exception Use Provisions. The purpose of these Special Exception Use Provisions is to minimize, where conditions permit, the secondary concerns that often arise with the commencement of Adult Business and Adult Establishment uses in a municipality and, which include difficulties for law enforcement, municipal maintenance, trash, deleterious effects on business and residential property values, increased crime, particularly corruption of the morals of minors and prostitution, and encourage residents and businesses to move elsewhere.
 - a. In addition to the area and height regulations applicable to the Zoning District where this use is permitted, no Adult Business or Adult Establishment use shall be located within one thousand (1,000) feet of:
 - (1). a church, synagogue, mosque, temple or building which is used primarily for religious worship and related religious activities.
 - (2). a public or private educational facility including but not limited to child day care facilities, nursery schools, preschools, kindergartens, elementary schools, private schools, intermediate schools, junior high schools, middle schools, high schools, vocational schools, secondary schools, continuation schools, special education schools, junior colleges, and universities; school includes the school grounds, but does not include the facilities used primarily for another purpose and only incidentally as a school.
 - (3). a licensed premises, licensed pursuant to the alcoholic beverage control regulations of the Commonwealth of Pennsylvania.
 - (4). a boundary of a residential district as defined in this Ordinance.
 - (5). a public park or recreational area which has been designated for park or recreational activities including but not limited to a park, playground, nature trails, swimming pool, reservoir, athletic field, basketball or tennis courts, pedestrian/bicycle paths, wilderness areas, or other similar public land within the Municipality which is under the control, operation or management of private parties and open and available for use by the general public.
 - (6). an entertainment business which is oriented primarily towards children and family entertainment.
 - (7). any use of the same general character as any of the above permitted uses, subject to such additional reasonable safeguards as the Zoning Hearing Board may determine.
 - b. No pornographic material, displays or words shall be placed in view of persons who are not inside of the Adult Business or Adult Establishment.

Definite precautions shall be made to prohibit minors from entering the premises.

- c. No such use shall be allowed in combination with the sale of alcoholic beverages.
- d. Any signs to be erected on the premises of an Adult Business or an Adult Establishment shall be regulated as follows:
 - (1). Only two (2) On-Premises Signs are allowed as follows:
 - (a). One (1) free standing sign, limited to two (2) sides with each side of said sign being limited to a maximum size of thirty-two (32) square feet.
 - (b). One (1) wall sign limited in sign area to fifteen (15%) percent of the building face on which the sign is attached.
- e. Any lot which is to be used for any Adult Business or Adult Establishment use shall contain screening along property lines. The screening shall be such as to completely screen the adult establishment from adjoining properties containing dwellings or other business establishments. The Municipality may permit any combination of existing vegetation, topography, walls, decorative fences or other features for screening.

If the applicant proposes the screening to be landscaping, the screening must at a minimum meet the following:

- 1. An evergreen screen shall be required to surround the site. The screen can be either two (2) rows of hedge or two (2) rows of evergreen trees. The hedge and evergreen screen shall be a minimum height of six (6) feet at planting. The evergreen screen shall grow to a minimum of fifteen (15) feet at maturity.
- 2. In addition, existing vegetation on and around the site shall be preserved to the greatest extent possible.
- 3. If the applicant proposes any other landscaping screening different than Subsection 666.1.e.(1). and (2)., it must achieve the screening effect as required in Subsection 666.1.e.
- 4. The landscape screening shall be maintained permanently and plant material which does not live shall be replaced after one (1) year.
- 5. The hedge and evergreen screen plants shall be installed as follows:
 - a. The hedge shall be planted three (3) feet on center maximum.
 - b. The evergreen trees shall be planted ten (10) feet on center maximum.

- c. Each row of hedge and evergreen trees shall be installed so as to “stagger” the individual plants between rows.
- d. The buffer shall be maintained permanently and plant material which does not live shall be replaced within one (1) year.
- f. Sufficient additional data shall be submitted to enable the Zoning Hearing Board to determine that the requirements of this and other ordinances of the Township relevant to the proposed use have been fulfilled, and that the owners and operators of proposed adult entertainment facilities demonstrate a desire and ability to comply with the ordinances of the Township and to prevent their establishments from being used for any illegal activities.

Section 667 through 669 (Reserved)

Section 670. OFFICE / COMMERCIAL CENTER

Office/Commercial Center – As defined in Section 201 of this Ordinance.

- 1. These developments shall include improvements for internal streets, coordinated utilities, landscaping and buffering.
- 2. Individual uses may be located in detached and attached structures.
- 3. Dimensional Requirements.
 - a. Minimum Site Regulations:
 - (1). Minimum Site Area: 8 acres
 - (2). Minimum Site Width: 300 feet
 - (3). Minimum Setbacks: 100 feet (from site boundaries)
 - b. Minimum Lot Area Regulations:
 - (1). Minimum Lot Area: 1 acre
 - (2). Minimum Lot Width: 100 feet
 - (3). Minimum Front Yard: 50 feet
 - (4). Minimum Side Yard: 20 feet, (50 feet for corner side yards)
 - (5). Minimum Rear Yard: 30 feet
 - c. Maximum Regulations:
 - (1). Maximum Building Height: 40 feet
 - (2). Maximum Impervious Surface: 80%
 - (3). Minimum Building Spacing: 35 feet
- 4. Permitted Uses:
 - a. Healthcare Services, subject to Section 640.B.
 - b. Offices for Professional and Business Services.

- c. Commercial School, Technical School, subject to Section 642.
 - d. Child- Day Care Center, subject to Section 643.A.
 - e. Restaurants; General, Take-out and Fast-food, subject to Section 672.A and B.
 - f. Hotel, subject to Section 674.
5. At least twenty (20) percent of the total floor space of the center shall be utilized for office uses.
 6. Accessory outside storage or display of materials, goods or refuse is not permitted within a center.
 7. Lighting facilities shall be provided and arranged in a manner which will protect the highway and neighboring properties from direct glare or hazardous interference of any kind.
 8. The buffer requirements of Section 604 of this Ordinance and the Township SALDO shall be met.
 9. All parking and loading facilities shall be located to the rear or side of buildings.
 10. Interior roadways shall have street trees as required in the Township SALDO.
 11. All commonly owned elements shall be owned and maintained in accordance with the Pennsylvania Uniform Condominium Act or other ownership arrangement reviewed by the Township Solicitor.
 12. Parking:
 - a. Office: one (1) off-street parking space for each three hundred (300) square feet of gross floor area. Parking areas must be adequately screened when situated within fifty (50) feet of land zoned for or in residential use.
 - b. Commercial and retail uses: four (4) off-street parking spaces shall be provided and maintained for each one thousand (1,000) square feet of gross leasable area.
 13. Conditional Reduction of Parking Improvements. Refer to Section 609.D. of this Ordinance.

Section 671. SHOPPING CENTER

1. Shopping centers shall be in single ownership and under a guaranteed unified management control.
2. Permitted Principal uses:

- a. Retail Businesses, as defined in this Ordinance, except for those specifically allowed only by Special Exception or Conditional Use.
 - b. Personal Services, as defined in this Ordinance, except for those specifically allowed only by Special Exception or Conditional Use.
 - c. Restaurants, subject to Section 672.A and B.
 - d. Offices for Professional and Business Services.
 - e. Grocery Store or Supermarket.
3. Area and Bulk Regulations:
- a. Lot Size: The area for development shall be a minimum of ten (10) acres.
 - b. Impervious Coverage: Eighty percent (80%) maximum.
 - c. Building height: three (3) stories or thirty-five (35) feet maximum.
 - d. Front Yard: 100 feet minimum.
 - e. Side yards: 50 feet minimum each side.
 - f. Rear Yard: 50 feet minimum.
4. Parking Regulations:
- a. Parking areas are for transient auto vehicles, but not for the storage of new or used motor vehicles for sale. Temporary use is permitted for car dealers during special sales or shows no longer than five (5) consecutive days in any six (6) month period.
 - b. Off-street parking shall be provided on the premises at a ratio of one (1) parking space per two hundred (200) square feet of gross floor area.
 - c. Parking shall be permitted in the areas required for front, side and rear yard setbacks up to a point of twenty-five (25) feet from any front, side or rear lot line of the shopping center.
 - d. All parking areas shall be suitably paved with All Weather Surface coverings.
5. Interior Circulation:
- a. Interior access ways shall be designed so as to prevent the blocking of vehicles entering or leaving the site.
 - b. Areas provided for loading or unloading of trucks and/or other vehicles or for servicing of shops for rubbish collection or other services shall be adequate in size and shall be so arranged that they may be used without blocking or interfering with interior circulation and parking facilities.

6. Lighting:
 - a. Lighting for buildings, signs, access ways and parking areas shall be so arranged as not to reflect toward public streets or cause any annoyance to surrounding property owners or residents.
 - b. Lighting shall meet the standards of the Township SALDO.
7. Shopping Cart Storage:
 - a. Establishments furnishing carts or mobile baskets shall provide definite areas on the site for the storage of said carts. Storage area shall be clearly marked and designated for the storage of shopping carts and/or mobile baskets.
8. Screening:
 - a. All lot lines abutting a residential district along the side yard or rear yard, shall be appropriately screened by fences, walls, or year-round planting and/or other suitable enclosures of a minimum height of four (4) feet and a maximum height of six (6) feet.
 - b. If trees, evergreen hedges or other types of year-round plant are used, a landscaped area shall be provided at least five (5) feet in width along the entire interior lot lines.
9. Storage of Trash or Rubbish:
 - a. Storage areas for trash and rubbish shall meet the requirements of Section 603 of this Ordinance.
10. Outdoor displays shall meet the requirements of Section 603 of this Ordinance.
11. Signs:
 - a. Signs shall conform to Section 606 of this Ordinance.
12. Access and Traffic Controls:
 - a. All means of ingress and egress from the shopping center to a public street or State highway shall be located at least two hundred (200) feet from any other intersecting street or streets and shall be designed to conduct traffic in a safe manner.
 - b. The developer shall be responsible for the purchase and erection of any necessary traffic control devices and the construction of additional acceleration or deceleration lanes which may be required by PennDOT or the Township.

13. Sewage and Drainage:
 - a. All shopping centers shall be required to connect to a public or private community sewerage system and water supply.
 - b. A storm runoff and drainage system shall be installed consistent with sound engineering practices and shall meet the Township SALDO.
14. Design Standards:
 - a. Maximum horizontal dimension of any building shall not exceed eight hundred (800) feet.
 - b. Any uninterrupted building façade that exceeds two hundred fifty (250) feet in length shall be varied by methods such as building wall offsets and varying the pitch and height of the roofline.
15. Satellite Use Regulations:
 - a. Satellite use buildings shall not exceed twenty percent (20) of the building coverage of a shopping center.
 - b. Each satellite use building shall be located at least one hundred (100) feet from the primary building(s).
 - c. Only one (1) permitted principal use is permitted in each satellite use building.
 - d. Gross floor area of each satellite use building shall not exceed ten thousand (10,000) square feet.
 - e. Vehicular access to satellite uses shall be from interior driveways only, with no independent driveway access to exterior streets.
 - f. Parking capacity for satellite uses shall be included in the total capacity required in Subsection 671.4 above; however, sufficient parking for the satellite use shall be located convenient to the satellite use.
 - g. Areas for satellite uses shall be integrated into the initial overall design of the development.

Section 672.A. RESTAURANT, FAST FOOD

For the purpose of this section “Restaurant, Fast Food” is defined in Section 201 of this Ordinance.

1. Access requirements:
 - a. Such use must have direct access to a collector or arterial street.
 - b. There shall be only one point of ingress to the collector or arterial street. This may be accomplished in one of the following ways:

- (1). The ingress and egress are adjacent to each other with no physical separation. This arrangement must be at least twenty-four (24) feet wide and not more than thirty-six (36) feet wide.
 - (2). The ingress and egress are adjacent with a raised island separating the two. The island shall be more than ten (10) feet wide. Each driveway shall be at least fourteen (14) feet wide but not more than twenty-four (24) feet wide.
 - (3). The ingress and egress would be completely separated on the site. In this case, the driveways shall be at least one hundred (100) feet apart measured center line to center line. Each driveway shall be at least fourteen (14) feet wide, but not more than twenty-four (24) feet wide.
- c. When this use is adjacent to, or on the same lot with, a group of commercial facilities, it shall use the common access with the other business establishments and not have a separate access to the abutting collector or arterial street.
 - d. The access driveway shall be located so as to allow for adequate acceleration and deceleration lanes.
 - e. The access shall be at least forty (40) feet from any existing street intersection. The distance shall be measured from the street right-of-way to the edge of the access driveway.
 - f. A traffic impact analysis of the proposal shall be prepared by a traffic engineer or traffic planner when required by the Township. The study shall identify existing traffic levels on the street, project traffic generated by the restaurant, identify potential problems created by restaurant generated traffic and propose solutions to control and provide safe access to and from the site and maintain an acceptable level of service on the frontage street.
2. Parking requirements:
- a. One (1) off-street parking spaces for every two (2) seats, or three (3) off-street parking spaces for every one-hundred (100) square feet of gross floor area, whichever requires the greater number of spaces, plus one (1) additional space for each employee of the largest shift.
 - b. Parking areas shall be setback at least ten (10) feet from any side or rear lot line except when the buffer yard provisions require a greater distance.
 - c. At least two (2) parking spaces in close proximity to the entrance to the restaurant shall be reserved for the handicapped. These spaces shall be twelve point five (12.5) feet wide by twenty (20) feet deep.
 - d. Parking areas shall be paved and shall be subject to all applicable parking lot standards of Section 609.A. and B. and the Township SALDO.

3. Where a Drive-through Window is proposed, a stacking lane shall be provided to serve a minimum of ten (10) cars. The stacking lane shall not be used for parking lot circulation Aisles shall not in any way conflict with through circulation or parking. Drive-through Windows shall meet the requirements of Section 609.C.
4. A pedestrian walkway shall be provided between an existing sidewalk and the entrance to the restaurant.
5. Service areas provided for delivery trucks shall be screened from the street and adjacent properties. In addition, the service areas shall be so located as not to conflict with patron traffic, either vehicular or pedestrian.
6. There shall be no outdoor storage other than trash which shall be within an enclosed area.
7. The entrance to the restaurant shall be designed to accommodate handicapped persons.
8. A maximum of two (2) outdoor menu boards are permitted, beyond the signs normally permitted, with a maximum sign area of forty (40) square feet each if drive-through service is provided, and only if the words on such signs are not readable from beyond the lot line.
9. Lighting:
 - a. All portion of the parking area shall be adequately lighted during after-dark operating hours.
 - b. All light standards shall be located on the raised parking islands or planting areas and not on the parking surface.
 - c. The lighting facilities shall be planned, erected, and maintained so the light is confined to the property and will not cast direct light or glare upon adjacent properties or public rights-of-way.
10. Covered trash receptacles shall be provided outside the restaurant for patron use.
11. All exterior seating and/or play areas shall be enclosed by a minimum three (3) foot high fence.

Section 672.B. RESTAURANT, TAKE OUT AND GENERAL

For the purposes of this section “Restaurant, Take out and General” is defined in Section 201 of this Ordinance.

1. Parking requirements: one (1) per every two (2) seats or one (1) per fifty (50) sq. ft. of customer use, whichever is greater; and one (1) for each employee of the largest shift. If a catering kitchen is part of the operations, then one additional parking space shall be provided.
2. When this use is adjacent to, or on the same lot with, a group of commercial facilities, it shall use the common access with the other business establishments and not have a separate access to the abutting collector or arterial street.

3. The access shall be at least forty (40) feet from any existing street intersection. The distance shall be measured from the street right-of-way to the edge of the access driveway.
4. Service areas provided for delivery trucks shall be screened from the street and adjacent properties. In addition, the service areas shall be so located as not to conflict with patron traffic, either vehicular or pedestrian.
5. There shall be no outdoor storage other than trash which shall be within an enclosed area.
6. The entrance to the restaurant shall be designed to accommodate handicapped persons.
7. Lighting:
 - a. All portion of the parking area shall be adequately lighted during after-dark operating hours.
 - b. All light standards shall be located on the raised parking islands or planting areas and not on the parking surface.
 - c. The lighting facilities shall be planned, erected, and maintained so the light is confined to the property and will not cast direct light or glare upon adjacent properties or public rights-of-way.

Section 673. **BED AND BREAKFAST INN**

1. A maximum of six (6) rental units shall be provided, nor more than three (3) adults may occupy one rental unit and no more than twelve (12) guests total may occupy the facility at one point in time.
2. One (1) off-street parking space shall be provided for each rental unit. The off-street parking spaces for the bed and breakfast shall be located either to the rear of the principal building or screened from the street and abutting dwellings by landscaping.
3. There shall not be any signs, show windows or any type of display or advertising visible from outside the premises, except for a single non-illuminated sign with a maximum sign area of four (4) square feet on each of two (2) sides and with a maximum height of eight (8) feet. The sign shall be no closer than twenty (20) feet from any side lot line. The sign shall require a zoning permit.
4. The use shall have a residential appearance and character.
5. The use shall be operated by permanent residents of the lot.
6. There shall not be separate cooking facilities in any guest room. Food shall only be served to guests who are staying overnight, unless a General Restaurant or Tavern is also permitted in the underlying Zoning District.
7. No guest shall stay for more than fourteen (14) days in any month.

8. No retail sales are permitted.
9. No sales of alcohol are permitted unless a General Restaurant or Tavern is also permitted in the underlying Zoning District.
10. The Township Sewage Enforcement Officer must confirm if the sewage facilities are adequate for the number of rental units utilized. This confirmation must accompany the application to the Zoning Hearing Board.
11. The Township Road Master and the Township Engineer must confirm if the access drive(s) are adequate for safe ingress and egress for the anticipated volume of traffic for the proposed use. A Township driveway permit (or PA DOT HOP permit if applicable) needs to accompany the application to the Zoning Hearing Board.
12. The Township Road Master and Township Engineer must confirm if the applicant will be required to address stormwater issues prior to the issuance of any driveway, zoning and/or building permits.

Section 674. HOTEL AND MOTEL

Hotels

1. The following accessory uses may be approved as part of a Hotel:
 - a. Auditorium.
 - b. Barber and beauty shops.
 - c. Tavern or Night Club.
 - d. Gift shop.
 - e. Meeting facilities.
 - f. Swimming Pools.
 - g. Restaurants, General.
 - h. Health Club facilities for guests.
 - i. Other similar Retail Business sales and Personal Services.
2. The above accessory uses shall be physically attached to the main hotel building.
3. One freestanding Restaurant, Tavern or Nightclub shall be permitted on the same lot as a principal hotel, subject to the following:
 - a. The proposed Restaurant, Tavern or Nightclub shall offer the preparation and serving of food and drink to be consumed on the premises; no Drive-through or Take-out services shall be permitted.
 - b. No additional freestanding signs (other than those permitted for the principal hotel use) shall be permitted.
 - c. If a Nightclub is proposed, the applicant shall furnish evidence as to what means will assure that the proposed nightclub will not constitute a nuisance to adjoining uses (including the hotel) by way of noise, litter, loitering and hours of operation.

- d. Off-street parking spaces have been provided per Section 609.A. and B. and located to conveniently serve the freestanding restaurant, tavern and/or nightclub, without interfering with required off-street parking associated with the hotel use.

Hotel and Motel

1. The site shall have frontage on and direct vehicular access to an arterial or collector street, as defined in this Ordinance. Ingress, egress and traffic circulation on the site shall be designed to ensure safety and minimize congestion and impact on local streets.
2. The applicant shall demonstrate that the granting of the proposed use shall not materially increase traffic congestion on adjacent roads and highways.
3. Site lighting, if proposed, shall be shielded and reflected away from adjacent residential properties and public streets.
4. Parking:
 - a. 1.5 spaces per rented room, plus one (1) per employee.
5. A connection to a public or community water supply and sewerage system is required.
6. Site Requirements:
 - a. Lot area: 2 acres
 - b. Lot Width: 250 feet minimum
 - c. Front yard: 50 feet minimum
 - d. Side yard: 50 feet minimum
 - e. Rear yard: 50 feet minimum
 - f. Impervious Coverage: 60%
 - g. Max Height: 60 feet (hotel)
35 feet (motel)
 - h. No structure, except a permitted sign and parking areas, shall be nearer to any lot line than fifty (50) feet.

Section 675. AUTOMOBILE AND MOTOR VEHICLE WASHING FACILITY

1. The facility shall be connected to a public sewerage system and shall have all required approvals from PA DEP.
2. Traffic flow and ingress-egress shall not cause traffic hazards on adjacent streets. On-lot traffic circulation channels and parking areas shall be clearly marked.
3. Driveway entrances shall be located at least thirty (30) feet from the right- of-way line of the intersection of any public streets.

4. All automated washing facilities shall be in a completely enclosed building. All other car-washing facilities shall be under a roofed structure which has at least two (2) walls.
5. Adequate provisions shall be made for the proper and convenient disposal of refuse. The applicant shall provide evidence that adequate measures will be in place to prevent pollutants from being washed into the groundwater or waterways. Any chemicals or polluted runoff that may be hazardous to aquatic life shall be stored within an area that will completely contain any leaks or spills.
6. Water from the car wash operation shall not flow onto adjoining properties or onto sidewalks or streets in such a manner as could cause ice hazards.
7. Any car wash that is located within two hundred and fifty (250) feet of an existing dwelling shall not operate between the hours of 10:00 p.m. and 7:00 a.m.
8. No portion of a car wash shall be located within one hundred (100) feet from the center line of a perennial waterway.
9. No structure shall be located less than twenty-five (25) feet from any lot line.
10. An approach drive or parking area to accommodate a minimum of five (5) cars in tandem, with a total length of one hundred (100) feet per bay shall be constructed for the purpose of avoiding an accumulation of cars backing upon a public thoroughfare, except in the case of a facility where only one bay is provided. In such case, the approach drive or parking area shall be constructed to accommodate a minimum of eight (8) cars in tandem, with a total length of one hundred and fifty (150) feet.

Section 676. AUTOMOBILE AND MOTOR VEHICLE SERVICE STATION

1. Automobile and Motor Vehicle Service Stations are those facilities performing “Minor Repair” and “Major Repairs” as defined in Section 201 of this Ordinance and are regulated accordingly.
2. Minor Repair
 - a. All activities as allowed as a Minor Repair facility, shall be performed within a building except those customarily performed at air or fuel pumps. Spray painting or body or fender work is prohibited as part of a Minor Repair facility.
 - b. Fuel pumps shall be at least twenty-five (25) feet from the existing street right-of-way.
 - c. An individual junk vehicle (as defined in this Ordinance) shall not be stored within view of a public street or a dwelling for more than a total of twenty (20) days. No more than three junk vehicles shall be stored on the lot outside of an enclosed building at any point in time.
 - d. Overnight outdoor storage of junk and vehicle parts, other than permitted whole junk vehicles, shall be prohibited within view of a public street or dwelling.

- e. There shall be an ability for a minimum of three (3) vehicles to be serviced at each cluster of gasoline pumps or to be lined up behind cars being serviced, without obstruction of access into or out of the driveways from public streets.
- f. A use that is primarily intended to serve trucks with three or more axles or tractor-trailer trucks shall have a minimum lot area of one acre, and all areas used for fueling and servicing shall be set back a minimum of one hundred (100) feet from all residential lot lines.
- g. No building, structure, fuel pump or fuel storage tank shall be less than fifty (50) feet to a lot line.
- h. All refuse shall be stored within an enclosed building or an enclosed area.
- i. The handling and disposal of motor oil, battery acid and any other substance regulated by federal statute and the Pennsylvania Department of Environmental protection (DEP) shall be in accordance with all permits and requirements of that agency or its successor agency. Any suspension, revocation or violation of the DEP permits shall be a violation of this chapter and shall be subject to the enforcement provisions of this Ordinance.
- j. Parking: one (1) off-street parking space for every three hundred (300) square feet of gross floor area, or two (2) off-street parking spaces for each service bay, whichever is larger, plus one (1) space for each employee. Off-street parking spaces are not to be a part of, nor interfere with, the access ways to and from the pumps.

3. Major Repair

- a. All major repair, welding and paint work shall be performed within a building, with a fume collection and ventilation system that directs noxious fumes away from any adjacent dwellings.
- b. All reasonable efforts shall be made to prevent or minimize noise, odor, vibration, glare or electrical interference nuisances to adjacent lots.
- c. Outdoor storage of motor vehicles shall not be within a buffer yard or planting strip area nor closer than ten (10) feet from a residential lot line.
- d. Overnight outdoor storage of junk, other than permitted vehicles, shall be prohibited within view of a public street or an adjacent dwelling.
- e. An individual junk vehicle shall not be stored within view of a public street or a dwelling for a total of more than twenty (20) days. A maximum of six (6) junk vehicles may be parked on a lot outside of an enclosed building at any one time, unless screened from view by evergreen plants.
- f. Whenever practical in the determination of the Zoning Officer, service bay doors shall not face directly towards an abutting dwelling (other than a dwelling separated from the repair garage by a street).

- g. A use that is primarily intended to serve trucks with three (3) or more axles or tractor-trailer trucks shall have a minimum lot area of one (1) acre, and all areas used for repairs, fueling and servicing of such vehicles shall be set back a minimum of one-hundred (100) feet from a residential lot line.
- h. The handling and disposal of motor oil, battery acid and any other substance regulated by federal statute and the Pennsylvania Department of Environmental protection (DEP) shall be in accordance with all permits and requirements of that agency or its successor agency. Any suspension, revocation or violation of the DEP permits shall be a violation of this chapter and shall be subject to the enforcement provisions of this Ordinance.

Section 677.A. VEHICULAR AND MOBILE HOME SALES, RENTALS AND DISPLAY

- 1. Vehicles are those apparatuses as defined in Section 201 of this Ordinance which include, but are not limited to, automobiles, trucks, trailers, recreation vehicles, motorcycles and boats but does not include “Trucks and Heavy Equipment Sales, Rental and Service Establishments” as defined in Section 201.
- 2. Mobile homes are those structures as defined in Section 201 of this Ordinance.
- 3. New and used vehicle sales and service establishments shall be limited to those establishments which are factory-authorized dealerships or for those establishments which have obtained a license from the Commonwealth of Pennsylvania to operate a used car dealership.
- 4. The regulation of the renting of vehicles does not include those uses directly associated with recreational areas such as canoe or boat rentals, golf carts, and bicycles.
- 5. The property shall have frontage on and direct vehicular access to an arterial or collector street.
- 6. The area used for display of vehicles, mobile homes and related merchandise offered for sale and the area used for parking of customer and employee vehicles shall be continuously paved and maintained in either concrete or asphalt over a base of crushed stone compacted to not less than six (6) inches in depth. Mobile home sales shall be required to install and maintain crushed stone compacted to not less than six (6) inches in all areas, with concrete or asphalt paving optional at the owner’s discretion.
- 7. The handling and disposal of motor oil, battery acid and any other substance regulated by federal statute and the Pennsylvania Department of Environmental protection (DEP) shall be in accordance with all permits and requirements of that agency or its successor agency. Any suspension, revocation or violation of the DEP permits shall be a violation of this Section and shall be subject to enforcement provisions of this Ordinance.
- 8. All lots used for the outdoor display of vehicles shall have at least one (1) completely enclosed building on the same lot, which has not less than two thousand (2,000) square feet of gross floor area, where all repair, servicing, sales and customer car-washing shall be performed.

9. No vehicle or other merchandise displayed outdoors shall be less than five (5) feet from any property line. No vehicle shall be parked on adjacent property or in any public street right-of-way.
10. No vehicle shall be displayed or offered for sale which does not have all of the mechanical and body components necessary for the safe and lawful operation thereof on the streets and highways of the Commonwealth of Pennsylvania.
11. All lights and light poles shall be located at least ten (10) feet from any street right-of-way or property line, and all lighting shall be shielded and reflected away from adjacent streets and properties.
12. No strings of lights or flags, flashers or other display paraphernalia shall be permitted on the lot, on any of the structures or poles or on merchandise displayed outdoors, except for such signs as may be otherwise allowed by this Ordinance.
13. All required off-street parking spaces shall be reserved exclusively for the parking of customer and employee vehicles and shall not be used for the display of merchandise.
14. Customer vehicles with external damage awaiting repairs shall be located either inside a building or in an outdoor area which is screened by a six-foot (6) compact hedge or opaque fence.
15. All property boundaries shall be screened as required by the Township SALDO.

Section 677.B. TRUCK AND HEAVY EQUIPMENT SALES, RENTAL, SERVICE and/or REPAIR FACILITIES

1. Truck and Heavy Equipment Sales, Rental, Service and/or Repair Facilities are defined in Section 201 of this Ordinance.
2. New and used vehicle and equipment sales and service establishments related to truck and heavy equipment shall be limited to those establishments which are factory-authorized dealerships or which have obtained a license from the Commonwealth of Pennsylvania to operate a used car dealership.
3. The minimum lot area required shall be three (3) acres.
4. The property shall have frontage on and direct vehicular access to an arterial or collector street.
5. The area used for display of trucks, heavy equipment and related merchandise offered for sale and the area used for parking of customer and employee vehicles shall be continuously paved and maintained in either concrete or asphalt over a base of crushed stone compacted to not less than six (6) inches in depth.
6. The handling and disposal of motor oil, battery acid and any other substance regulated by federal statute and the Pennsylvania Department of Environmental protection (DEP) shall be in accordance with all permits and requirements of that agency or its successor agency. Any suspension, revocation or violation of the DEP permits shall be a violation of this Section and shall be subject to enforcement provisions of this Ordinance.

7. If allowed in the I-1 Zoning District the outdoor display of vehicles and merchandise must meet Section 603 of this Ordinance.
8. All lots used for the outdoor display of vehicles shall have at least one (1) completely enclosed building on the same lot, which has not less than two thousand (2,000) square feet of gross floor area, where all repair, servicing, sales and vehicle washing shall be performed.
9. No vehicle or other merchandise displayed outdoors shall be less than ten (10) feet from any property line. No vehicle shall be parked on adjacent property or in any public street right-of-way.
10. No vehicle shall be displayed or offered for sale which does not have all of the mechanical and body components necessary for the safe and lawful operation thereof on the streets and highways of the Commonwealth of Pennsylvania.
11. All lights and light poles shall be located at least ten (10) feet from any street right-of-way or property line, and all lighting shall be shielded and reflected away from adjacent streets and properties.
12. No strings of lights or flags, flashers or other display paraphernalia shall be permitted on the lot, on any of the structures or poles or on merchandise displayed outdoors, except for such signs as may be otherwise allowed by this Ordinance.
13. All required off-street parking spaces shall be reserved exclusively for the parking of customer and employee vehicles and shall not be used for the display of merchandise.
14. Customer vehicles with external damage awaiting repairs shall be located either inside a building or in an outdoor area which is screened by a six (6) foot compact hedge or opaque fence.
15. All property boundaries shall be screened as required by the Township SALDO.

Section 678.A. AUTOMOBILE AND VEHICLE AUCTION

1. Minimum Lot Area: Ten (10) acres.
2. Parking (customer): one (1) space for each two hundred (200) square feet of sales area (indoor and outdoor) devoted to the auctioning of automobiles and vehicles (see Subsection 678.A.7.a).
3. Lighting shall meet the standards of Section 605 of this Ordinance and any requirements of the Township SALDO.
4. Any site used for the sale, parking and/or storage of more than one hundred and fifty (150) vehicles for auctions shall front solely upon collector or arterial roads.
5. All exterior areas used for the parking and/or storage of automobiles for auctions shall be subject to the zoning districts setback requirements and enclosed by a six (6) foot high fence.

6. Access drive and parking areas for customers shall be governed by this Ordinance and the Township SALDO. Beyond this, all areas used for vehicle sales, parking or storage shall include a paved, all-weather, dust-free surface.
7. In addition to the preceding requirements, automobile and vehicle auctions shall comply with the following:
 - a. The sales area shall be considered to be that of the smallest rectangle, or other regular geometric shape which encompasses all display stands, booths, tables or stalls, plus any adjoining aisles and/or walkways from which consumers can inspect items for sale. The sales area shall include all indoor and outdoor areas as listed above.
 - b. Except for Subsection 678.A.7.g, the retail sales area shall be set back at least one hundred (100) feet from all property lines.
 - c. Any exterior, amplified public address system shall be arranged and designed so as to comply with Section 619 of this Ordinance.
 - d. Exterior trash receptacles shall be provided amid any outdoor sales area. Such trash receptacles shall be routinely emptied so as to prevent the scattering of litter and debris. All applications shall include a description of a working plan for the cleanup of litter.
 - e. The servicing, reconditioning, demolition, or junking of vehicles is prohibited.
 - f. The applicant shall furnish evidence that the disposal of all materials will be accomplished in a manner that complies with all applicable state and federal regulations.
 - g. No part of the auction shall be located within three hundred (300) feet of any land adjacent to a residential use. A traffic impact report shall be prepared in accordance with the Township SALDO.

Section 679. OUTDOOR FLEA AND ANTIQUE MARKET; OUTDOOR FARMER AND PRODUCE MARKETS

1. It is the intent of this section to allow for areas of the Township to have regulated outdoor sales of items associated with flea markets, the antique trade and farmers produce items in an indoor and outdoor setting.
2. The duration of sales shall not exceed three (3) days within a seven (7) day time period.
3. Such uses may also take place within any enclosed buildings. However sales within these buildings must not exceed three (3) days per week. Any indoor or outdoor sales in any consecutive seven (7) day period shall occur coincidentally.
4. All retail sales areas shall be set back at least fifty (50) feet from all property lines.

5. The indoor sale of merchandise and products shall take place between the hours of 6:00 a.m. and 10:00 p.m. Outdoor sales set up may begin no earlier than 4:00 a.m. and shall conclude by the official sunset for that particular day.
6. There shall be no lighting of the property which produces glare on adjacent properties.
7. There shall be no more than two (2) signs advertising the markets, which shall not exceed three (3) square feet. Each sign shall be located only on the premises and shall not be illuminated.
8. Off-street parking areas shall be provided based on one (1) space for each two hundred (200) square feet of retail sales area. The retail sales area shall be considered to be that of the smallest rectangle, or other regular geometric shape which encompasses all display stands, booths, tables or stalls, plus any adjoining aisles and/or walkways from which consumers can inspect items for sale. The retail sale shall include all indoor and/or outdoor areas as listed above.
9. The person responsible for the markets shall ensure proper parking and ingress and egress circulation patterns so as to avoid impeding the flow of traffic on adjacent streets.
10. Adequate sewage disposal facilities shall be provided for all customers and vendors. Proof must be provided that said facilities meet PA DEP requirements.
11. There shall be no overnight parking or storage of Vehicles allowed.
12. Exterior trash and recycling receptacles shall be provided amid any outdoor retail sales area. Such trash receptacles shall be routinely emptied so as to prevent the scattering of litter and debris. All applications shall include a description of a working plan for the cleanup of litter.
13. When applying for a Special Exception, the applicant shall submit a plan showing compliance with all applicable conditions of this section.
14. Application Procedure. The markets in this section shall be subject to the following application and approval process.
 - a. The applicant shall demonstrate compliance with the requirements of this chapter and shall request a Special Exception from the Zoning Hearing Board.
 - b. If a Special Exception is granted, the applicant shall apply for a zoning permit from the Zoning Officer.

Section 680. CONVENIENCE STORE

1. A retail business housed in a building having less than 10,500 square feet of gross floor area which specializes in providing household products and foods. Convenience Stores may also include any of the following provided that each use has obtained the necessary approvals and that they operate as an accessory use to the Convenience Store:

- a. Retail sales or rental of books, magazines, videos, software, and video games provided that adult-related uses are expressly prohibited.
 - b. Take-out or Fast-food Restaurants provided that rest rooms are made available to the public.
 - c. Amusement devices to a maximum of two (2).
 - d. Automatic bank teller machines.
 - e. Photomats and film development drop-off sites.
 - f. Lottery sales counters and machines.
 - g. Propane fuel sales within no larger than twenty (20) pound tanks, which must be stored outside of the building, but within a locked enclosure at all times.
 - h. Dispensing of automobile fuels, oils, compressed air, kerosene, washer fluid, and other auto-related items.
 - i. Automobile and Motor Vehicle Washing Facility, subject to the requirements of Section 675 of this Zoning Ordinance.
2. Lot Area: one (1) acre.
 3. Lot Width: One hundred and twenty five (125) feet.
 4. Impervious Coverage: ninety (90) per cent.
 5. The site shall have frontage on and direct vehicular access to an arterial or collector street as defined by this chapter.
 6. The applicant must furnish evidence as to how the use will be controlled as to not constitute a nuisance due to noise or loitering outside the store.
 7. Ingress, egress and traffic circulation on the site shall be designed to minimize hazards and congestion.
 8. The applicant shall demonstrate that the granting of the proposed use shall not materially increase traffic congestion on adjacent roads and highways.
 9. The subject property shall be set back at least three hundred (300) feet from any lot containing a school, Day-Care Facility, playground, library, hospital, or Healthcare Facility.
 10. Access driveways shall be a minimum of twenty-eight (28) feet wide and separated by one-hundred (100) feet from one another, if located along the same frontage as measured from edge to edge.

11. All structures (including gasoline pump islands, but not permitted signs) and machinery shall be set back at least twenty-five (25) feet from any street right-of-way line and not less than fifty (50) feet to a side or rear lot line.
12. There shall be an ability for a minimum of three (3) vehicles to be serviced at each cluster of gasoline pumps without obstruction of access driveways from public streets.
13. All ventilation equipment associated with fuel storage tanks shall be set back one-hundred (100) feet, and oriented away from any adjoining residential, commercial or institutional properties.
14. Any drive-through facilities shall be located so that the on-site movement of vehicles will not be hampered by those cars using said facilities. Drive-through facilities and canopies are subject to Section 609.C.
15. A minimum of one (1) parking space for each seventy five (75) square feet of gross floor area shall be provided.
16. Loading areas are required and subject to Section 608.
17. All property boundaries shall be screened as required by the Township SALDO.
18. All lighting shall be shielded and reflected away from streets and adjoining properties.
19. All sales and/or storage or display of all merchandise, including seasonal items, such as bagged wood chips, peat moss, rock salt, flowers, etc., shall be conducted within a completely enclosed building.
20. Exterior trash/recycling receptacles shall be provided and routinely emptied to prevent the scattering of litter, and the applicant shall furnish and continuously implement a working plan for the cleanup of litter and debris.
21. The applicant is required to demonstrate compliance with all applicable state requirements imposed upon the proposed use.

Section 681 through 684 (Reserved)

Section 685. PLANNED INDUSTRIAL PARK

1. Permitted Uses.
 - a. Research and Testing Facility, except for those specifically allowed only by Special Exception or Conditional Use.
 - b. Truck and Heavy Equipment Sales, Rental and Service Establishment, subject to Section 677.B.
 - c. Light Industry, except for those specifically allowed only by Special Exception or Conditional Use.

- d. Commercial Contractor Service Yards, subject to Section 686.
 - e. Warehousing, subject to Section 688.A.
 - f. Self Storage Facility, subject to Section 687.
 - g. Automobile and Motor Vehicle Service Station, Major and Minor Repair, subject to Section 676.
2. Dimensional Regulations.
- a. Site Regulations
 - Minimum Site Area: 5 acres
 - Minimum Site Width: 200 feet
(at right-of-way line)
 - Minimum Setbacks: 75 feet (from site boundaries)
 - Maximum Impervious Coverage: 80%
 - b. Minimum Lot Regulations
 - Minimum Lot Area: 1 acre
 - Minimum Lot Width: 100 feet
 - Minimum Front Yard: 50 feet
 - Minimum Side Yard: 20 feet (50 feet from corner side yards)
 - Minimum Rear Yard: 30 feet
 - Minimum Building Spacing: 35 feet
 - c. Maximum Lot Regulations
 - Maximum Building height: 40 feet
 - Maximum Impervious coverage: 60%
- 3. All uses within the park shall take access from an interior roadway. Access for the park shall be from an arterial or collector street.
 - 4. Interior roadways shall have street trees set on forty (40) foot centers.
 - 5. All parking and loading facilities shall be located to the rear or side of buildings.
 - 6. The buffer requirements of Section 604 of this Ordinance and the Township SALDO shall be met.
 - 7. Lighting facilities shall be provided and arranged in a manner which will protect the highway and neighboring properties from direct glare or hazardous interference of any kind.
 - 8. The display of materials or goods is not permitted within a park.
 - 9. A Traffic Impact Study shall be required per the Township SALDO.

10. Individual uses may be located in detached and attached structures and on either fee simple lots or leased parcels.
11. All commonly owned elements shall be owned and maintained in accordance with the Pennsylvania Uniform Condominium Act or other ownership arrangement reviewed by the Township Solicitor.
12. The applicant shall submit a plan for the overall design and improvements for the park to the Zoning Hearing Board.
13. No use shall emit noise in such quantity as to be audible beyond its lot lines. The standards of Section 619 shall be met.
14. Parking areas must be adequately screened per the requirements of Section 604 of this Ordinance and the Township SALDO when situated within fifty (50) feet of land zoned for or in residential use.

Section 686. COMMERCIAL CONTRACTOR SERVICE YARD

1. A twenty (20) foot wide screening buffer of dense evergreens, minimum six (6) feet high spaced on twelve (12) feet centers in a staggered pattern or an equivalent alternate screening buffer approved by the Zoning Officer, for any site within two-hundred (200) feet of an existing residence.
2. Measures approved by the Township Supervisors, such as a sound deflecting or sound attenuating wall, as may be required to reduce sound emissions at the property line to no more than sixty four (64) decibels between the hours of 10 pm and 7 am and seventy five (75) decibels at other times.
3. Measures shall be provided to control dust and debris. The entire area shall be properly maintained, with debris placed in suitable containers and disposed of by proper waste handling.
4. Truck and equipment ingress and egress shall be designed to minimize traffic hazards and inconveniences. All vehicles leaving the site shall be clean so as to not deposit excess dirt, mud, or debris on public roads.
5. All major vehicle or equipment repairs shall be conducted within an enclosed building.
6. Access for trucks and equipment shall be by an arterial highway or an industrial collector street.

Section 687. SELF STORAGE FACILITY

1. Site Requirements.
 - a. Minimum Lot Area: 5 Acres
 - b. Minimum Setback From Road: 75 feet
 - c. Minimum Setbacks From Property Lines: 50 feet
 - d. Minimum Lot Width: 150 feet
 - e. Maximum Height Storage Units: 12 feet

- f. Maximum Height Other Building: 35 feet
 - g. Maximum Impervious Surface: 35%
 - h. Minimum aisle width between buildings shall be twenty-six (26) feet.
2. The storage facilities complex shall be surrounded by a fence at least eight (8) feet in height of a type approved by the municipality.
 3. Outdoor storage of automobiles, boats and recreational vehicles is permitted if they are within the fenced area. All such items must be licensed, inspected, in operable condition, and on all weather surfaces. A maximum of two (2) square feet of outdoor storage area shall be permitted for every one (1) square foot of indoor storage area. The parked vehicles shall not interfere with traffic movement through the complex and shall meet the minimum setbacks noted in subsection 1 above.
 4. Buffers shall be provided in accordance with the requirements of Section 604 of this Ordinance and the Township SALDO.
 5. One (1) office and one (1) living accommodation unit for a caretaker is allowed.
 6. Each structure shall not exceed six thousand (6,000) square feet in size.
 7. Minimum Requirements for Lease Restrictions.
 - a. No business activities other than the leasing of storage units shall be permitted.
 - b. No trash, garbage or refuse, explosive, toxic, radioactive, hazardous or highly flammable materials, or animals or animal carcasses or skins shall be stored on the property.
 8. A zoning permit shall be obtained on an annual basis.
 9. Parking:
 - a. One (1) space for each five (5) storage units or, one (1) space for each two thousand (2,000) square feet of total floor area and outside storage area whichever is more. These parking spaces should be distributed equally throughout the storage area.
 - b. If a manager's living quarters are included, two (2) additional spaces are required.
 10. Nothing shall be stored in interior traffic aisles, off-street parking areas, loading areas, or driveway areas.
 11. Servicing or repairing of boats, vehicles, trailers, lawn mowers or any similar equipment shall not be permitted.
 12. Adequate lighting shall be provided to illuminate the area, but directed away or shielded to direct light away from adjacent uses.

13. All storage units shall be fireproof and waterproof. Each shall have separate ingress and egress secured by a locking device.
14. Approval shall be obtained from any municipal Police Chief and Fire Marshall regarding security and fire protection.

Section 688.A. WAREHOUSING; DISTRIBUTION CENTER

For the purpose of this section Warehousing and Distribution Center are defined in Section 201 of this Ordinance.

1. Dimensional Requirements.
 - a. Minimum Lot Area: 10 acres
 - b. Minimum Lot Width: 300 feet
 - c. Minimum Front yard: 100 feet
 - d. Minimum Side Yard: 100 feet
 - e. Minimum Rear Yard: 100 feet
 - f. Maximum Building Height: 35 feet
 - g. Minimum Setback for parking Lots: 50 feet (public street); 100 feet (residential use or zoned land)
 - h. Minimum Building spacing: 50 feet
 - i. Maximum Impervious Surface: 60%
2. The applicant shall provide a detailed description of the proposed use in each of the following topics:
 - a. The nature of the on-site activities and operations, the types of materials stored, the frequency of distribution and restocking, the duration period of storage of materials, and the methods for disposal of any surplus or damaged materials. In addition, the applicant shall furnish evidence that the disposal of materials will be accomplished in a manner that complies with state and federal regulations.
 - b. The general scale of the operation, in terms of its market area, specific floor space requirements for each activity, the total number of employees on each shift, and an overall needed site size.
 - c. Any environmental impacts that are likely to be generated (e.g., odor, noise, smoke, dust, litter, glare, vibration, electrical disturbance, wastewater, stormwater, solid waste, etc.), and specific measures employed to mitigate or eliminate any negative impacts. The applicant shall further furnish evidence that the impacts generated by the proposed use fall within acceptable levels, as regulated by applicable laws and ordinances.
 - d. A traffic impact report prepared in accordance with the Township SALDO.
3. Access driveways shall be a minimum of twenty-eight (28) feet, and a maximum of thirty-five (35) feet wide. All access drives onto the same road shall be set back at least one hundred and fifty (150) feet from one another, as measured from closest points of cartway edges.

4. Any gates or other barriers used at the entrance to parking areas shall be set back and arranged to prevent vehicle backups onto adjoining roads during peak arrival periods.
5. Parking of Trucks shall be limited to those trucks picking up or delivering warehouse or wholesale materials twenty-four (24) hours prior to or after said pickup or delivery.
6. The outdoor storage of unlicensed and/or uninspected vehicles is prohibited.
7. The demolition or junking of vehicles and machinery is prohibited. Demolished vehicles and/or parts thereof shall be removed within thirty (30) days after arrival.
8. The applicant shall designate and reserve sufficient space on the site to accommodate staged or queued vehicles awaiting loading/unloading at a rate of no less than five percent (5%) of the projected maximum number of trips per day.
9. No structure including parking areas and access driveways shall be located closer than two hundred (200) feet to any residential use property line or any property line of a school Child Day Care Facility, Healthcare Facility, hospital, park, or playground.
10. No vehicle service and/or repair activities shall be conducted on the premises.

Section 688.B. TRUCK TERMINAL

For the purpose of this section Truck Terminal is defined in Section 201 of this Ordinance.

1. The truck terminal shall be licensed by the Public Utilities Commission.
2. Dimensional Requirements.
 - a. Minimum Lot Area: 10 acres
 - b. Minimum Lot Width: 300 feet
 - c. Minimum Front yard: 100 feet
 - d. Minimum Side Yard: 100 feet
 - e. Minimum Rear Yard: 100 feet
 - f. Maximum Building Height: 35 feet
 - g. Minimum Setback for parking Lots: 50 feet (public street); 100 feet (residential use or zoned land)
 - h. Minimum Building spacing: 50 feet
 - i. Maximum Impervious Surface: 60%
3. All structures (including, but not limited to, air compressors, fuel pump islands, kiosks) shall be set back at least two hundred (200) feet from any street right-of-way line. Unless the fuel pump islands are set back two hundred (200) feet from the street line, they shall be designed so that, when fueling, trucks must be parallel to street.
4. No structure, including parking areas and access driveways shall be located closer than two hundred (200) feet to any residential use property line or any property line of a School, Child Day Care Facility, Healthcare Facility, hospital, park or playground.

5. Trucks with compressors running twenty-four (24) hours a day shall be located within a quadrangle of buildings or walls.
6. Access driveways shall be a minimum of twenty-eight (28) feet, and a maximum of thirty-five (35) feet wide. All access drives onto the same road shall be set back at least one hundred and fifty (150) feet from one another, as measured from closest points of cartway edges.

Any gates or other barriers used at the entrance to parking areas shall be set back and arranged to prevent vehicle backups onto adjoining roads during peak arrival periods.
7. All vehicle service and/or repair activities shall be conducted within a completely enclosed building. Outdoor storage of parts, equipment lubricants, fuels, or other materials used or discarded in any service or repair operations must be screened from adjoining roads and properties.
8. The outdoor storage of unlicensed and/or uninspected vehicles is prohibited.
9. The demolition or junking of vehicles and machinery is prohibited. Demolished vehicles and/or parts thereof shall be removed within thirty (30) days after arrival.
10. Any exterior public address system shall be designed and operated so that the audible levels of any messages conveyed over the system will not exceed the ambient noise levels of the use, as measured at each of the property lines.
11. The applicant shall furnish evidence that the storage and disposal of materials and wastes will be accomplished in a manner that complies with all applicable state and federal regulations.
12. Parking: one (1) off-street parking space for each employee or one (1) space for every five hundred (500) square feet of total floor area, whichever requires the greater number of spaces plus one (1) space for each company vehicle normally stored on the premises.
13. The applicant shall furnish a traffic impact report, prepared by a professional traffic engineer, in accordance with the Township SALDO.

Section 689. JUNK YARD

1. Minimum Lot Area: Five (5) acres.
2. Junk Yard materials shall not be located within five hundred (500) feet of any residence other than that owned by the owner of the premises or any residential or business district or one thousand (1,000) feet from a lake, river or stream. No junk or salvage operation shall be carried on within one hundred (100) feet of any highway right-of-way. No junk yard or salvage material or accessory structure shall be placed in the front, side or rear setbacks.
3. Junk Yard materials shall not be located in a wetland or floodplain.
4. Junk Yard materials shall be enclosed by a suitable fence or vegetative screening so that the materials are not visible from other property in the vicinity of the Junk Yard

nor from a public road or from navigable water. The fence or vegetative screen shall be a minimum of eight (8) feet in height and shall be properly maintained to satisfy the obscuring objective.

5. Junk Yard materials shall not be piled higher than the height of the fence or vegetative screen.
6. All junk shall be stored or arranged to permit access by emergency equipment and personnel, and to minimize the accumulation of water. For fire protection, an unobstructed fire break shall be maintained fifteen (15) feet in width and completely surrounding the Junk Yard.
7. At the site, appropriate measures shall be taken to prevent water and soil contamination from oils, gasoline, grease or other contaminants. At a minimum, there shall be five (5) feet of soil between the water table or bedrock.
8. Any junkyard shall be maintained in such a manner to minimize public or private nuisance, nor to cause any offensive or noxious sounds or odors, nor to cause the breeding or harboring of rats, flies, or other vectors.

Section 690.A. SOLID WASTE LANDFILL

1. For the purposes of this Section, a Solid Waste Landfill shall be defined in Section 201 of this Ordinance.
2. If a Special Exception or a Conditional Use is granted, then the applicant is subject to all conditions, standards and controls listed below:
 - a. The minimum lot size shall be fifty (50) acres.
 - b. No operation, activity, use, or occupation of any type for the Solid Waste Landfill shall be carried on within one hundred (100) feet of any property line and/or within one hundred (100) feet of any street right-of-way. In addition, a Solid Waste Landfill shall not be located within five hundred (500) feet of any residential zoning district or occupied residential dwelling unit.
 - c. A chain-link fence with a minimum height of fifteen (15) feet shall be erected along all boundary lines of the area which is approved for operational use as a Solid Waste Landfill by the Pennsylvania Department of Environmental Protection. The fence shall not contain openings greater than four (4) square inches and shall contain, at all entrances, gates which are locked except during operating hours.
 - d. A fifty (50) foot wide buffer yard shall completely surround all areas approved for operational use as a Solid Waste Landfill by the Pennsylvania Department of Environmental Protection. The buffer yard shall consist of a dense evergreen screen and is to be located and maintained along all boundary lines of the Solid Waste Landfill, except at entrances. The selected evergreens shall have a minimum height of twelve (12) feet and shall be staggered on twelve (12) foot centers. No materials of any nature shall be stored within this buffer yard. In addition, the buffer yard shall meet all

pertinent standards specified in this section. A landscaping plan shall be submitted to the Township for review and approval.

- e. A Land Development Plan for a Solid Waste Landfill must be submitted to the Township for review. The Land Development Plan shall demonstrate complete conformity with the requirements specified under this section. Upon approval, the Land Development Plan shall be recorded in accordance with the provisions stipulated by the Township.

Section 690.B. RESOURCE RECOVERY FACILITY

1. For the purpose of this Section, Resource Recovery Facility, Composting Facility, Incinerator, Municipal Solid Waste, Recycling Facility, Refuse-Derived Fuel (RDF) Facility, and Transfer Station are defined in Section 201 of this Ordinance.
2. If a Special Exception or Conditional Use is granted, then the applicant is subject to all conditions, standards and controls listed below:
 - a. The minimum lot size shall be ten (10) acres.
 - b. Parking areas shall be a minimum of one hundred (100) feet from any property line.
 - c. No operation, activity, use, or occupation of any type for a Resource Recovery Facility shall be carried on within two hundred (200) feet of any property line and/or within two hundred (200) feet of any street or right-of-way. In addition, a Resource Recovery Facility shall not be located within five hundred (500) feet of any residential zoning district or occupied residential dwelling unit.
 - d. A chain link fence with a minimum height of fifteen (15) feet shall be erected along all boundary lines of the area which is approved for operational use as a Resource Recovery Facility by the Pennsylvania Department of Environmental Protection. The fence shall not contain openings greater than four (4) square inches and shall contain, at all entrances, gates which are locked except during operating hours.
 - e. A fifty (50) foot buffer yard shall completely surround all areas approved for operational use as a Resource Recovery Facility by the Pennsylvania Department of Environmental Protection. The buffer yard shall consist of a dense evergreen screen and is to be located and maintained along all boundary lines of the Resource Recovery Facility, except at the entrances. The selected evergreens shall have a minimum height of six (6) feet and shall be staggered on ten (10) foot centers. No materials of any nature shall be stored within this buffer yard. In addition, the buffer yard shall meet all pertinent standards specified in Section 604 of this Ordinance and the Township Subdivision and Land Development Ordinance.
 - f. A Land Development Plan for a Resource Recovery Facility must be submitted to the Township for review. The Land Development Plan shall demonstrate complete conformity with the requirements specified under this

section. Upon approval, the Land Development Plan shall be recorded in accordance with the provisions stipulated by the Township.

Section 690.C. RECYCLING COLLECTION CENTER; RECYCLING COLLECTION POINT

For the purpose of this section, Recycling Collection Center and Recycling Collection Point are defined in Section 201 of this Ordinance.

1. Recycling Collection Centers shall only be a permitted by right accessory use to lawful conforming commercial, industrial or Township-owned uses or an emergency services station use, subject to the limitations of this section.
2. Recycling Collection Centers and Recycling Collection Points shall not be bound by the requirements of a Resource Recovery Facility as regulated in Section 690.B.
3. All materials at Recycling Collection Centers and Recycling Collection Points shall be kept in appropriate containers, with appropriate sanitary measures and frequent enough emptying to prevent the attraction of insects or rodents and to avoid fire hazards.
4. Adequate provision shall be made for movement of trucks if needed and for off-street parking at Recycling Collection Centers and Recycling Collection Points.
5. A twenty (20) feet wide buffer yard with screening shall be provided between Recycling Collection Centers and Recycling Collection Points and any abutting "residential lot line."
6. Materials to be collected at Recycling Collection Centers and Recycling Collection Points shall be of the same character as the following materials: paper, fabric, cardboard, plastic, metal, aluminum and glass. No garbage shall be stored as part of the use, except for that generated on-site and that accidentally collected with the recyclables. Only materials being actively collected for recycling may be stored on site.
7. Recycling Collection Centers and Recycling Collection Points shall only include the following operations: collection, sorting, baling, loading, weighing, routine cleaning and closely similar work. No burning or landfilling shall occur. No mechanical operations shall routinely occur at the site other than operations such as baling of cardboard.
8. Recycling Collection Centers and Recycling Collection Points shall not include the collection or processing of pieces of metal that have a weight greater than fifty (50) pounds, except for those locations on a lot of a lawful conforming industrial use.
9. Recycling Collection Centers shall have provisions for the storage of a maximum of ten (10) tons of materials on the site. If the use is within the R-C, A-P, R-1, R-2, or C-1 Zoning District or within five hundred (500) feet of an existing dwelling or institutional use.
10. Recycling Collection Centers shall include the storage of a maximum of fifty (50) tons of materials on the site if the use is within the I-1 Zoning District.

Section 691 (Reserved)

Section 692. WIND ENERGY CONVERSION SYSTEMS

1. Purpose.

- a. The purpose of this section is to provide for the development and use of wind power as an alternative energy source, while protecting public health, safety and welfare, preserving environmental, historic and scenic resources, controlling noise levels and preventing electromagnetic interference.

2. Applicability.

- a. Any application to erect a structure that utilizes energy from wind shall comply with this section.

3. Definitions:

- a. Wind Energy Conversion System (WECS): All equipment, machinery and structures utilized in the connection with the conversion of wind to other forms of energy whether commercial or non-commercial.
- b. Commercial Wind Energy Conversion System (CWECS): A wind energy conversion system consisting of a wind turbine(s), tower(s), and associated controls and conversion electronics, which is established for the primary purpose of generating energy for sale to off-premise users.
- c. Non-Commercial Wind Energy Conversion System (NCWECS): A wind energy conversion system consisting of a wind turbine(s), tower(s) and associated controls or conversion electronics, which is intended as an accessory use to an existing or proposed residential, commercial, institutional or industrial use and is established for the primary purpose of generating energy for on-premise uses. Maximum wind turbine height for a NCWECS is seventy-five (75) feet.

4. Site Development and Performance Requirements:

- a. The proposed WECS shall be consistent with all applicable local, state and federal requirements, including but not limited to all applicable electrical, construction, noise, safety, environmental and communications requirements.
- b. CWECS applicants shall provide a description of technical, economic, environmental, and other reasons for the proposed location, height, and design.
- c. Tower height:
 - (1). CWECS. The Zoning Hearing Board shall make a finding that the height proposed is necessary for adequate operation.
 - (2). NCWECS. Maximum height seventy-five (75) feet.
- d. Monopole towers are the preferred type of support.

- e. Height Calculation. Overall height of the wind turbine shall be measured from the land in its natural state prior to grading or filling to the highest point reached by any part of the wind turbine.
- f. Setbacks:
 - (1). The setback of a Wind Turbine from any property line shall be 1.25 times its height.
 - (2). The setbacks of guy wire anchors and associated control devices shall meet the setbacks of the underlying zoning district.
 - (3). The setback of a Wind Turbine from any driveway, access easement, trail, walkway, sidewalk or above-ground utility line shall be four (4) times its blade length.
 - (4). Property line setbacks and setbacks established in subsection (3) may be reduced with the permission of the adjoining landowner, easement holder or utility owner. The applicant shall provide a recorded easement that depicts the appropriate setback.
- g. Noise. The WECS and associated equipment shall conform to AWEA Standard 2.1 – 1989 titled *Procedures for the Measurement and Reporting of Acoustic Emissions from Wind Turbine Generation Systems Volume I: First Tier*. An analysis, prepared by a qualified engineer, shall be presented to demonstrate compliance with these noise standards.
 - (1). Manufacturers specifications may be accepted when in the opinion of the Zoning Officer, or in the case of a CWECS, the Zoning Hearing Board, the information provided satisfies the above requirements.
 - (2). Upon notification of a complaint of excessive noise the property owner shall be responsible for supplying ambient and operating decibel measurements at the nearest point from the wind turbine to the property line of the complainant and to the nearest inhabited residence.
 - (3). If the noise levels are found to have exceeded allowable limits the Zoning Officer shall notify in writing the owner of the property to correct the violation. If the noise violation is not remedied within thirty (30) days the WECS shall remain inactive until the noise violation is remedied which may include relocation or removal.
- h. Shadowing/Flicker. The WECS shall be sited in a manner that does not result in significant shadowing or flicker impacts. The applicant has the burden of proving that this effect does not have significant adverse impact on neighboring or adjacent uses either through siting or mitigation.
- i. Prevention of Access. The applicant/owner shall ensure that all related components of the WECS are protected from unlawful access. The base of all pad mounted substations shall be clearly labeled with a visible voltage warning sign.
- j. Visual Impact. The applicant shall employ all reasonable means, including landscaping and alternative locations, to minimize the visual impact of all

WECS components. All components of the WECS and its support structure shall be painted plain non-reflective muted colors without graphics or other decoration.

- k. Electromagnetic interference. No WECS installation shall cause electromagnetic interference.

If interference is evident, the Zoning Officer shall notify in writing the owner of the property to correct the violation. If the interference is not remedied within thirty (30) days the WECS shall remain inactive until the interference is remedied, which may include relocation or removal.

- l. Lighting. If lighting is proposed (other than required FAA lights) the applicant shall submit a plan indicating the horizontal foot candles at grade, within the property line and twenty-five (25) foot candles beyond the property lines. The plan shall also indicate the locations and types of luminaries proposed.
- m. Vegetation. For all CWECES applications, existing vegetation must be shown including average height of trees and any proposed vegetation removal on the subject property or abutting properties. The Zoning Hearing Board shall also consider the height of vegetation at maturity.
- n. Brakes and controls. All WECS shall be equipped with redundant braking system. Stall regulation shall not be considered a sufficient braking system for over speed protection.
- o. Provisions for inspection and maintenance must be submitted.

5. Application Requirements:

- a. Site Plan. A site plan must be submitted, prepared to scale by a registered land surveyor or civil engineer showing the location of the proposed WECS, distances to all property lines, existing and proposed structures, existing and proposed elevations, public and private roads, above ground utility lines and any other significant features or appurtenances.
- b. Telecommunications. The proposed CWES may include telecommunication antennas provided they comply with Section 693 of this Ordinance. The telecommunications carrier shall be named as the co-applicant.
- c. Compliance with Uniform Construction Code. Building permit applications shall be accompanied by standard drawings of the wind turbine structure, including the tower, base, and footings. Documentation showing compliance with the Uniform Construction Code certified by a licensed professional engineer shall also be submitted.
- d. Compliance with FAA Regulations. The proposed WECS must comply with applicable FAA regulations, including any necessary approvals for installations close to airports.
- e. Compliance with International Electrical Code. Building permit applications shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the International Electrical Code.

- f. Utility Notification. No WECS shall be installed until evidence has been given that the utility company has been informed of the customer's intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.
 - g. Abandonment: A WECS shall be considered to be abandoned if it is not operated for a period of two years, or if it is designated a safety hazard by the Zoning Officer or Building Code Official. Once a WECS is designated as abandoned, the owner shall be required to physically remove all structures within 90 days of written notice. "Physically remove" shall include, but not be limited to:
 - (1) Removal of the WECS, any equipment shelters and security barriers from the subject property.
 - (2) Proper disposal of the waste materials from the site in accordance with local and state solid waste disposal regulations.
 - (3) Restoring the location of the WECS to its natural condition, except that any landscaping and grading shall remain in the after-condition.
 - h. Modifications. All modifications to a WCES shall require approval by the Zoning Officer and Building Code Official.
 - i. Professional Fees. The Zoning Officer or Zoning Hearing Board may retain a technical expert/consultant to verify information presented by the applicant. The cost for such a technical expert/consultant will be the expense of the applicant.
6. Security.
- a. Requirement. For CWCES applications, the Zoning Hearing Board may require the posting of a bond or other security to assure satisfactory fulfillment of the above, in such sum and in accordance with such conditions as the Board may determine necessary.
 - b. Amount. The amount of security required shall not exceed either the estimated cost of the measures proposed, or the estimated cost of restoration of affected lands and property if the work is not performed as required, whichever is the greater.
 - c. Liability Insurance. A Certificate of Insurance evidencing general liability coverage in the minimum amount of \$1,000,000 per occurrence and property damage coverage in the minimum amount of \$1,000,000 per occurrence covering the WECS.

Section 693. TELECOMMUNICATION SIGNAL FACILITIES

In recognition of the quasi-public nature of telecommunication systems, the following special regulations shall apply:

- 1. Purposes. The purposes of this section shall be as follows:

- a. To accommodate the need for towers and antennas while regulating their location and number in the Township.
- b. To preserve local authority to govern and control telecommunication facilities to the fullest extent allowable by law.
- c. To minimize adverse visual effects of antennas and antenna support structures through proper design, siting and vegetative screening.
- d. To encourage the joint use of any new antenna support structures to reduce the number of such structures needed in the future.
- e. To stay abreast of changing technologies that may reduce the need for new signal sites.
- f. To establish structure removal policies.
- g. To promote the health, safety and welfare of the Township's residents.

2. Telecommunication Antennas and Telecommunication Equipment Buildings Attached to Existing Structures.

The following provisions shall apply to Antennas that are attached to an existing building, existing structure or existing Antenna Support Structure.

- a. An Antenna that is attached to an existing Support Structure such as, but not limited to, smoke stacks, water towers, Public Utility Transmission Towers, telephone poles or similar utility structures is permitted in all zoning districts. If the antenna is to be mounted on an existing structure, a full site plan shall not be required; however, applicable Zoning Permits and Certificate of Use Permits are required.

An existing structure, building, or tower is one that physically existed prior to identification of a site for constructing a new antenna.

- b. Building mounted Antennas shall be permitted to exceed the height of the existing structure limitations of the applicable zoning district by no more than twenty-five (25) feet but can not exceed two hundred (200) feet in total.
- c. Building mounted Antennas shall not be located on any structure housing fully or in part a residential use.
- d. Any applicant proposing Antennas to be mounted on a building or other structure shall submit detailed construction and elevation drawings indicating how the antennas will be mounted and shall submit evidence of agreements and/or easements necessary to provide access to the building or structure so that installation and maintenance of the antennas and equipment building can be accomplished.
- e. Antennas shall not cause radio frequency interference with other telecommunications services (including, but not limited to, other towers, transmitting facilities, communications services reception by other property

owners, etc.) in accordance with FCC requirements for the applicant's class of service.

- f. Antennas shall comply with all applicable standards established by the Federal Communications Commission governing human exposure to electromagnetic radiation.
- g. The equipment buildings shall be subject to the height and setback requirements of the applicable zoning district for an accessory structure and cover an area on the ground of not more than two hundred and fifty (250) square feet.
- h. The owner or operator shall be licensed by the Federal Communication Commission to operate such antennas.
- i. All other uses, such as business offices, maintenance depot, vehicle storage, broadcast studios and vehicle storage unless specifically necessary and ancillary to the operation of the facility are not permitted unless otherwise permitted in the zoning district in which the telecommunication facility is located. No outside storage is permitted.
- j. The applicant is required to demonstrate, using technological evidence that the Antenna must go where it is proposed in order to satisfy its functions in the company's grid system.

3. Standards for the Construction of New Telecommunication Towers With or Without Antennas.

Antennas to be attached to a new building, structure, or new tower must comply with provisions of this Section. All references to "telecommunication towers" in this Section shall also be considered to refer to such other new buildings and structures.

- a. Towers with their equipment buildings are a principal use. No other principal use is permitted on a leased lot with a tower.
- b. The applicant shall demonstrate that the proposed Towers and Antennas proposed to be mounted thereon comply with all applicable standards established by the Federal Communications Commission governing human exposure to electromagnetic radiation.
- c. Telecommunication Towers shall comply with all applicable Federal Aviation Administration (FAA), Commonwealth Bureau of Aviation and applicable Airport Zoning Regulations.
- d. Any applicant proposing construction of a new Tower shall demonstrate that a good faith effort has been made to obtain permission to mount the Antennas on existing buildings, Antenna Support Structures or other Towers. These potentially suitable structures include, but may not be limited to, smokestacks, water towers, antenna support structures of other telecommunication companies, towers (fire, police, etc.) and Public Utility transmission towers. A good faith effort shall require that all owners of potentially suitable structures within a two (2) mile radius of the proposed

Tower site be contacted and that one or more of the following reasons for not selecting such structure (other than economic ones) apply:

- (1). The proposed antennas and related equipment would exceed the structural capacity of the existing structure and its reinforcement cannot be accomplished at a reasonable cost.
 - (2). The proposed antennas and related equipment would cause radio frequency interference with other existing equipment for that existing structure and the interference cannot be prevented at a reasonable cost.
 - (3). Such existing structures do not have adequate location, space, access or height to accommodate the proposed equipment or to allow it to perform its intended function.
 - (4). A commercially reasonable agreement could not be reached with the owners of such structures.
 - (5). In the event that co-location is found to be not feasible, a written statement of the reasons for being unfeasible shall be submitted. The Municipality may retain a technical expert in the field to verify if co-location at the site is or is not feasible. The cost for such a technical expert will be at the expense of the applicant.
- e. Access shall not be provided to the Tower and equipment building by means of a public street or easement to a public street. The easement shall be a minimum of twenty (20) feet in width and shall be improved to a width of at least ten (10) feet with a dust-free, all weather surface for its entire length.
- f. The applicant shall demonstrate that the proposed height of the Tower is the minimum height necessary to perform its function.
- g. In all Zoning Districts the maximum height of any Tower shall be two hundred (200) feet.
- h. Setbacks from Base of the Tower. If a new antenna support structure or tower is constructed (as opposed to mounting the antenna on an existing structure), the following shall apply:
- (1). The setback from base of the Tower to any property line, driveway, sidewalk, access easement or above ground utility line shall be 1.25 times its height.
 - (2). The setbacks of guy wire anchors and associated control devices shall meet the setbacks of the underlying zoning district.

Setbacks established in subsection (1) may be reduced with the permission of the adjoining landowner, easement holder or utility owner. The applicant shall provide a recorded easement that depicts the appropriate setback.

- i. The Tower site shall be landscaped so as to screen the foundation, base and equipment building from abutting properties. The Township may permit any combination of existing vegetation, topography, walls, decorative fences or other features instead of landscaping if they achieve the same degree of screening as the required landscaping. If the antenna is mounted on an existing structure, landscaping shall not be required.
 - (1). An evergreen screen shall be required to surround the site. The screen can be either a hedge (planted three (3) feet on center maximum) or a row of evergreen trees (planted ten (10) feet on center maximum). The evergreen screen shall be a minimum height of six (6) feet at planting and shall grow to a minimum of fifteen (15) feet at maturity.
 - (2). In addition, existing vegetation on and around the site shall be preserved to the greatest extent possible.
- j. The applicant shall submit:
 - (1). Certification from a Pennsylvania Registered Professional Engineer that a proposed Tower will be designed and constructed in accordance with the current Structural Standards for Steel Antenna Towers and Antenna Supporting Structures, published by the Electrical Industrial Association/Communications Industry Association.
 - (2). The name, address and emergency phone number for the local person(s) responsible for operation of the Tower.
 - (3). A Certificate of Insurance evidencing general liability coverage in the minimum amount of \$1,000,000 per occurrence and property damage coverage in the minimum amount of \$1,000,000 per occurrence covering the Tower and Antennas.
 - (4). A statement from the FCC, FAA, and Commonwealth Bureau of Aviation stating that the proposed Tower complies with applicable regulations or is exempt from those regulations.
- k. All guy wires associated with Towers shall be clearly marked so as to be visible at all times. Towers shall be painted silver or have a galvanized finish retained, in order to reduce the visual impact. Towers may be painted green up to the height of nearby trees. Support structures must be concealed and measures must be taken (at the discretion of the Zoning Hearing Board) to camouflage or conceal the structures and antenna(e).
- l. Signs shall be limited to those needed to identify the property and the owner and warn of any danger.
- m. Lighting of equipment structures and any other facilities on site shall be shielded from abutting properties. There shall be total cutoff of all light at the property lines of the parcel to be developed, and foot-candle

measurements at the property line shall be 1.0 initial foot-candles when measured at grade.

- n. At least one off street parking space shall be provided within the fenced area. If the Facility is fully automated, adequate parking shall be required for maintenance workers. If the facility is not automated, the number of required parking spaces shall equal the number of people on the largest shift.
- o. A recorded land development plan shall be required for all Facilities showing the antenna, antenna support structure(s), tower, equipment building(s), fencing, vegetative screening, access drive(s) and all other pertinent information required by the Township SALDO. Upon recommendation of the Zoning Hearing Board, the Township Supervisors may waive requirement for filing a land development application, depending upon the completeness and conformity of the site plan submitted herein. The land development plan shall not be required if the antenna is to be mounted on an existing structure.
- p. The site of a Tower, including all structures, guy wires, and guy wire anchors on the site shall be required to be fenced. The fence shall be a minimum of six (6') feet in height and a maximum of eight (8') feet in height, shall completely enclose the antenna, support structure, and related facilities, shall not contain openings greater than nine (9) square inches and shall contain, at all entrances, gates which shall be locked except during such times as the site is manned by authorized operation and maintenance personnel. The fence shall be a minimum of ten (10') feet from any structure inside it.
- q. The applicant shall demonstrate, by expert testimony and in reports to the satisfaction of the Township Zoning Hearing Board, that the proposed Antenna and Tower are safe and the surrounding areas will not be negatively affected by support structure failure, falling ice or other debris, electromagnetic fields or radio frequency interference. All Towers shall be fitted with anti-climbing devices, as approved by the manufacturer of such devices.
- r. In order to reduce the number of Antenna Support Structures in the community in the future, the proposed support structure shall be required to accommodate other users, including other telecommunication companies, and local police, fire and ambulance companies.

4. Annual Fees, Certifications, Reports, and Basis of Abandonment

- a. Annual Fee. A certified letter shall be sent to the Township each year, due by January 15th, signed by an officer of the company owning the tower, stating the intention to continue operation. Failure to receive this letter shall be considered the beginning of the ninety (90) day cessation period as regulated in Subsection 693.4.d. The Board of Supervisors, by Resolution, shall establish an annual fee, payable by the owner of the communications structure to the Township no later than February 1st of each calendar year. The fee shall be payable for each year the facility is in use.

- b. Certification. The owner of the communications antenna support structure shall submit to the Township proof of the annual inspection of the support structure and communications antenna(e) by an independent professional engineer as required by the ANSI/EIA/TIA-222-E Code. Based upon the results of such inspection, the Board of Supervisors may require removal or repair of the wireless communications facility. In the event that the annual inspection is not performed in a timely manner, the owner shall be subject to enforcement proceedings as outlined in the Zoning Ordinance.
- c. Annual Report. By February 1st of each year, the owner of the communications structure and antenna(e) shall pay the required fee, submit the required certification, and submit the following information to the Township Secretary:
- (1). the names and addresses of the owner of the facility and any organizations utilizing the facility and telephone numbers of the appropriate contact person in case of emergency.
 - (2). the name and address of the property owner on which the wireless facility is located.
 - (3). the location of the wireless communications facility by geographic coordinates, indicating the latitude and longitude.
 - (4). output frequency of the transmitter.
 - (5). certification signed by two officers of the applicant stating that the wireless facility is continuing to comply with this ordinance and all applicable governmental regulations, including but not limited to output and emission limits established by the FCC.
 - (6). a certificate of liability insurance with a minimum coverage of one million dollars (\$1,000,000.00) insuring against liability for personal injuries and death and property damage caused by the site and the wireless communications facility.
 - (7). the type of modulation, digital format and class of service.
 - (8). communications antenna(e) gain:
 - A. the effective radiated power of the antenna(e).
 - B. the number of transmitter channels and commercial communication antenna(e).
 - C. copy of the owner's or operator's FCC authorization.
 - D. power input to the antenna(e).
 - E. distances to nearest base station.
- d. Abandonment. If use of the communications facility is abandoned, or if the wireless facility is not in use for a period of six (6) months or longer, or the cessation of telecommunication use is determined by Subsection 693.4.a., or the expiration of the ground lease, whichever occurs first, the applicant or its successors shall remove all unused structures and facilities from that Facility, including towers, within ninety (90) days of the determination of cessation of telecommunication use. The site should be restored as closely as possible to its original condition. A bond or other suitable financial surety to cover the

costs of dismantling the tower shall be provided by the applicant, in a form reviewed and approved by the Township Solicitor, to the Township prior to the filing of an application with the Township Zoning Hearing Board for a special exception. In the event that the demolition and/or removal referred to above is not performed in a timely manner, the owner shall be subject to enforcement proceedings as outlined in the Zoning Ordinance and shall forfeit the financial security posted for that purpose.

Section 694. GAS AND OIL EXPLORATION CONTROLS

Gas and oil exploration are subject to the following controls:

1. All wells and storage tanks shall be located a minimum of three hundred thirty (330) feet from a public road or right-of-way, and the boundaries of the lease or property on which they are located.
2. Any materials which could constitute a fire hazard shall be removed to a distance of at least one hundred (100) feet from all wells and storage tanks and one hundred (100) feet from the boundaries of the lease or property on which they are located.
3. A copy of the permit issued by the Commonwealth of Pennsylvania for the operation of a well shall be submitted to the Township prior to granting of a Conditional Use by the Township Supervisors. It shall be accompanied by all supporting papers submitted to the Commonwealth.
4. The application for a Conditional Use shall include a plan for the restoration of the area to be used for the operation of wells and storage tanks, which shall be approved by the Township Supervisors. When appropriate, land surfaces shall be graded to the original contour, and they shall be provided with a suitable ground cover.
5. The application for a Conditional Use shall include a drawing to scale showing the boundaries of the lease or property on which the wells are to be located, the proposed location of all wells and storage tanks, and the location of any roads within or abutting the lease or property. The drawing shall also include the safety measures to be provided around wells and storage tanks in case of spillage, fire, or other hazardous conditions.

The application shall be accompanied by the name of the owner of the surface of the area of operations, the owner of oil and gas rights, the oil and gas lessee, if any, and the proposed driller and operator.

The application shall be accompanied by the measures to be taken to prevent pollution of ground surfaces, bodies of water, ground water, and subsurface formations.

6. Access to all wells and storage tanks shall be secured by a fence with a minimum height of six (6) feet.
7. No well or storage tank shall be located closer than two hundred (200) feet to the bank of any stream, creek, river, pond, lake, or other body of water.
8. All wells and tanks shall have locations with adequate access for fire or emergency vehicles and provisions for such access shall be shown on the drawing accompanying the application submitted to the Township.

9. All storage and operations on the premises shall be screened from view from adjoining properties by an evergreen planting screen which shall be a minimum of six (6) feet in height when planted.

Section 695. FORESTRY/LOGGING OPERATIONS

Specific Guidelines:

1. All timber sales must be developed and administered by a consulting or industrial forester with an Associate Degree in Forestry as a minimum education.
2. The maximum number of trees per acre which can be harvested during a selective timber harvest is twenty five (25) trees per acre.
 - a. The minimum diameter tree which can be harvested during a selective timber harvest is thirteen (13) inches D.B.H., (D.B.H. diameter of tree at four and one half (4.5) feet above stump height from the uphill side of the tree).
 - b. All trees to be harvested must be designated as such with two (2) paint stripes above stump height and one (1) paint spot below stump height.
3. The use of clearcutting as a forest management practice may be allowed in areas where a forestry professional chosen by the Township feels it would benefit the property affected, i.e., areas of greater than fifty (50) percent tree mortality and mature pine plantations where rotation harvests are necessary to allow replanting.
4. Logging plan requirements. Every landowner on whose land timber harvesting is to occur shall obtain a Zoning Permit. The applicant shall prepare and submit a written logging plan in the form specified below. No timber harvesting shall occur until a Zoning Permit has been issued. The provisions of the permit shall be followed throughout the operation. The logging plan shall be available at the harvest site at all times during the operation, and shall be provided to the Zoning Officer upon request. The landowner and the operator shall be jointly and severally responsible for complying with the terms of the logging plan and the Zoning Permit.
 - a. Minimum requirements. At a minimum, the logging plan shall include the following:
 - (1) Design, construction, maintenance, and retirement of the access system, including haul roads, skid roads, skid trails, and landings.
 - (2) Design, construction and maintenance of water control measures and structures, such as culverts, broad-based dips, filter strips, and water bars.
 - (3) Design, construction and maintenance of stream and wetland crossings.
 - (4) The general location of the proposed operation in relation to Municipal and State Roads, including any accesses to those roads.

- b. Map. Each logging plan shall include a sketch map or drawing containing the following information:
 - (1) Site location and boundaries, including both the boundaries of the property on which the timber harvest will take place, and the boundaries of the proposed harvest area within that property.
 - (2) Significant topographic features related to potential environmental problems.
 - (3) Location of all earth disturbance activities, such as roads, landings and water control measures and structures.
 - (4) Location of all crossings of waters of the commonwealth.
 - c. Compliance with state law. The logging plan shall show how it will comply with the requirements of all applicable state regulations, including, but not limited to, the following:
 - (1) Erosion and sedimentation control regulations contained in Title 25, Pennsylvania Code, Chapter 102, promulgated pursuant to the Clean Streams Law.
 - (2) Stream crossing and wetlands protection regulations contained in Title 25, Pennsylvania Code, Chapter 105, promulgated pursuant to the Dam Safety and Encroachments Act.
 - d. Relationship of state laws, regulations and permits to the logging plan. Any and all permits required by state laws and regulations shall be attached to, and become part of, the logging plan. An erosion and sedimentation pollution control plan that satisfies the requirements of Title 25 Pennsylvania Code, Chapter 102, shall also satisfy the requirements for the logging plan and associated map specified in subsection 4.a and 4.b above provided that all information required by these sections is included or attached.
5. Required forest practices. The following requirements shall apply to all timber harvesting operations:
- a. Felling or skidding on, or across, any public road is prohibited without the express written consent of the Municipality, or the Pennsylvania Department of Transportation, whichever is responsible for maintenance of the thoroughfare.
 - b. No tree tops or slash shall be left within twenty-five (25) feet of any public road, or private roadway providing access to adjoining residential property.
 - c. All tree tops or slash shall be kept a minimum of fifty (50) feet from a public roadway, a private roadway providing access to adjoining residential property, or adjoining residential property.
 - d. No tree tops or slash shall be left on or across the boundary of any property adjoining the operation without the consent of the owner thereof.

- d. Litter resulting from a timber harvesting operation shall be removed from the site before it is vacated by the operator.
6. Responsibility for road maintenance and repair; road bonding. Pursuant to Title 75 of the Pennsylvania Consolidated Statutes, Chapter 49; and Title 67 Pennsylvania Code, Chapter 189; the landowner and the operator shall be responsible for repairing any damage to municipal roads caused by traffic associated with the timber harvesting operation, to the extent the damage is in excess of that caused by normal traffic, and shall be required to furnish a bond to guarantee the repair of such potential damages, as determined by the Municipal Engineer.
7. A sawmill owned or rented by the property owner for his conduction of forestry practices on lands owned by said property owner is an accessory use to forestry as defined in this Ordinance.

Section 696. WATER EXTRACTION

Water extraction is subject to the following controls:

1. A copy of the permits and approvals issued by the Commonwealth of Pennsylvania and the Delaware River Basin Commission for water extraction shall be submitted to the Township prior to granting of a Special Exception by the Zoning Hearing Board. It shall be accompanied by all supporting papers submitted to the Commonwealth.
2. The application for Special Exception shall include a drawing to scale showing the boundaries of the lease or property on which the water extraction facilities are to be located, the proposed location of the water extraction facilities, and the location of any roads within or abutting the lease or property.
3. The application for Special Exception shall be accompanied by the name of the owner of the surface of the area of operations, the owner of water rights, if any, and the proposed operator.
4. Unless the proposed site has direct access to an arterial or commercial collector street the application for Special Exception shall include a detailed map clearly identifying and delineating the local and state roadways which will be utilized by any trucks, tankers, or similar vehicles to haul or ship the extracted water to the corporate limits of West Brunswick Township. This map shall clearly indicate the name and route number of each affected roadway.
5. Where such a map is required, the application shall include an analysis of the impact upon traffic, safety, and road structure of the affected roadways and shall include proposals to mitigate any anticipated adverse impacts.
6. All regulations of the Pennsylvania Department of Environmental Protection, the Delaware River Basin Commission and any other regulatory agency or body with jurisdiction over water extraction shall be complied with.
7. The application for Special Exception shall include a detailed map clearly identifying and delineating the local and state roadways which will be utilized by any trucks, tankers, or similar vehicles to haul or ship the extracted water to the corporate limits of the Township. This map shall clearly indicate the name and route number of each affected roadway. The applicant shall provide a written report by a professional

traffic engineer. Such study shall analyze the suitability of the area street system to accommodate the truck traffic that will be generated. The application shall only be approved if the applicant proves to the satisfaction of the Zoning Hearing Board that the area street system is suitable in terms of structure, geometry, safety and capacity to accommodate the additional truck traffic.

8. The applicant shall provide a written report by a professional hydrologist describing in technical detail and in a narrative understandable by a layperson how the proposal would affect wells, agricultural activities and surface water levels in the surrounding region. The application shall only be approved if the applicant proves to the satisfaction of the Zoning Hearing Board that the proposed application will not adversely affect wells of neighboring properties, considering drought conditions, nor aquatic habitats of surface waters, nor agricultural yields.
9. Any areas used for loading or unloading of tractor-trailer trucks shall be set back a minimum of one hundred (100) feet from any adjacent residential lot.
10. Minimum Lot Area: one hundred (100) acres.

Section 697. MINERAL EXTRACTION

1. The activities and residual effects shall not create conditions hazardous or otherwise significantly adverse to the value and customary use of adjacent properties. Adequate and reasonable protection shall be provided to adjacent uses.
2. The site shall be reclaimed in phases to a non-hazardous state permitting some economically productive future use and that extracting activities and resulting condition of the site will not result in environmental degradation of the surrounding area.
3. Buffer Yard. A buffer yard within the standards of the Section 604 of this Ordinance and the Township SALDO and with a width of two hundred (200) feet shall be required between the lot line of any existing residential use and any mineral extraction use.
4. Minimum setback from all exterior lot lines shall be one hundred (100) feet.
5. Minimum setback from any publicly owned recreational land, school, place of worship, creek, river, lake or wetland shall be two hundred (200) feet.
6. The Township may require fencing where it is needed to protect public safety and welfare.
7. Noise and vibration standards, as per Section 619, shall be adhered to.
8. The Township may require that the applicant submit a copy of all submitted materials to the Schuylkill County Conservation District for a review.
9. The Township may submit an application affecting greater than ten (10) acres to the Township Engineer for a review. Such reasonable, necessary and routine review fees as occur shall be paid for by the applicant.

10. The Township may reasonably limit the hours of operation of the use and of related trucking operations to protect the character of adjacent residential areas.
11. The Township Zoning Hearing Board shall decide (or in the case of the Board of Supervisors, determine) that the proposed use will not adversely affect the public health or safety of the community. In reaching this determination, the Zoning Hearing Board or the Board of Supervisors shall consider the following information as supplied by the applicant or any other party to the proceeding:
 - a. The location of the proposed extraction operation.
 - b. The anticipated depth of any excavations.
 - c. The depth of the existing water table.
 - d. The probable effect of the mining operation on the existing water table or confined aquifer.
 - e. The relationship of the mine site to surface watercourses and bodies of water.
 - f. The established water quality of surface waters which may be affected by the mining operations.
 - g. The probable effect of the mining operation on the quality of those surface waters (The Board may require the applicant to prepare studies of the present water quality of surface or underground water which may be affected by the proposed mining operation, and receive other qualified evidence on water quality).
 - h. The nature and content of the overburden to be removed in the course of mining.
 - i. The underlying strata in which the minerals to be mined are located; and
 - j. The probable effect of blasting and other excavation methods upon lawful existing and permitted uses in the area surrounding the proposed mine site.
12. The applicant shall submit a complete copy of all application materials to the Township and to the Planning Commission to allow them to make advisory reviews to the Zoning Hearing Board or the Board of Supervisors.
13. It is not the intent of this Section to unlawfully preempt any Federal or State law or regulation. Unless a preemption of this Ordinance would exist, the most strict and least permissive requirements shall be in effect where a conflict might exist.
14. No mineral extraction use may begin, expand or continue without having in effect all required State and Federal permits and being in compliance with all applicable regulations.
15. Suitability of Roads:

- a. It is the responsibility of the applicant to prove to the satisfaction of the Zoning Hearing Board or Board of Supervisors that the public road system to be used will be adequate for the amount of heavy truck traffic to be created.
 - b. If it is determined that the mineral extraction use would create unusually heavy truck traffic and that the State and Township roads to be used would be inadequate to handle this unusually heavy traffic and non-customary traffic; the applicant may be required to fund such improvements to roads within one (1) mile of the use as are reasonably necessary to handle the heavy truck traffic that will be generated. Such improvements shall be in direct relation to the traffic generated by the use. Such improvements may be made in phases and may be handled through posting of bonds.
 - c. The Zoning Hearing Board or the Board of Supervisors may deny a mineral extraction application if the public roads would be physically unable to handle the heavy truck traffic and if the applicant refused to fund the improvements necessary. The applicant shall not be responsible for routine maintenance of public roads.
16. Each application for Mineral Extraction covering an area greater than one (1) acre shall contain the following information:
- a. The present uses of the land.
 - b. A location map (prepared by a registered professional engineer) showing:
 - (1). The extent of mineral extraction operations, including the extent of area to be excavated, locations of storage sites for overburden, access and haulage roads, storage sites for equipment, and offices and other structures to be used in conjunction with the mining operation.
 - (2). Property boundary and boundaries of adjoining lands owned by persons other than the applicant and the existing uses of those adjoining lands.
 - (3). The location of all watercourses, bodies of water, public rights-of-way, public buildings, public recreation areas or other public property on or within four hundred (400) feet of the boundaries of land to be affected by the mineral extraction operation.
 - c. A development plan for the area to be affected by mineral extraction, prepared by a registered professional engineer:
 - (1). The nature and depth of the various strata of overburden above and between mineral seams to be excavated.
 - (2). The location and quality of underground water known to be present on the mine site.
 - (3). The location of known aquifers and the estimated elevation of the water table.
 - (4). The nature and thickness of minerals above the seam to be mined.

- (5). A good faith estimate (prepared by a qualified soils engineer or geologist) of the probable impact of the mining operation upon the community water supply.
 - d. A detailed land reclamation plan of the area included within the permit, showing:
 - (1). A proposed use or uses of the land following the mineral extraction operations.
 - (2). Proposed topography of land following the mineral extraction operations.
 - (3). Actions to be taken during mining to conserve and replace topsoil removed during mining operations.
 - (4). The sedimentation and erosion control plan for the operation including the type of vegetation to be planted for soil stabilization purposes.
 - (5). Proposed location of future roads, private or public rights-of-way, drainage courses and other proposed improvements.
 - (6). Reasonable assurances that the applicant will be capable of reclaiming the land in accordance with the plan within a reasonable time after completion of the mineral extracting operations.
 - e. Such other information as the Zoning Hearing Board or Board of Supervisors may require by rule and which examination of the application may reveal to be necessary in order to determine that the proposed mineral extraction operation will comply with the requirements of this Zoning Ordinance.
17. Regulation of the Maximum Acreage Available for Active Mineral Extraction.
 - a. The intent of this Section is to control the pace of mineral extraction operations in a manner commensurate with the Township's ability to promote orderly growth and to assimilate development activity created through mineral extraction operations and related activities, to provide necessary public services throughout the Township to assure adequate protection of life and property, to provide for coordinated and practical community development, to prevent overcrowding of land, blight, congestion in travel and transportation, loss of life or property from flood or other danger, to encourage expedient reclamation of mined lands, and to provide incentives for the re-mining of inadequately reclaimed lands.
 - b. The gross acreage under active mineral extraction at any one time in the Township shall not exceed two hundred and fifty (250) acres.
 - c. No permit for mineral extraction issued under this Section for the conduct of mineral extraction operations shall be deemed to authorize the applicant to begin, or to continue existing, mineral extraction operations on land covered

by the permit until the Zoning Officer shall certify that the mineral extraction operation covered by the permit will not cause the total amount of land under active mineral extraction to exceed the maximum gross amount of land which may be affected by mineral extraction at any one time under the provisions of this Section.

- d. Land Affected by Mineral Extraction shall, for the purposes of this determination, include land currently under active mineral extraction at the time of the determination, land not adequately reclaimed or backfilled following prior mining operations, land containing waste or spoil piles from existing or prior mining activities, and other land determined to be so affected for reasons set forth in this Ordinance containing the determination required by this provision.
- e. It is the responsibility of the applicant to periodically document to the Board of Supervisors that the maximum gross area being mined is less than two hundred and fifty (250) acres, if requested to provide such documentation by the Board.
- f. It is the intent of this Ordinance that any surface mining operations that are closely related business ventures and that are being conducted within close proximity to each other shall be considered as one (1) operation within the maximum gross area requirement.

Section 698 through 699 Reserved

ARTICLE VII

NON-CONFORMING LOTS, USES, STRUCTURES, AND BUILDINGS

Section 700. **STATEMENT OF INTENT**

1. Within the zoning districts established by this Ordinance or subsequent amendments thereto, there exist or will exist certain non-conformities which, if lawful before this Ordinance was passed or amended, may be continued, subject to certain limitations.
2. Nothing in this Ordinance shall be deemed to require a change in the plans for any building, structure, or land use for which a zoning permit was issued prior to the effective date of this Ordinance or subsequent amendment thereto, provided the activity authorized by the zoning permit is begun, in the opinion of the Zoning Officer, within six months of the issuance of the permit.

Section 701. **NON-CONFORMING LOTS OF RECORD**

1. Any lot shown on a recorded subdivision plan on the effective date of this Ordinance or after the enactment of subsequent amendments thereto which does not meet the minimum size or width requirements of the Zoning District in which it is located may be used for a use permitted by the use regulations of that District provided that all yard, height, coverage, and open space requirements of the Zoning District shall be met and further subject to Section 701.2; provided, however, that when a Subdivider has had an application for approval of a Preliminary or Final Subdivision Plan approved prior to the effective date of this Ordinance, no provision in this Ordinance shall be applied to affect adversely the right of the subdivider to commence and complete any aspect of the approved Preliminary or Final Plan in accordance with the provisions of the Pennsylvania Municipalities Planning Code, as amended.
2. Any lot held in single and separate ownership on the effective date of this Ordinance or after the enactment of subsequent amendments thereto which does not meet the minimum size or width requirements of the Zoning District in which it is located may be used for any use permitted in that district provided that all yard, height, coverage, and open space requirements of the District are met; provided, however, that if two or more lots, combination of lots, or portions of lots with continuous frontage in single ownership are of record at the time of passage or amendment of this Ordinance, and if all or part of the lots do not meet the requirements established for lot width and/or area, the land involved shall be considered to be an undivided parcel for the purpose of this Ordinance, and no portion of said parcel shall be used or sold in a manner which diminishes compliance with lot width and/or area requirements established by this Ordinance, nor shall any division of any parcel be made which creates a lot with width or area below the requirements stated in this Ordinance.

Section 702. **ABANDONMENT**

A non-conforming use may not be re-established if the use is discontinued for a continuous eighteen month period, unless prior to or during that eighteen (18) month period the owner informs the Township of his intention not to abandon the use. Notification shall be by filing a Statement of Intent to Continue with the Township Zoning Officer. Vacation of land or buildings or the termination of the use normally carried on upon the property shall be evidence of discontinuance.

If after filing a statement of Intent to Continue the nonconforming use is not commenced within eighteen (18) months from the end of the original eighteen (18) month period, the

nonconforming use shall be considered abandoned and shall not be re-established.

Section 703. CHANGE

A non-conforming use of a property may be changed to a conforming use by right. A non-conforming use, if changed to a conforming use, shall not be changed back to a non-conforming use. A non-conforming use of a property shall not be changed to any other nonconforming use unless the Zoning Hearing Board grants a Special Exception. The proposed use shall be demonstrated by the applicant to be not more detrimental to the district with respect to traffic generation and congestion, noise, illumination, electric radiation emission, smoke, dust, fumes, vapors, gases, heat, odor, glare, vibration, appearance and waste generation than the existing use. The Zoning Hearing Board may specify such appropriate conditions and safeguards as may be required in connection with the granting of a Special Exception.

Section 704. EXPANSION

1. A non-conforming use, building, or structure shall not be enlarged or increased upon land not owned, leased or under option to purchase at the time of the enactment of this Ordinance. Unless such expansion has been approved as a special exception by the Zoning Hearing Board.
2. Additional structures, uses, or buildings not conforming to the requirements of this Ordinance may be erected or established in connection with an existing non-conforming use. Any, and all, such expansion shall be limited to a maximum fifty (50%) percent of the area used at the time of adoption of this Ordinance.
3. A non-conforming building or structure shall not be enlarged, increased, repaired, maintained, or modified in any manner which will further violate any regulation imposed by this Zoning Ordinance, except that a principal building which existed at the effective date of this Ordinance which is non-conforming as to a yard requirement may have repairs, improvements, maintenance, modifications, and additions made to those portions of the building located within the required yard, provided that no repair, improvement, maintenance, modification, or addition shall be made which will cause any part of the building to project into the yard farther than the building did at the effective date of the Ordinance.
4. Total future expansion of that portion of a non-conforming use carried on outside a building or structure shall not exceed a maximum of fifty (50%) percent of the lot area occupied outside buildings by the use at the time the use became non-conforming, and shall be in accordance with all requirements of this Ordinance.

A non-conforming use may be expanded within a building containing that non-conforming use at the effective date of this Ordinance, provided that the non-conforming use shall not occupy a portion of the building containing a conforming use at the effective date of this Ordinance. A non-conforming use may also be expanded into a new building or extension of an existing building containing the use, provided that total future expansion of a non-conforming use within an existing building, a new building, or an extension to an existing building shall not exceed a maximum of fifty (50%) percent of the gross floor area occupied by the non-conforming use at the time the use became non-conforming.

4. Non-conforming signs shall not be expanded.

Section 705. MOVEMENT AND REPLACEMENT

1. A building or structure containing a non-conforming use may be replaced by a new building or moved to another location on the same lot, provided that a new building or structure shall comply with all coverage, yard and height requirements and general regulations applicable to the zoning district in which it is located and a relocated building shall in no manner be more nonconforming at the new site than it was at the original site.

Section 706. DAMAGE OR DESTRUCTION

1. Any non-conforming building or structure or a building or structure containing a non-conforming use of which the basic structural elements are totally destroyed by any means may be rebuilt and used for the same nonconforming use or a change of use which is permitted by special exception. Any subsequent building or structure shall comply with all requirements of this Ordinance. New construction shall begin within eighteen (18) months of the date of destruction and be carried to completion without interruption.
2. A non-conforming building or structure or a building or structure containing a non-conforming use of which the basic structural elements are partially destroyed, or which is partially destroyed but which has all basic structural elements remaining, may be reconstructed. The reconstructed portions of a building or structure shall not be more non-conforming in any respect than the portions of the building or structure which were destroyed. Reconstruction shall begin within eighteen (18) months of the date of destruction and be carried to completion without interruption.
3. Any non-conforming building or structure or building or structure containing a non-conforming use which is destroyed to any extent shall be inspected by the Township Zoning Officer. Any building or structure which shall be deemed unsafe by the Zoning Officer shall be taken down and removed or made safe and secure as the Zoning Officer may deem necessary in the public interest.

Section 707 through 799 (Reserved)

ARTICLE VIII

ADMINISTRATION AND ENFORCEMENT

Section 800. ZONING OFFICER

1. Appointment

A Zoning Officer shall be appointed by the Township Supervisors to administer and enforce this Zoning Ordinance. The Zoning Officer shall not hold any elective office in the Township. The Zoning Officer shall meet qualifications established by the Township Supervisors and shall be able to demonstrate to the satisfaction of the Township Supervisors a working knowledge of municipal zoning. The Zoning Officer shall administer this Zoning Ordinance in accordance with its literal terms, and shall not have the power to permit any construction or any use or change of use which does not conform to this Zoning Ordinance.

2. Duties and Powers

It shall be the duty of the Zoning Officer to enforce the provisions of this Ordinance and the amendments thereto and he shall have such duties and powers as are conferred on him by this Ordinance and as are reasonably implied for that purpose. The Zoning Officer's duties shall include, but are not limited to the following:

- a. Receive applications for zoning permits and issue zoning permits as set forth in this Ordinance.
- b. Keep an official record of all business and activities, including complaints of a violation of any of the provisions of this Ordinance and of the subsequent action taken on each such complaint. All such records shall be open to public inspection. File copies of all applications received, permits issued, and reports and inspections made in connection with any structure, building, sign and/or land shall be retained as long as the structures, etc. remain in existence.
- c. Make inspections as required to fulfill his duties. In doing so, however, he shall first seek the permission of the land owner or tenant, and, in the event such permission cannot be voluntarily obtained, he shall have the right to take such other legal means to complete the inspection as are authorized under the law.
- d. Issue permits for buildings, structures, and land uses for which Subdivision and Land Development approval is required only after all necessary approvals have been secured and plans recorded.
- e. Issue permits for uses requiring new or altered on-site sewage disposal facilities only after any necessary permit has been issued by the Township Sewage Enforcement Officer.
- f. Issue permits for special exception uses or for variances only after a special exception or variance has been approved by the Zoning Hearing Board in accordance with the regulations of this Ordinance. Issue permits for conditional uses only after a conditional use has been approved by the Township Supervisors.

- g. Issue permits for buildings requiring approval by the Pennsylvania Department of Labor and Industry only after such approval has been secured. Issue permits for a use involving an access point requiring Pennsylvania Department of Transportation approval only after such approval has been secured.
- h. Be responsible for keeping this Ordinance and the Official Zoning Map up to date so as to include all amendments thereto.
- i. Issue Certificates of Use and Occupancy in accordance with the terms of this Ordinance.
- j. Institute civil enforcement proceedings as a means of enforcement when acting within the scope of his employment.
- k. Submit a monthly report of his activities to the Township Supervisors and Township Planning Commission.
- l. Serve an enforcement notice on any person, firm, corporation, partnership or other entity responsible for violating any of the provisions of this chapter, or any amendment thereto, in accordance with Section 805 of this Chapter.

Section 801. ZONING PERMIT

1. Requirements

No building, structure, or sign, except signs permitted under Section 606 of this Ordinance and temporary fences such as snow fences and fences around construction sites, shall be erected, constructed, assembled, extended, reconstructed, replaced, demolished, converted, moved, added to or structurally altered nor shall land, buildings and structures be put to any use or have the use for which they are used changed, without a permit therefore issued by the Zoning Officer. No such permit shall be issued unless there is conformity with the provisions of this Ordinance, except upon written order from the Zoning Hearing Board in the form of a variance, or upon order from any court of competent jurisdiction.

2. Application Procedures

The application for a Zoning Permit shall be submitted to the Zoning Officer in writing on a form prescribed by the Zoning Officer. The application shall be submitted by the owner or lessee of any building, structure or land or the agent of either provided, however, that if the application is made by a person other than the owner or lessee, it shall be accompanied by a written authorization from the owner or lessee authorizing the work and designating the agent. The application shall be accompanied by two (2) sets of at least the following information:

- a. A map of the lot in question, drawn to scale, indicating the lot size and showing all dimensions of lot lines and the exact location(s) on the lot of all existing and proposed buildings, fences, signs, structures and alterations to buildings or structures.
- b. The use, height, length, width and proportion of the total lot area covered by all proposed and existing buildings, structures and additions or alterations to buildings, or structures, and the height, length, width and design of all signs.

- c. A statement indicating the number of dwelling units and/or commercial or industrial establishments to be accommodated within existing and proposed buildings on the lot. In the case of apartment buildings and townhouses, a breakdown of units by number of bedrooms shall be given. In the case of commercial and industrial uses and home occupations, the floor area to be devoted to each use shall be indicated.
- d. The location, dimensions and design of parking and loading areas including the size and arrangement of all spaces and means of ingress, egress and interior circulation, recreation areas, buffer yards and landscaping, routes for pedestrian and vehicular traffic, and outdoor lighting.
- e. The location of all utility lines, the method of proposed water supply and sewage disposal, and the location of any on-lot facilities.
- f. All other information necessary for the Zoning Officer to determine conformance with and provide for enforcement of this Ordinance.

3. Approval or Disapproval

The Zoning Officer shall examine the completed application and all accompanying information to determine compliance with this Zoning Ordinance and the SALDO. Within thirty (30) days from the day he receives the application, the Zoning Officer shall either approve or disapprove the application and return one copy of the application and accompanying information containing the Zoning Officer's decision and signature to the applicant. The other copy shall be retained by the Zoning Officer. If disapproved, the Zoning Officer shall attach a statement to the application explaining the reasons therefore, indicating the manner in which the application could be corrected and/or modified to obtain approval, and informing the applicant of his rights to appeal.

4. Issuance and Posting of Permit

Upon approval of the application by the Zoning Officer and the payment of the fees established from time to time by resolution of the Township Supervisors, the Zoning Officer shall issue a Permit which shall be visibly posted on the site of operations during the entire time of construction. The permit shall expire two (2) years from the date of approval of the application by the Zoning Officer, provided that it may be extended at the discretion of the Zoning Officer for six (6) month periods not exceeding a total of one year. A Zoning Permit shall expire if the activity which is authorized by the permit is not begun, in the opinion of the Zoning Officer, within six (6) months of issuance of the permit.

5. Rights of Permit Holders

The permit shall be a license to proceed with the work described on the approved application in accordance with all Township Ordinances. The Zoning Officer shall revoke a permit or approval issued under the provisions of the Zoning Ordinance in case of any false statement or misrepresentation of fact in the application on which the permit or approval was based or for any other cause set forth in the Zoning Ordinance.

Section 802. CERTIFICATE OF USE AND OCCUPANCY

1. Requirements

It shall be unlawful to use and/or occupy any building, structure or land or portion thereof for which a zoning permit is required until a Certificate of Use and Occupancy has been issued by the Zoning Officer. The Zoning Officer shall not issue a Certificate of Use and Occupancy unless he has inspected such building, structure or land and has determined that all provisions of the Zoning Ordinance and other rules, regulations and ordinances of the Township have been complied with.

2. Issuance

Upon the receipt of written notification that the work for which a Zoning Permit has been issued has been completed, the Zoning Officer shall inspect the premises within ten (10) days to determine that the work has been performed in accordance with the approved application and all Ordinances of the Township. If he is satisfied that the work has been completed in accordance with the approved application, he shall issue a Certificate of Use and Occupancy to the permit holder for the use indicated on the approved application. A copy of the Certificate of Use and Occupancy shall be retained by the Zoning Officer as part of the Township records. If he finds that the work has not been performed in accordance with the approved application, the Zoning officer shall refuse to issue the Certificate of Use and Occupancy and in writing give the reasons therefore and inform the permit holder of his right of appeal.

For uses for which performance standards are imposed by this Ordinance, no Certificate of Use and Occupancy shall become permanent until thirty (30) days after the use is in operation and only after and upon reinspection by the Zoning Officer, it is determined that the use is in compliance with all performance standards. After such reinspection, the Zoning Officer shall notify the applicant that the use is in compliance with the performance standards and that the Certificate of Use and Occupancy is permanent, or that the use is not in compliance and that the Certificate of Use and Occupancy will be revoked within thirty (30) days of the notification if compliance with all performance standards is not secured.

3. Temporary Certificate of Use and Occupancy

Upon request of the holder of a zoning permit, the Zoning Officer may issue a Temporary Certificate of Use and Occupancy for a building, structure, sign and/or land or portion thereof before the entire work covered by the permit shall have been completed. Such portions may be used and/or occupied prior to full completion of the work provided life and the public health, safety, morale and general welfare of the residents and inhabitants of the Township are not endangered.

The Zoning Officer may also issue a Temporary Certificate of Use and Occupancy for such temporary uses as tents, trailers, and buildings on construction sites, and for the use of land for religious and other public and semi-public purposes or other temporary use and/or occupancy upon order of the Township Supervisors. Such temporary certificates shall be for the period of time to be determined by the Township Supervisors at the time of application, but in no case shall any certificates, except those for uses on construction sites, be issued for more than six (6) months.

Section 803. SCHEDULE OF FEES, CHARGES AND EXPENSES

The Township Supervisors shall establish, by resolution, a schedule of fees and charges for requests for zoning permits, certificates of use and occupancy, special exceptions, variances, amendments of this Ordinance and other matters pertaining to this Ordinance. A collection procedure shall also be established. Until all application fees and charges have been paid in full, no action shall be taken on any application or other matter.

Section 804. AMENDMENTS

The provisions of this Ordinance and the Boundaries of zoning districts as set forth on the Official Zoning Map may from time to time be amended, supplemented, or changed by the Township Supervisors.

1. Procedure

The following procedures shall be observed prior to making any amendment or change to this Ordinance or parts thereof, including the Official Zoning Map:

- a. Before voting on the enactment of an amendment, the Township Supervisors shall hold a public hearing thereon, pursuant to public notice. In addition, if the proposed amendment involves a zoning map change, notice of said public hearing shall be conspicuously posted by the Township at points deemed sufficient by the Township along the perimeter of the tract to notify potentially interested citizens. The affected tract or area shall be posted at least one (1) week prior to the date of the hearing.
- b. In the case of an amendment other than that prepared by the Township Planning Commission, the Township Supervisors shall submit each such amendment to the Township Planning Commission at least thirty (30) days prior to the hearing on such proposed amendment to provide the Township Planning Commission an opportunity to submit recommendations.
- c. At least thirty (30) days prior to the public hearing on the amendment by the Township Supervisors, the Township shall submit the proposed amendment to the County Planning Commission for recommendations.
- d. The Township may offer a mediation option as an aid in completing proceedings authorized by this section. In exercising such an option, the Township and mediating parties shall meet the stipulations and follow the procedures set forth in Article IX of the Pennsylvania Municipalities Planning Code.
- e. Within thirty (30) days after enactment, a copy of the amendment to this chapter shall be forwarded to the County Planning Commission.

2. Submission of Impact Statement

Whenever a request for a zoning amendment is requested or initiated by any party other than the Township Planning Commission or Township Supervisors, a statement indicating the impact of the zoning change on the Township shall be submitted with the application for amendment. The statement shall compare the impact on the

Township resulting from the existing zoning with the impact resulting from the proposed zoning amendment, specifically discussing:

Agricultural Impact - The acreage and productivity rating of soils to be taken out of production or agricultural use.

Environmental Impact - The impact on wooded areas, flood plains, area of high water table, wildlife habitats, storm water run-off, erosion and sedimentation, historic sites, water quality, air quality, solid waste generation, and noise levels.

Traffic Impact - The impact on traffic generation per day and at peak hours, including numbers and routes expected to be used. An analysis of traffic capacities of adjacent roads and intersections and roads and intersections to be significantly affected by the zoning change shall be prepared.

Services Impact - The demand for school, police, sewer, water, sanitation, and road maintenance services.

3. Public Hearing

The Township Supervisors shall hold a public hearing before voting on the enactment of any amendment or change. Public notice of such hearing shall be given as required by law. If, after any public hearing held upon amendment or change, the proposed amendment or change is revised, or further revised, to include land previously not affected by it, the Township Supervisors shall hold another public hearing pursuant to public notice prior to voting on the amendment or change. The Township Supervisors shall vote on the proposed amendment within ninety (90) days after the last public hearing.

Section 805. ENFORCEMENT NOTICE

1. Scope

The Zoning Officer shall initiate enforcement proceedings in the event of a violation of this chapter by sending an enforcement notice.

2. Notice to Owner

The enforcement notice shall be sent to the owner of record of the parcel on which the violation has occurred, to any person who has filed a written request to receive enforcement notices regarding that parcel, and to any other person requested in writing by the owner of record.

3. Contents

The enforcement notice shall be in writing and shall state at least the following:

- a. The name of the owner of record and any other person against whom the Township intends to take action.
- b. The location of the property in violation.

- c. The specific violation with a description of the requirements which have not been met, citing in each instance the applicable provisions of this chapter.
 - d. The date before which the steps for compliance must be commenced, and the date before which the steps must be completed.
 - e. That the recipient of the notice has the right to appeal to the Zoning Hearing Board within a prescribed period of time in accordance with procedures set forth in this chapter.
 - f. That failure to comply with the notice within the time specified, unless extended by appeal to the Zoning Hearing Board, constitutes a violation, with possible sanctions clearly described.
4. Unlawful Continuance

Any person who shall continue in violation of any enforcement notice after the prescribed period of time in the enforcement notice shall be in violation of this Chapter and subject to the penalties provided within this chapter.

Section 806. REMEDIES, PENALTIES AND ENFORCEMENT

1. Remedies

In case any building, structure or land is, or is proposed to be, erected, constructed, assembled, extended, replaced, structurally altered, converted, maintained or used in violation of this chapter, the Township Supervisors or, with their approval, the Zoning Officer, or any aggrieved owner or tenant of any real property who shows that his property or person be substantially affected by the alleged violation, in addition to other remedies, may institute in the name of the Township any appropriate action or proceeding to prevent, restrain, correct or abate such building, structure, or use of land, or to prevent in or about such premises any act, conduct, business or use constituting a violation. When any such action is instituted by a landowner or tenant, notice of that action shall be served upon a municipality at least thirty (30) days prior to the time the action is begun by serving a copy of the complaint on the Township Supervisors. No such action may be maintained until such notice has been given.

2. Penalties

Any person, partnership, or corporation who or which has violated or permitted the violation of the provisions of this chapter, upon being found liable therefore in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than Five Hundred (\$500.00) Dollars plus all court costs, including reasonable attorneys' fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the District Justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the District Justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating this chapter to have believed that there was no such violation, in

which event there shall be deemed to have been only one (1) such violation until the fifth (5th) day following the date of the determination of a violation by the District Justice, and thereafter each day that a violation continues shall constitute a separate violation. All judgments, costs, and reasonable attorneys' fees collected for the violation of this chapter shall be paid over to the Township. District Justices shall have initial jurisdiction over proceedings brought under this section. The court of common pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem fine pending a final adjudication of the violation and judgment. Nothing contained in this section shall be construed or interpreted to grant to any person or entity other than the Township the right to commence any action for enforcement pursuant to this section.

3. Civil Enforcement

Civil enforcement actions shall be in compliance with Chapter 60 of the 2nd Class Township Code. The Township Zoning Officer shall determine whether a civil violation of this chapter has occurred. Upon determining that a violation has occurred, the Township Zoning Officer shall impose a civil penalty upon the violator in accordance with subsection 2 of this section.

4. Notice of Violation

A violator of this chapter shall receive written notice thereof from the Township, by and through its Zoning Officer (the "Civil Citation").

5. Late Charge

The failure to pay a civil fine within fifteen (15) days of the receipt of a Civil Citation shall cause the recipient to incur a late charge in an amount equal to the lesser of the civil fine or the limits thereon in accordance with 53 P.S. § 66601(c) or any successor provision (the "Late Charge").

6. Referral to Township Solicitor

If a civil fine and any late charge are not paid within thirty (30) days of the receipt of a Civil Citation, the Township Zoning Officer shall refer the matter to the Township's Solicitor for collection, including commencement of a civil action before a District Justice or court of competent jurisdiction.

7. Form of Citation

The Civil Citation shall specify the following:

- a. The provision of the Code violated.
- b. The civil fine for violation thereof.
- c. The fifteen (15) day payment period.
- d. The Late Charge.
- e. The thirty (30) day referral to Solicitor.

- f. Liability for attorneys fees and court costs pursuant to 53 P.S. § 66601(c) or any successor provision.

8. Civil and Criminal Enforcement

The procedure for enforcement of any civil penalty imposed for any violation of the Code of the Township of West Brunswick shall be governed by the applicable provisions of The Second Class Township Code, as may be amended from time to time. The procedure for enforcement of any portion of the Code of the Township of West Brunswick regulating building, housing, property maintenance, health, fire, public safety, parking, solicitation, curfew, water, air or noise pollution, shall be by action before a District Justice in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure and shall otherwise be governed by the applicable provisions of The Second Class Township Code, as may be amended from time to time.

9. Enforcement in Equity

The provisions of the Code of the Township of West Brunswick may be enforced by the Township through an action in equity brought in the Court of Common Pleas of Schuylkill County, Pennsylvania.

Section 807. APPEALS

Proceedings for securing review of any Ordinance or of any decision, determination or order of the Township Supervisors, their agencies, the Zoning Hearing Board, or Zoning Officer issued pursuant to this Ordinance shall be in accordance with the Pennsylvania Municipalities Planning Code, as amended.

Section 808. CONDITIONAL USE PROCEDURES

1. Application

Four (4) copies of an application for permission to conduct a use permitted by condition shall be submitted to the Township Secretary. Such application shall include all information specified for a zoning permit application in Section 801 of this Ordinance and any other information necessary to allow the Township Supervisors to determine that all requirements of this Ordinance have been met.

2. Review

After receiving an application, the Supervisors shall refer one (1) copy of the application to the Township Planning Commission for its review and one (1) copy to the Township Zoning Officer for his review. The application shall be reviewed at one or more advertised meetings of the Township Supervisors, and the Supervisors shall either approve or disapprove the application within ninety (90) days after the date the application is received by the Township Secretary. The granting of permission to conduct a use permitted by condition does not exempt an applicant from acquiring all approvals required by the Township's Subdivision and Land Development Ordinance.

3. Standards

Conditional uses shall meet the specific standards established for each use by this Ordinance and all other applicable zoning district requirements and General Regulations established by this Ordinance. In addition, the following standards shall be met:

- a. The use shall be one which is specifically authorized as a conditional use in the Zoning District wherein the applicant is seeking a conditional use.
- b. Services and utilities shall be made available to adequately service the proposed use.
- c. The use will not generate traffic such that hazardous or unduly congested conditions will result.
- d. The use is appropriate to the site in question.
- e. The use shall not adversely affect the character of the general neighborhood, nor the health and safety of residents or workers on adjacent properties and in the general neighborhood.

The applicant shall demonstrate, as a condition to approval of his application, that the standards in Section 808.3 and those specified elsewhere in this Ordinance for the use in question will be met.

The Township Supervisors may impose such additional safeguards as are necessary to protect the health, safety, and welfare of the residents and general public.

Section 809 through 899 (Reserved)

ARTICLE IX

ZONING HEARING BOARD

Section 900. **CREATION AND ORGANIZATION**

1. **Creation of Board**

The Township Supervisors hereby create a Zoning Hearing Board, herein referred to as the "Board", consisting of residents of the Township appointed by the Township Supervisors pursuant to the Pennsylvania Municipalities Planning Code, as amended, who shall be appointed and serve and shall perform all the duties and have all the powers as prescribed by said Code and as herein provided.

2. **Organization**

The Board may promulgate such rules and forms for its procedures, not inconsistent with this and other Ordinances of the Township and laws of the Commonwealth of Pennsylvania, as it may deem necessary to the proper performance of its duties and to the proper exercise of its powers. Such rules shall be continued in force and effect until amended or repealed by the Board or by law. The Board shall elect from its own membership its officers who shall serve annual terms as such and may succeed themselves.

3. **Meetings**

Meetings and hearings of the Board shall be held at the call of the chairman and at such other times as the Board, by majority vote, may determine.

4. **Minutes and Records**

The Board shall keep full public records of its proceedings showing the vote of each member upon each question, or if absent or failing to vote indicating such fact. The Board shall also keep full public records of its business and other official action, copies of which shall be filed with the Secretary of the Township Supervisors and the Secretary of the Township Planning Commission. The Board shall submit a monthly report of its activities to the Township Supervisors and the Township Planning Commission.

Section 901. **HEARINGS**

The Board shall conduct hearings and make decisions in accordance with the requirements of the Pennsylvania Municipalities Planning Code, as amended, and the rules of the Board.

Section 902. **FUNCTIONS OF THE ZONING HEARING BOARD**

The Zoning Hearing Board shall have the following functions:

1. **Appeals from the Zoning Officer**

Hear and decide appeals where it is alleged by the appellant that the Zoning Officer has failed to follow prescribed procedures or has misinterpreted or misapplied any

provision of this Ordinance or the Official Zoning Map or any valid rule or regulation governing the action of the Zoning Officer.

2. Challenges to the Validity of the Zoning Ordinance or Official Zoning Map

The Board shall hear challenges to the validity of this Ordinance or the Official Zoning Map, except as indicated in the Pennsylvania Municipalities Planning Code, as amended. In all such challenges, the Board shall take evidence and made a record thereon as provided in Section 901 of this Ordinance. At the conclusion of the hearing, the Board shall decide all contested questions and shall make findings on all relevant issues of fact which shall become part of the record on appeal to the court.

3. Unified Appeals

Where the Board has jurisdiction over matters pursuant to Sections 902.1, 902.2 and 902.4 of this Ordinance, the Board shall also hear all appeals which an applicant may elect to bring before it with respect to any municipal ordinance or requirement pertaining to the same development plan or development. In any such case, the Board shall have no power to pass upon the non-zoning issues, but shall take evidence and make a record thereon as provided in Section 901 of this Ordinance. At the conclusion of the hearing, the Board shall make findings on all relevant issues of fact which shall become part of the record on appeal to the court.

4. Variances

To authorize, upon appeal in specific cases, such variance(s) from the terms of this Ordinance as will not be contrary to public interest, where a literal enforcement of the provisions of this Ordinance will result in unnecessary hardship. In granting any variance the Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of this Ordinance and the Pennsylvania Municipalities Planning Code, as amended.

The Board may, by rule, prescribe the form of application and may require preliminary application to the Zoning Officer. The Board may grant a variance provided the following findings are made where relevant in a given case:

- a. That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary hardship is due to such condition, and not circumstances or conditions generally created by the provisions of this Zoning Ordinance in the neighborhood or district in which the property is located.
- b. That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of this Zoning Ordinance and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.
- d. That such unnecessary hardship has not been created by the appellant.

- d. That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use of development of adjacent property, nor be detrimental to the public welfare.
- e. That the variance as granted by the Board is the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

5. Special Exceptions

To issue upon application, only such special exceptions which the Board by the provisions of this Ordinance is specifically authorized to issue. The granting of a Special Exception shall demonstrate, as a condition to approval of his application, compliance with these criteria and those criteria specified elsewhere in this Ordinance for the use in question.

- a. Such use shall be one which is specifically authorized as a Special Exception use in the zoning district wherein the applicant seeks a Special Exception.
- b. Such Special Exception shall only be granted subject to any applicable condition and safeguards as required by this Ordinance.
- c. Such use shall not adversely affect the character of the general neighborhood, nor the conservation of property values, nor the health and safety of residents or workers on adjacent properties and in the general neighborhood.
- d. Such use shall be of such size and so located and laid out in relation to its access streets that vehicular and pedestrian traffic to and from such use will not create undue congestion or hazards prejudicial to the general neighborhood.
- e. Services and utilities shall be made available to adequately service the proposed use.

In granting a Special Exception, the Board may attach such reasonable conditions and safeguards, in addition to those expressed in this Ordinance, as it may deem necessary to implement the purposes of this Ordinance and the Pennsylvania Municipalities Planning Code, as amended.

- 6. To exercise any other power specifically granted to the Board under the terms of this Ordinance.

Section 903. PROCEDURES FOR APPLICATION TO THE ZONING HEARING BOARD

The Board shall act in strict accordance with the procedures specified by the Pennsylvania Municipalities Planning Code, as amended, and by this Ordinance. All appeals and applications made to the Board shall be in writing, on forms prescribed by the Board. Every appeal or application shall refer to the specific provision of this ordinance involved and shall exactly set forth the interpretation that is claimed, the grounds for any challenges to the validity of this Ordinance, the use for which a Special Exception is sought, or the details of the variance that is applied for and the grounds on which it is claimed that the variance should

be granted, as the case may be. All appeals and any stay of proceedings and periods for filing of appeals shall be in accordance with the Pennsylvania Municipalities Planning Code, as amended.

Applications and appeals, together with the required filing fee as established by the Township Supervisors, shall be submitted to the Township Secretary.

Section 904. EXPIRATION OF SPECIAL EXCEPTIONS AND VARIANCES

Unless otherwise specified by the Board, a Special Exception or Variance shall expire if the applicant fails to obtain a zoning permit, where required, within eighteen (18) months from the date of authorization of the Special Exception or Variance.

Section 905. REVIEW OF APPLICATIONS FOR SPECIAL EXCEPTIONS AND VARIANCES BY THE TOWNSHIP PLANNING COMMISSION AND TOWNSHIP SUPERVISORS

The Secretary of the Zoning Hearing Board shall forward a copy of any application for a Special Exception or Variance to the Township Planning Commission and Township Supervisors for review and comment prior to the hearing held by the Board on such application.

Section 906 – 999 (Reserved)

ARTICLE X

MISCELLANEOUS

Section 1000. **SEVERABILITY**

Should any article, section, subsection, paragraph, clause, phrase or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such judgment shall not affect the validity of this Ordinance as a whole or any part of provision thereof other than the part so decided to be invalid or unconstitutional.

Section 1001. **REPEAL OF CONFLICTING ORDINANCES**

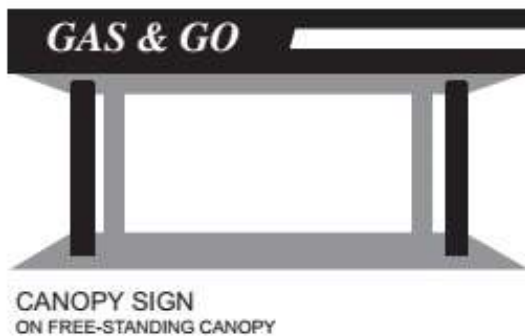
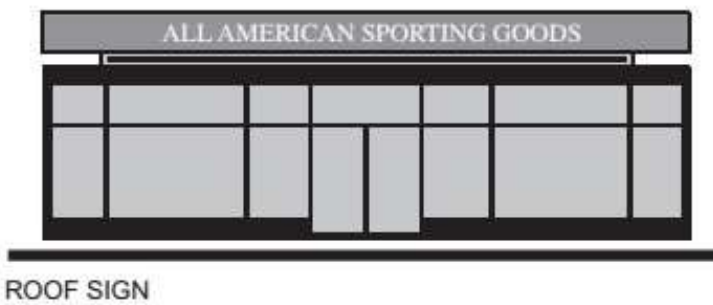
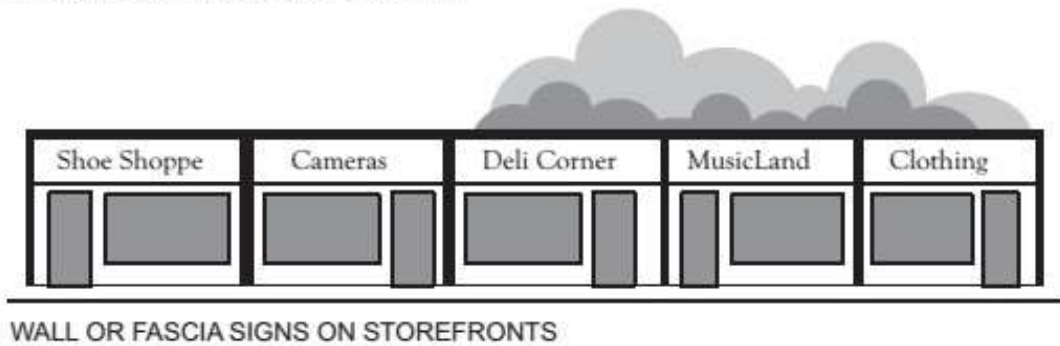
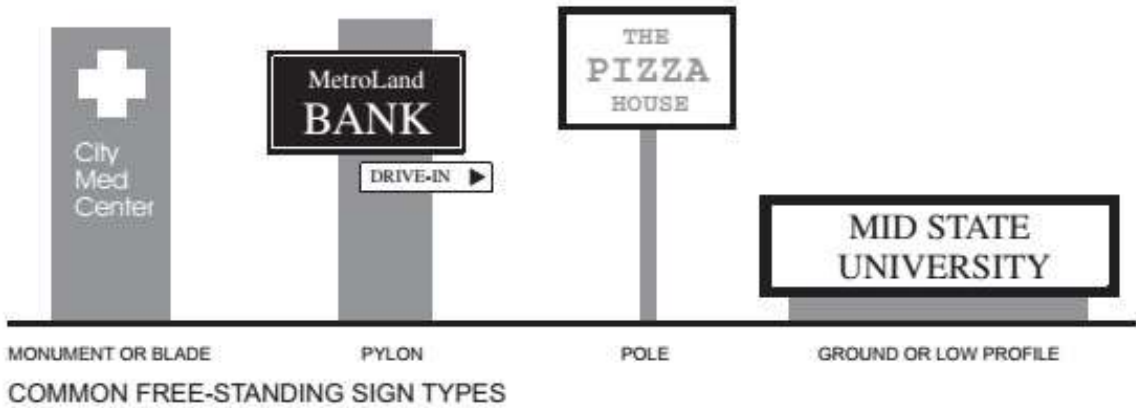
All ordinances or parts of ordinances together with the amendments and supplements thereto are hereby repealed to the extent necessary to give this Ordinance full force and effect, except as may be noted elsewhere in this Ordinance.

Section 1002. **EFFECTIVE DATE**

This Ordinance shall become effective five (5) days after the date of its enactment.

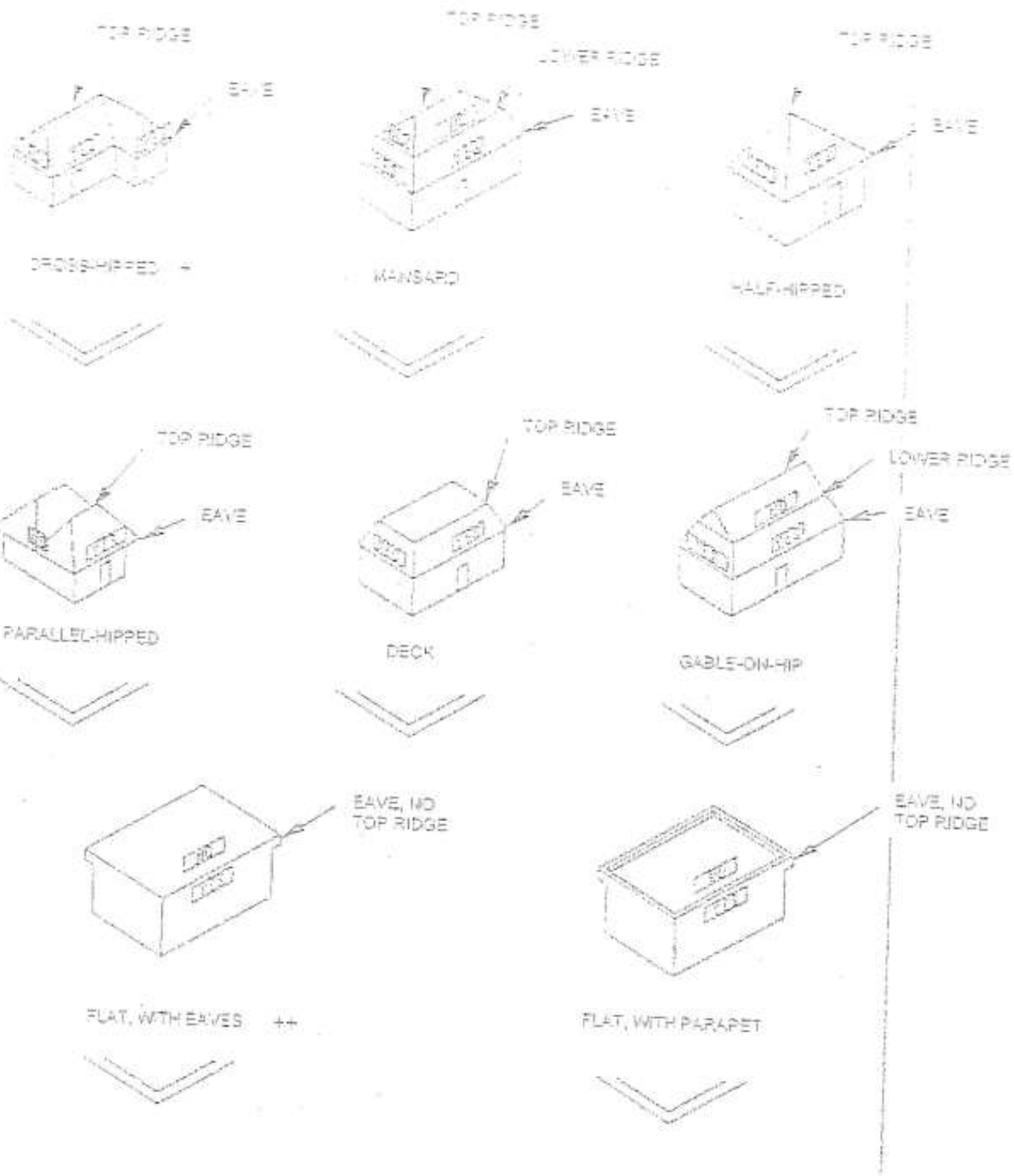
Appendix 1

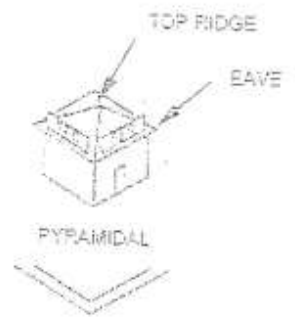
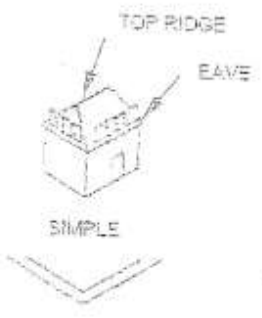
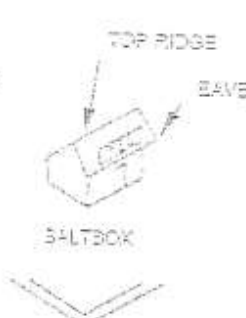
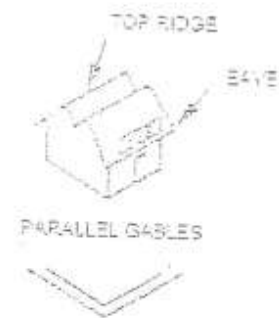
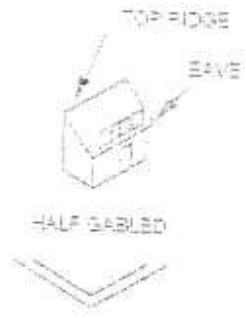
General Sign Types



Appendix 2

Types of Roof Signs





Appendix 3

Management of Fill Policy (DEP Regulation)

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Bureau of Waste Management

DOCUMENT NUMBER: 258-2182-773

**INTERIM FINAL
EFFECTIVE DATE:** August 7, 2010

TITLE: Management of Fill

AUTHORITY: This document is established in accordance with the Act of July 7, 1980, as amended, 35 P.S. §§ 6018.101 *et seq.*, known as the Solid Waste Management Act (SWMA); the Act of June 22, 1937, as amended, 35 P.S. §§ 691.1 *et seq.*, known as the Clean Streams Law; the Act of April 9, 1929, Section 1917-A of the Administrative Code, 71 P.S. § 510-17; the Act of July 18, 1995, 35 P.S. §§ 6026.101 *et seq.*, known as the Land Recycling and Environmental Remediation Standards Act.

POLICY: This policy is designed to replace the Department's existing Clean Fill Policy dated February 29, 1996.

PURPOSE: This policy provides DEP's procedures for determining whether material is clean fill or regulated fill. Regulated fill may not be used unless a SWMA permit is secured by the individual or entity using the regulated fill.

APPLICABILITY: This policy shall be used to evaluate whether material qualifies as clean fill or regulated fill. This policy does not apply to mine land reclamation activities subject to a permit. Excavation, movement or reuse of fill material within a project area or right-of-way of a project is not an activity that requires a SWMA permit.

DISCLAIMER: The policies and procedures outlined in this guidance document are intended to supplement existing requirements. Nothing in the policies or procedures shall affect regulatory requirements. The policies and procedures herein are not an adjudication or a regulation. There is no intent on the part of the DEP to give the rules in these policies that weight or deference. This document establishes the framework within which DEP will exercise its administrative discretion in the future. DEP reserves the discretion to deviate from this policy statement if circumstances warrant.

PAGE LENGTH: 10 pages

LOCATION: Volume 6, Tab 40(b)

DEFINITIONS:

Act 2 - The Land Recycling and Environmental Remediation Standards Act, Act of May 18, 1995 (P.L. 4, No. 1995-2), 35 P.S. §§ 6026.101 et seq.

Clean fill - Uncontaminated, nonwater-soluble, nondecomposable inert solid material. The term includes soil, rock, stone, dredged material, used asphalt, and brick, block or concrete from construction and demolition activities that is separate from other waste and recognizable as such. (25 Pa. Code §§ 271.101 and 287.101) The term does not include materials placed in or on the waters of the Commonwealth unless otherwise authorized.

Environmental due diligence - Investigative techniques, including, but not limited to, visual property inspections, electronic data base searches, review of ownership and use history of property, Sanborn maps, environmental questionnaires, transaction screens, analytical testing, environmental assessments or audits.

Historic fill - Material (excluding landfills, waste piles and impoundments) used to bring an area to grade prior to 1988 that is a conglomeration of soil and residuals, such as ashes from the residential burning of wood and coal, incinerator ash, coal ash, slag, dredged material and construction and demolition waste. The term does not include iron or steel slag that is separate from residuals if it meets the coproduct definition and the requirements of 25 Pa. Code § 287.8. The term does not include coal ash that is separate from residuals if it is beneficially used in accordance with 25 Pa. Code § 287.661 - 287.666.

Regulated fill - Soil, rock, stone, dredged material, used asphalt, historic fill, and brick, block or concrete from construction and demolition activities that is separate from other waste and recognizable as such that has been affected by a spill or release of a regulated substance and the concentrations of regulated substances exceed the values in Table FP-1a and b.

Regulated substance - The term shall include hazardous substances and contaminants regulated under the Hazardous Sites Cleanup Act, and substances covered by the Clean Streams Law, the Air Pollution Control Act, the Solid Waste Management Act, the Infectious and Chemotherapeutic Waste Law, and the Storage Tank and Spill Prevention Act.

Release - Spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping or disposing of a regulated substance into the environment in a manner not authorized by the Department of Environmental Protection. The term includes the abandonment or discarding of barrels, containers, vessels and other receptacles containing a regulated substance.

Uncontaminated material - Material unaffected by a spill or release of a regulated substance, or if affected by a spill or release, the concentrations of regulated substances are below the concentrations specified in Table FP-1a and b.

REFERENCES:

25 Pa. Code Chapters 287 to 299 (residual waste regulations)

25 Pa. Code Chapters 271 to 285 (municipal waste regulations)

Solid Waste Management Act, 35 P.S. §§ 6018.101 et seq.

Land Recycling and Environmental Remediation Standards Act, 35 P.S. §§ 6026.101 et seq.

TECHNICAL GUIDANCE:

FILL DETERMINATION

- 1) To determine whether fill is clean or regulated, a person must perform environmental due diligence.¹
 - a) If due diligence shows no evidence of a release of a regulated substance, the material may be managed as clean fill under this policy.
 - b) If due diligence shows evidence of a release, the material must be tested to determine if it qualifies as clean fill. Testing must be performed in accordance with Appendix A.
 - i) If testing reveals that the material contains concentrations of regulated substances that are below the residential limits in Table FP-1a and b, the material must be managed as clean fill.
 - ii) If testing reveals that the material contains concentrations of regulated substances that exceed the limits in Table FP-1a and b, the material must be managed as regulated fill.
- 2) A person may not blend or mix materials to become clean fill. Materials that contain regulated substances that are intentionally released may not be managed under this policy.

MANAGEMENT OF REGULATED FILL

- 1) Materials identified as regulated fill are waste and must be managed in accordance with the Department's municipal or residual waste regulations, whichever is applicable, based on 25 Pa. Code §§ 287.2 or 271.2. Regulated fill may be beneficially used under General Permit WMGR096 (proposed) if the materials and the proposed activities for the fill meet the conditions of that permit. A person may apply for an industry-wide beneficial use general permit for the beneficial use of regulated fill in lieu of this general permit.
- 2) Regulated fill may not be placed on a greenfield property not planned for development, or on a property currently in residential use or planned for residential use unless otherwise authorized.
- 3) Fill containing concentrations of regulated substances that exceed the values in Table GP-1 a and b may not be managed under the provisions of this policy or General Permit WMGR096, but must be otherwise managed in accordance with the provisions of the Department's municipal or residual waste regulations.
- 4) A general permit is not required for remediation activities undertaken entirely on an Act 2 site pursuant to the requirements of Section 902 of the Land Recycling and Environmental Remediation Standards Act. A general permit is also not required if regulated fill from an Act 2 site is used as construction material at a receiving site that is being remediated to attain an Act 2 standard as long as the procedural and substantive requirements of Act 2 are met. Regulated

¹ Analytical assessment, testing or sampling is only required if visual inspection or reviews of historic property use indicates evidence of a release of a regulated substance.

substances contained in the regulated fill must be incorporated into the notice of intent to remediate and the final report. Movement of regulated fill between Act 2 sites must be documented in both the sending and receiving sites' cleanup plans and final reports. Placement of the regulated fill may not cause the receiving site undergoing remediation to exceed the selected Act 2 standard.

MANAGEMENT OF CLEAN FILL

- 1) Use of material as clean fill does not require a permit under the Solid Waste Management Act and regulations, and it may be used in an unrestricted or unregulated manner under this Act and its regulations. The use of materials as clean fill is still regulated under other environmental laws and regulations. A person using materials as clean fill under the policy is still subject to and must comply with all applicable requirements governing the placement or use of material as clean fill, such as Chapter 102 (Erosion and Sediment Control) and Chapter 105 (Dam Safety and Waterway Management).
- 2) Any person placing clean fill which has been affected by a release of a regulated substance on a property must certify the origin of the fill material and results of analytical testing to qualify the material as clean fill on Form FP-001. Form FP-001 must be retained by the owner of the property receiving the fill.
- 3) Best management practices (BMP) must be followed prior to demolition activities to remove materials like lead-based paint surface, friable asbestos and hazardous materials such as mercury switches, PCB ballasts and fluorescent light bulbs from a building if the brick, block, or concrete is used as clean fill.
- 4) Clean fill may not contain any free liquids based on visual inspection, and shall not create public nuisances (for example objectionable odors) to users of the receiving property or adjacent properties.

Appendix A

Sampling and Analyses for Regulated Material to be Used as Fill:

Sampling of regulated material proposed to be used as fill shall be done either by composite samples or by discrete samples. Sampling in either case shall be random and representative of the fill material being sampled. Sampling shall be in accordance with the most current version of the EPA RCRA Manual, SW-846 (*Test Methods for Evaluating Solid Waste, Physical/Chemical Methods. Office of Solid Waste and Emergency Response*).

- (a) Sampling based on composite sampling procedures shall include the following:
 - (i) For volumes of material equal to or less than 125 cubic yards, a total of eight samples shall be collected and analyzed as follows:
 - (A) For analysis of all substances other than volatile organic compounds (VOCs), the samples shall be analyzed in two composites of four samples each, in accordance with the most current version of the USEPA Manual, SW-846 (*Test Methods for Evaluating Solid Waste, Physical/Chemical Methods. Office of Solid Waste and Emergency Response*).
 - (B) Two samples shall be selected from the 8 samples for analysis of VOCs. The samples shall be based on field screening of the eight samples to select those samples that are most likely to contain the highest concentrations of VOCs.
 - (C) Two grab samples shall be taken from the same areas in the material from which the two samples used for field screening of VOCs were taken, in accordance with Method 5035 from the most current version of the USEPA Manual, SW-846 (*Test Methods for Evaluating Solid Waste, Physical/Chemical Methods. Office of Solid Waste and Emergency Response*).
 - (ii) For volumes of material greater than 125 cubic yards and less than or equal to 3,000 cubic yards, a total of 12 samples shall be collected and analyzed as follows:
 - (A) For analysis of all substances other than VOCs, the samples shall be analyzed in three composites of four samples each.
 - (B) Three samples shall be selected from the 12 samples for analysis of VOCs. The samples shall be based on field screening of the 12 samples to select those samples that are most likely to contain the highest concentrations of VOCs.
 - (C) Three grab samples shall be taken from the same areas in the material from which the three samples used for field screening of VOCs were taken, in accordance with EPA Method 5035, referenced in subparagraph (i)(C).

- (iii) For each additional 3,000 cubic yards of material or part thereof over the initial 3,000 cubic yards, 12 additional samples shall be collected and analyzed as follows:
 - (A) For analysis of all substances other than VOCs, the samples shall be analyzed in three composites of four samples each.
 - (B) Three samples for analysis of VOCs shall be selected from the 12 samples for analysis of VOCs. The samples shall be based on field screening of the 12 samples to select those samples that are most likely to contain the highest concentrations of VOCs.
 - (C) Three grab samples shall be taken from the same areas in material from which the three samples used for field screening of VOCs were taken, in accordance with EPA Method 5035, referenced in subparagraph (i)(C).
- (b) Sampling based on discrete sampling procedures shall include the following:
 - (i) For volumes of material equal to or less than 125 cubic yards, a minimum of eight samples shall be collected and analyzed. For volumes of material greater than 125 cubic yards and less than or equal to 3,000 cubic yards, a minimum of 12 samples shall be collected and analyzed. For each additional 3,000 cubic yards of material or part thereof over the initial 3,000 cubic yards, a minimum of 12 additional samples shall be collected and analyzed.
 - (ii) For VOCs analysis, grab sampling procedures shall be the procedures described in subsection (a), for the equivalent volumes of material sampled.
- (c) Analyses of results:
 - (i) For a composite sample taken in accordance with subsection (a), the measured numeric value for a parameter shall be less than or equal to the concentration limit listed in Table FP-1a or b for that parameter in order for the material to qualify as clean fill, or in Table GP-1a or b for that parameter in order for the fill material to qualify as regulated fill.
 - (ii) For a grab sample, taken in accordance with subsections (a) and (b), the measured numeric value for a parameter shall be less than or equal to the concentration limit listed in Table FP-1a or b for that parameter in order for the material to qualify as clean fill, or in Table GP-1a or b for that parameter for the fill material to qualify as regulated fill.
 - (iii) For discrete samples required in subsection (b), the measured numeric values for a substance in 75% of the discrete samples shall be equal to or less than the concentration limit listed in Table FP-1a or b, or in Table GP-1a or b for that parameter with no single sample exceeding more than twice the concentration limit for a parameter.
- (d) In lieu of subsection (c), a person may use 95% Upper Confidence Limit (UCL) of the arithmetic mean to determine whether a fill material meets the appropriate concentration limits for use as clean or regulated fill. The calculated 95% UCL of the arithmetic mean must be below the appropriate concentration limit for clean or regulated fill. Sampling shall be random and

representative of the material being sampled. The minimum number of samples shall be determined in accordance with EPA approved methods on statistical analysis of environmental data, as identified in 25 PA. Code, §250.707(e) (relating to statistical tests). The application of the 95% UCL of the arithmetic mean shall comply with the following performance standards:

- (i) The null hypotheses (H_0) shall be that the true fill arithmetic average concentration is at or above the regulated fill appropriate concentration limit, and the alternative hypothesis (H_a) shall be that the true fill arithmetic average concentration is below the regulated fill appropriate concentration limit.
- (ii) The underlying assumptions of the statistical method shall be met, such as data distribution.
- (iii) Compositing cannot be used for volatile organic compounds.
- (iv) The censoring level for each nondetect shall be the assigned value randomly generated that is between zero and the limit related to the PQL.
- (v) Tests shall account for spatial variability, unless otherwise approved by the Department.
- (vi) Statistical testing shall be done individually for each parameter present in the fill.
- (vii) Where a fill has distinct physical, chemical or biological characteristics, or originates from different areas, the statistical testing shall be done separately.
- (viii) The following information shall be documented:
 - (A) A description of the original areas of the fill, and physical, chemical and biological characteristics of the fill.
 - (B) A description of the underlying assumptions of the statistical method.
 - (C) Documentation showing that the sample data set meets the underlying assumptions of the statistical method.
 - (D) Documentation of input and output data for the statistical test, presented in tables or figures, or both, as appropriate.
 - (E) An interpretation and conclusion of the statistical test.

- (e) The Synthetic Precipitation Leaching Procedure (SPLP, per *Technical Guidance Manual*, 253-0300-100/ May 4, 2002 /Page II-26-27), is listed below:

The value for the SPLP is the concentration of a regulated substance in soil at the site that does not produce a leachate in which the concentration of the regulated substance exceeds the groundwater MSC. Since this test must be conducted on the actual site soil, no values for the SPLP could be published in the tables of MSCs in the regulations. The following procedure should be used to determine the alternative soil-to-groundwater value based upon the SPLP:

- (i) During characterization, the remediator should obtain a minimum of ten samples from within the impacted soil area. The four samples with the highest total concentration of the regulated substance should be submitted for SPLP analysis. Samples obtained will be representative of the soil type and horizon impacted by the release of the regulated substance.
- (ii) Determine the lowest total concentration (TC) that generates a failing SPLP result. The alternative soil-to-groundwater standard will be the next lowest TC.
- (iii) If all samples result in a passing SPLP level, the alternative soil-to-groundwater standard will be the TC corresponding to the highest SPLP result. The remediator has the option of obtaining additional samples.
- (iv) If none of the samples generates a passing SPLP, the remediator can obtain additional samples and perform concurrent TC/SPLP analyses to satisfy the above requirements for establishing an alternative soil-to-groundwater standard.

**Table FP-1a
Clean Fill Concentration Limits for Organics**

PARAMETER	CASRN	Clean Fill
		Total Analysis mg/kg
ACENAPHTHENE	83-32-9	2700
ACENAPHTHYLENE	208-96-8	2500
ACEPHATE	30560-19-1	0.9
ACETALDEHYDE	75-07-0	0.23
ACETONE	67-64-1	41
ACETONITRILE	75-05-8	1.9
ACETOPHENONE	98-86-2	200
ACETYLAMINOFLUORENE, 2- (2AAF)	53-96-3	0.069
ACROLEIN	10-702-8	0.00062
ACRYLAMIDE	79-06-1	0.00057
ACRYLIC ACID	79-10-7	0.051
ACRYLONITRILE	107-13-1	0.0067
ALACHLOR	15972-60-8	0.077
ALDICARB	116-06-3	0.12
ALDRIN	309-00-2	0.10
ALLYL ALCOHOL	107-18-6	0.58
AMINOBIIPHENYL, 4-	92-67-1	0.0012
AMITROLE	61-82-5	0.029
AMMONIA	7664-41-7	360
AMMONIUM SULPHAMATE	7773-06-0	24
ANILINE	62-53-3	0.16
ANTHRACENE	120-12-7	350
ATRAZINE	1912-24-9	0.13
BAYGON (PROPOXUR)	114-26-1	0.057
BENOMYL	17804-35-2	880.00
BENTAZON	25057-89-0	16
BENZENE	71-43-2	0.13
BENZIDINE	92-87-5	0.078
BENZO(A)ANTHRACENE	56-55-3	25
BENZO(A)PYRENE	50-32-8	2.5
BENZO(B)FLUORANTHENE	205-99-2	25
BENZO(GH)PERYLENE	191-24-2	180
BENZO(K)FLUORANTHENE	207-08-9	250
BENZOIC ACID	65-85-0	2900
BENZOTRICHLORIDE	98-07-7	0.012
BENZYL ALCOHOL	100-51-6	400
BENZYL CHLORIDE	100-44-7	0.051
BHC, ALPHA-	319-84-6	0.046
BHC, BETA-	319-85-7	0.22
BHC, DELTA-	319-86-8	11
BHC, GAMMA (LINDANE)	58-89-9	0.072
BIPHENYL, 1,1-	92-52-4	790
BIS(2-CHLOROETHYL)ETHER	111-44-4	0.0039
BIS(2-CHLORO-ISOPROPYL)ETHER	108-60-1	8.0
BIS(CHLOROMETHYL)ETHER	542-88-1	0.00001
BIS[2-ETHYLHEXYL] PHTHALATE	117-81-7	130
BISPHENOL A	80-05-7	700
BROMACIL (BROMAX)	314-40-9	2
BROMOCHLOROMETHANE	74-97-5	1.6
BROMODICHLOROMETHANE	75-27-4	3.40
BROMOMETHANE	74-83-9	0.54
BROMOXYNIL	1689-84-5	63
BROMOXYNIL OCTANOATE	1689-99-2	360
BUTADIENE, 1,3-	106-99-0	0.0062
BUTYL ALCOHOL, N-	71-36-3	12.00
BUTYLATE	2008-41-5	51.0
BUTYLBENZENE, N-	104-51-8	950
BUTYLBENZENE, SEC-	135-98-8	350
BUTYLBENZENE, TERT-	98-06-6	270
BUTYLBENZYL PHTHALATE	85-68-7	10000
CAPTAN	133-06-2	12
CARBARYL	63-25-2	41
CARBAZOLE	86-74-8	21
CARBOFURAN	1563-66-2	0.87
CARBON DISULFIDE	75-15-0	160

**Table FP-1a
Clean Fill Concentration Limits for Organics**

PARAMETER	CASRN	Clean Fill
		Total Analysis mg/kg
CARBON TETRACHLORIDE	56-23-5	0.26
CARBOXIN	5234-68-4	53
CHLORAMBEN	133-90-4	1.6
CHLORDANE	57-74-9	49
CHLORO-1, 1-DIFLUOROETHANE, 1-	75-68-3	2300
CHLORO-1-PROPENE, 3- (ALLYL CHLORIDE)	107-05-1	0.065
CHLOROACETOPHENONE, 2-	532-27-4	0.0093
CHLOROANILINE, P-	106-47-8	19.00
CHLOROBENZENE	108-90-7	6.1
CHLOROBENZILATE	510-15-6	1.60
CHLOROBUTANE, 1-	109-69-3	2300
CHLORODIBROMOMETHANE	124-48-1	3.20
CHLORODIFLUOROMETHANE	75-45-6	2.6
CHLOROETHANE	75-00-3	5.00
CHLOROFORM	67-66-3	2.50
CHLORONAPHTHALENE, 2-	91-58-7	6200
CHLORO(DI)NITROBENZENE, [2-]P-	100-00-5	4.9
CHLOROPHENOL, 2-	95-57-8	4.40
CHLOROPRENE	126-99-8	0.45
CHLOROPROPANE, 2-	75-29-6	21
CHLOROTHALONIL	1897-45-6	15
CHLOROTOLUENE, O-	95-49-8	20
CHLOROPYRIFOS	2921-88-2	23
CHLORSULFURON	64902-72-3	25
CHLORTHAL-DIMETHYL (DACTHAL) (DCPA)	1861-32-1	650
CHRYSENE	218-01-9	230
CRESOL(S)	1319-77-3	3.1
CRESOL, O-(METHYLPHENOL, 2-)	95-48-7	64
CRESOL, M-(METHYLPHENOL, 3-)	108-39-4	36
CRESOL, P-(METHYLPHENOL, 4-)	108-44-5	4.2
CRESOL, P-CHLORO-M	59-50-7	37
CROTONALDEHYDE	4170-30-3	0.00099
CROTONALDEHYDE, TRANS-	123-73-9	0.00099
CUMENE (ISOPROPYL BENZENE)*	98-82-8	780
CYCLOHEXANONE	108-94-1	1400
CYFLUTHRIN	68359-37-5	33
CYROMAZINE	66215-27-8	84
DDD, 4,4'	72-54-8	6.8
DDE, 4,4'	72-55-9	41
DDT, 4,4'	50-29-3	53
DI(2-ETHYLHEXYL)ADIPATE	103-23-1	10000
DIALATE	2303-16-4	0.15
DIAMNOTOLUENE, 2,4-	95-80-7	0.0042
DIAZINON	333-41-5	0.082
DIBENZO(A,H)ANTHRACENE	53-70-3	2.50
DIBROMO-3-CHLOROPROPANE, 1,2-	96-12-8	0.0092
DIBROMOBENZENE, 1,4-	106-37-6	150
DIBROMOETHANE, 1,2- (ETHYLENE DIBROMIDE)	106-93-4	0.0012
DIBROMOMETHANE	74-95-3	3.7
DI-N-BUTYLPHTHALATE, H-	84-74-2	1500
DICHOLOR-2-8P)UTENE, 1,4-	764-41-0	0.0009
DICHLOROBENZENE, 1,2-	95-50-1	59
DICHLOROBENZENE, 1,3-	541-73-1	61
DICHLOROBENZENE, P-	106-46-7	10
DICHLOROBENZIDINE, 3,3'	91-94-1	8.3
DICHLORODIFLUOROMETHANE (FREON 12)	75-71-8	100
DICHLOROETHANE, 1,1-	75-34-3	0.65
DICHLOROETHANE, 1,2-	107-06-2	0.10
DICHLOROETHYLENE, 1,1-	75-35-4	0.19
DICHLOROETHYLENE, CIS-1,2*	156-59-2	1.6
DICHLOROETHYLENE, TRANS-1,2-	156-60-5	2.3
DICHLOROMETHANE (METHYLENE CHLORIDE)	75-09-2	0.076
DICHLOROPHENOL, 2,4-	120-83-2	1
DICHLOROPHENOXYACETIC ACID, 2,4- (2,4-D)	94-75-7	1.8

**Table FP-1a
Clean Fill Concentration Limits for Organics**

PARAMETER	CASRN	Clean Fill
		Total Analysis mg/kg
DICHLOROPROPANE, 1,2-	78-87-5	0.11
DICHLOROPROPENE, 1,3-	542-75-6	0.12
DICHLOROPROPIONIC ACID (DALAPON), 2,2-	75-99-0	5.30
DICHLORVOS	62-73-7	0.012
DICYCLOPENTADIENE	77-73-6	0.12
DIELDRIN	60-57-1	0.11
DIETHYL PHTHALATE	84-66-2	160
DIFLUBENZIRON	35367-38-5	52
DIMETHOATE	60-51-5	0.28
DIMETHOXYBENZIDINE, 3,3-	119-90-4	16
DIMETHYLAMINOAZOBENZENE, P-	60-11-7	0.037
DIMETHYLANILINE, N,N-	121-69-7	4.1
DIMETHYLBENZIDINE, 3,3-	119-93-7	0.4
DIMETHYLPHENOL, 2,4-	105-67-9	32
DINITROBENZENE, 1,3-	99-65-0	0.049
DINITROPHENOL, 2,4-	51-28-5	0.21
DINITROTOLUENE, 2,4-	121-14-2	0.050
DINITROTOLUENE, 2, 6-, (2,6-DNT)	606-20-2	1.10
DINOSEB	88-85-7	0.290
DIOXANE, 1,4-	123-91-1	0.073
DIPHENAMID	957-51-7	12
DIPHENYLAMINE	122-39-4	12
DIPHENYLHYDRAZINE, 1,2-	122-66-7	0.15
DIQUAT	85-00-7	0.24
DISULFOTON	298-04-4	0.078
DIURON	330-54-1	0.86
ENDOSULFAN	115-29-7	30.00
ENDOSULFAN I (ALPHA)	959-98-8	110
ENDOSULFAN II (BETA)	33213-65-9	130
ENDOSULFAN SULFATE	1031-07-8	70
ENDOTHALL	145-73-3	4.1
ENDRIN	72-20-8	5.5
EPICHLOROHYDRIN	106-89-8	0.056
ETHEPHON	16672-87-0	2.1
ETHION	563-12-2	39
ETHOXYETHANOL, 2- (EGEE)	110-80-5	7.80
ETHYL ACETATE	141-78-6	220
ETHYL ACRYLATE	140-88-5	0.12
ETHYL BENZENE	100-41-4	46
ETHYL DIPROPYL THIOCARBAMATE, S- (EPTC)	759-94-4	65
ETHYL ETHER	60-29-7	53
ETHYLMETHACRYLATE	97-63-2	14
ETHYLENE GLYCOL	107-21-1	170
ETHYLENE THIOUREA (ETU)	96-45-7	0.034
ETHYL P-NITROPHENYL PHENYLPHOSPHOROTHIOATE	2104-64-5	0.12
FENAMIPHOS	22224-92-6	0.17
FENVALERATE (PYDRIN)	51630-58-1	94
FLUOMETURON (FLUORNETRON IN EPA FEB 96)	2164-17-2	2.5
FLUORANTHENE	206-44-0	3200
FLUORENE	86-73-7	3000
FLUOROTROCHLOROMETHANE (FREON 11)	75-69-4	87
FONOFOS	944-22-9	2.9
FORMALDEHYDE	50-00-0	12
FORMIC ACID	64-18-6	210
FOSETYL-AL	039148-24-8	9700
FURAN	110-00-9	0.42
FURFURAL	98-01-1	1.4
GLYPHOSATE	1071-83-6	620
HEPTACHLOR	76-44-8	0.68
HEPTACHLOR EPOXIDE	1024-57-3	1.1
HEXACHLORO BENZENE	118-74-1	0.96
HEXACHLOROBUTADIENE	87-68-3	1.20
HEXACHLOROCYCLOPENTADIENE	77-47-4	91
HEXACHLOROETHANE	67-72-1	0.560

**Table FP-1a
Clean Fill Concentration Limits for Organics**

PARAMETER	CASRN	Clean Fill
		Total Analysis
		mg/kg
HEXANE	110-54-3	500
HEXYTHIAZOX (SAVEY)	78567-05-0	820
HYDRAZINE/HYDRAZINE SULFATE	302-01-2	0.000098
HYDROQUINONE	123-31-9	20
INDENO[1,2,3-CD]PYRENE	193-39-5	25
IPIODIONE	36734-19-7	430
ISOBUTYL ALCOHOL	78-83-1	76
ISOPHORONE	78-59-1	1.90
KEPONE	143-50-0	0.56
MALATHION	121-75-5	34
MALEIC HYDRAZIDE	123-33-1	47
MANEB	12427-38-2	2
MERPHOS OXIDE	78-48-8	6.6
METHACRYLONITRILE	126-98-7	0.031
METHAMIDOPHOS	10265-92-6	0.022
METHANOL	67-56-1	58.00
METHOMYL	16752-77-5	3.20
METHOXYCHLOR	72-43-5	630
METHOXYETHANOL, 2-	109-86-4	0.41
METHYL ACETATE	79-20-9	690
METHYL ACRYLATE	96-33-3	27
METHYL CHLORIDE	74-87-3	0.038
METHYL ETHYL KETONE (2-BUTANONE)	78-93-3	54
METHYL ISOBUTYL KETONE	108-10-1	2.90
METHYL METHACRYLATE	80-62-6	26.0
METHYL METHANESULFONATE	66-27-3	0.083
METHYL PARATHION	298-00-0	0.42
METHYL STYRENE (MIXED ISOMERS)	25013-15-4	120
METHYL TERT-BUTYL ETHER (MTBE)	1634-04-4	0.28
METHYLENE BIS(2-CHLOROANILINE), 4,4'-	101-14-4	3.9
METHYLNAPHTHALENE, 2-	91-57-6	2900
METHYLSTYRENE, ALPHA	98-83-9	120
NAPHTHALENE*	91-20-3	25
NAPHTHYLAMINE, 1-	134-32-7	0.30
NAPHTHYLAMINE, 2-	91-59-8	0.01
NAPROPAMIDE	15299-99-7	800
NITROANILINE, M-	99-09-2	0.033
NITROANILINE, O-	88-74-4	0.038
NITROANILINE, P-	100-01-6	0.031
NITROBENZENE	98-95-3	0.79
NITROPHENOL, 2-	88-75-5	5.90
NITROPHENOL, 4-	100-02-7	4.1
NITROPROPANE, 2-	79-46-9	0.000260
NITROSODIETHYLAMINE, N-	55-18-5	0.000018
NITROSODIMETHYLAMINE, N-	62-75-9	0.000041
NITROSO-DI-N-BUTYLAMINE, N-	924-16-3	0.0033
NITROSODI-N-PROPYLAMINE, N-	621-64-7	0.0013
NITROSODIPHENYLAMINE, N-	86-30-6	20.00
NITROSO-N-ETHYLUREA, N-	759-73-9	0.000054
OCTYL PHTHALATE, DI-N-	117-84-0	4400
OXAMYL (VYDATE)	23135-22-0	2.60
PARATHION	56-38-2	130
PCB-1016 (AROCLOR)	12674-11-2	15
PCB-1221 (AROCLOR)	11104-28-2	0.63
PCB-1232 (AROCLOR)	11141-16-5	0.50
PCB-1242 (AROCLOR)	53469-21-9	16
PCB-1248 (AROCLOR)	12672-29-6	9.90
PCB-1254 (AROCLOR)	11097-69-1	4.40
PCB-1260 (AROCLOR)	11096-82-5	30
PEBULATE	1114-71-2	300
PENTACHLOROBENZENE	608-93-5	180
PENTACHLORONITROBENZENE	82-68-8	5.00
PENTACHLOROPHENOL	87-88-5	5.00
PHENACETIN	62-44-2	12.00

**Table FP-1a
Clean Fill Concentration Limits for Organics**

PARAMETER	CASRN	Clean Fill
		Total Analysis mg/kg
PHENANTHRENE	85-01-8	10000
PHENOL	108-95-2	86.00
PHENYLENEDIAMINE, M-	108-45-2	3.10
PHENYLPHENOL, 2-	90-43-7	480
PHORATE	298-02-2	0.41
PHTHALIC ANHYDRIDE	85-44-9	2300
PICLORAM	1918-02-1	7.4
PRONAMIDE	23960-58-5	3.1
PROPANIL	709-98-8	9.2
PROPHAM	122-42-9	17
PROPYLBENZENE, N-	103-65-1	290
PROPYLENE OXIDE	75-56-9	0.049
PYRENE	129-00-0	2200
PYRIDINE	110-86-1	0.11
QUINOLINE	91-22-5	0.018
QUIZALDOP (ASSURE)	76578-14-8	47
RONNEL	299-84-3	280
SIMAZINE	122-34-9	0.15
STRYCHNINE	57-24-9	0.89
STYRENE	100-42-5	24
TEBUTHIURON	34014-18-1	83
TERBACIL	5902-51-2	2.2
TERBUFOS	13071-79-9	0.12
TETRACHLORO BENZENE, 1,2,4,5-	95-94-3	5.1
TETRACHLORODIBENZO-P-DIOXIN, 2,3,7,8- (TCDD)	1746-01-6	0.00012
TETRACHLOROETHANE, 1,1,1,2-	630-20-6	18
TETRACHLOROETHANE, 1,1,2,2-	79-34-5	0.0083
TETRACHLOROETHYLENE (PCE)	127-18-4	0.43
TETRACHLOROPHENOL, 2,3,4,6-	58-90-2	450.00
TETRAETHYL LEAD	78-00-2	0.0046
TETRAETHYLDITHIOPYROPHOSPHATE	3689-24-5	0.73
THIOFANOX	39196-18-4	0.12
THIRAM	137-26-8	47
TOLUENE	108-88-3	44
TOLUIDINE, M-	108-44-1	0.13
TOLUIDINE, O-	95-53-4	0.32
TOLUIDINE, P-	106-49-0	0.32
TOXAPHENE	8001-35-2	1.20
TRIALATE	2303-17-5	240
TRIBROMOMETHANE (BROMOFORM)	75-25-2	4.4
TRICHLORO-1,2,2-TRIFLUOROETHANE, 1,1,2-	76-13-1	26000
TRICHLORO BENZENE, 1,2,4-	120-82-1	27
TRICHLORO BENZENE, 1,3,5-	108-70-3	31
TRICHLOROETHANE, 1,1,1-	71-55-6	7.20
TRICHLOROETHANE, 1,1,2-	79-00-5	0.15
TRICHLOROETHYLENE (TCE)	79-01-6	0.17
TRICHLOROPHENOL, 2,4,5-	95-95-4	2300
TRICHLOROPHENOL, 2,4,6-	88-06-2	3.1
TRICHLOROPHENOXYACETIC ACID, 2,4,5- (2,4,5-T)	93-76-5	1.50
TRICHLOROPHENOXYPROPIONIC ACID, 2,4,5- (2,4,5-TP)(SILV)	93-72-1	22
TRICHLOROPROPANE, 1,1,2-	598-77-6	3.1
TRICHLOROPROPANE, 1,2,3-	96-18-4	1.6
TRICHLOROPROPENE, 1,2,3-	96-19-5	11
TRIFLURALIN	1582-09-8	0.96
TRIMEHTYL BENZENE, 1,3,4- (TRIMETHYL BENZENE, 1,2,4-)	95-63-6	9
TRIMETHYL BENZENE, 1,3,5-	108-67-8	2.8
TRINITROTOLUENE, 2,4,6-	118-96-7	0.023
VINYL ACETATE	108-05-4	6.50
VINYL BROMIDE (BROMOMETHANE)	593-60-2	0.068
VINYL CHLORIDE	75-01-4	0.03
WARFARIN	81-81-2	2.60
XYLENES (TOTAL)	1330-20-7	990
ZINEB	12122-67-7	29

Table FP-1b**Clean Fill Concentration Limits For Metals and Inorganics**

PARAMETER	Unregulated Fill Total Analysis mg/kg
ANTIMONY	27
ARSENIC ¹	12
BARIUM AND COMPOUNDS	8,200
BERYLLIUM	320
BORON AND COMPOUNDS	6.7
CADMIUM	38
CHLORIDES	na
CHROMIUM III	190,000
CHROMIUM VI	94
COBALT	8.1
COPPER	8,200
CYANIDE FREE	200
LEAD	450
MANGANESE	31,000
MERCURY	10
NICKEL	650
NITRATE NITROGEN	na
NITRITE NITROGEN	na
SELENIUM	26
SILVER	84
SULFATE	na
THALLIUM	14
TIN	240
VANADIUM	1,500
ZINC	12,000

¹ The limit of 12 mg/kg applies to all releases of arsenic. A limit of 20 mg/kg applies to certain construction materials not subject to direct contact upon completion of construction. The limit of 20 mg/kg can only be used if a Department approved Best Management Practices Plan for Earthwork and General Construction is followed by all parties involved in supplying and using materials on the construction project.

Appendix 4

Parking Space Requirements

PARKING SPACE REQUIREMENTS

<u>Use</u>	<u>Number of Off-Street Parking Spaces Required</u>	<u>Plus one (1) Off-Street Parking Space for each:</u>
<u>Residential Uses:</u>		
Single Family Detached	2 per dwelling unit	
Single Family Semi-detached	2 per dwelling unit	
Townhouse	See Section 630.A	
Garden Apartment Building	See Section 633	
Medium Density Apt. Bldg.	See Section 633	
Residential Conversion	See Section 634.A	
Boarding House	See Section 634.B	
Group Home	See Section 635	
Home Occupation	See Section 612.A	
<u>Agricultural Uses:</u>		
Family Farm Support Business	See Section 651.A	
Farm Stands	4 minimum	
Farm Related Business	See Section 651.B	
Vacation Farms	See Section 652	
<u>Public, Quasi-Public & Institutional Uses</u>		
Places of Worship	See Section 644.A	
Hospital	See Section 640.A	
Healthcare Facility	See Section 640.B	

Healthcare Services	See Section 640.B	
Retirement Facility	1 space for every staff member on the largest working shift	
Life Care Facility	See Section 631.C	
Child Day-care Facility	See Section 643.A	
Adult Day-care Facility	See Section 643.B.	
School, elementary, or middle	1 per 6 students of building design capacity	Employee; each 5 seats of place of assembly
School, Secondary	1 per 3 students of building design capacity	Employee; each 5 seats of place of assembly
Boarding & Day School	1 per every 4 students of building design capacity	Employee
Commercial School	1 per every 3 students of building design capacity	Employee
Hobby School/Studio	1 per each 150 sq. ft of floor area devoted to instruction	Employee
Junior College, Community College, College, University, Technical School	1 per every 3 students of building design capacity (plus required spaces for on-campus housing)	Employee; each 5 seats of place of assembly
Library, Community Center or Cultural Center	1 per 5 seats (or one per 250 sq. ft of floor area accessible to patrons and/or users if seats are not typically provided)	Employee
Utility Facility	See Section 629.C	
Emergency Service Facility	See Section 629.D	

<u>Commercial; Retail Business; Professional & Business Services; Personal Services</u>		
Shopping Center	See Section 671	
Restaurants	See Section 672	
Tavern	See Section 664.A	
Pawn Shop	See Section 665	
Adult Business	See Section 666	
Hotel & Motel	See Section 674	
Bed & Breakfast	See Section 673	
Automobile & Motor Vehicle Service Station	See Section 676	
Truck and Heavy Equipment Sales	See Section 677.B.	
Vehicular and Mobile Home Sales and Service	See Section 677.A	
Automobile and Motor Vehicle Washing Facility	See Section 675	
Automobile and Vehicle Acution	See Section 678.A	
Outdoor Flea, Produce and Farmer Market	See Section 679	
Convenience Store	See Section 680	
Supermarket, Grocery Store	1 per 100 sq. ft of customer floor area	Employee of largest shift
Banks and Financial Institutions	1 per 200 sq. ft of floor area devoted to custom service	Employee of largest shift

Funeral Home	1 per 5 seats in rooms intended to be in use for visitors, counting both permanent and temporary seating	Employee
Barbershop/Beauty Shop	1 per customer seat used for haircutting/hair styling, hair washing, manicuring or similar work	Employee
Laundromats	1 per 3 washing machines	
Antique Store	1 per 200 sq. ft gross floor area	Employee
Office Buildings	1 space for each 150 sq. ft gross floor area	
Retail Sales of furniture, lumber, carpeting, bedding, flooring and the coverings	1 per 400 sq. ft of customer floor space	Employee
Retail Business other than above	1 per 200 sq. ft of custom floor space	Employee
Personal Services other than above	1 per 250 sq. ft of customer floor space	Employee
Professional and Business Services other than above	1 per 300 sq. ft.	Employee
<u>Amusement & Entertainment: Recreational Uses</u>		
Club; Lodge; Fraternal Organization	See Section 655	
Campground; Camp	See Section 659	
Gun & Archery Club; Target Range	See Section 658.A	
Driving Range, Chip&Putt; 9-Hole; Miniature Golf	See Section 662.A	
Riding Academy: Horse Board Stable	See Section 660	
Motorsport Facility/BMX/Motocross Facility	See Section 661	

Raquet Court	2 per court	
Ballfield or other court	1 per 2 persons of design capacity	
Bowling Alley	4 per lane	Employee
Roller/Skating Rink	1 per 150 sq. ft of recreation area	Employee
Swimming Pool (non-household)	1 per 50 sq. ft water surface plus 1 per 150 sq. ft of recreation area	Employee
Fitness/Health Center	1 per 125 sq. ft floor area open to customer	Employee
Library, Art Gallery, Museum	1 per 600 sq. ft open to public	Employee
Auditoriums; Theaters	1 per 2 seats	Employee
Outdoor Stadium	1 per 2 seats	Employee
Game Room; Video Arcade	See Section 657	
Bingo Hall	1 per 2 permitted seats based upon limits established by fire codes	Employee
Off-track betting/slot machine parlor	See Section 663	
Nightclub	See Section 664.B	
Indoor Recreational or Amusement & Entertainment other than above or as specified in Article VII	1 per 100 sq. ft of recreational or entertainment area or 1 per 4 persons max design capacity; whichever is more	Employee
Outdoor Recreational or Amusement & Entertainment other than above or as specified in Article VII	1 per 5,000 sq. ft of recreational or entertainment area or 1 per 4 persons max design capacity; whichever is more	Employee

<u>Industrial Uses</u>		
Contractor Service Yard	See Section 686	
Self-Storage Facility	See Section 687	
Warehouse; Distribution Center	See Section 688.A	
Truck Terminal	See Section 688.B	
Research & Testing Facility	1 per 500 Sq. ft of gross floor area or 1.5 per employee on the largest shift, whichever is greater	Company vehicle parked on-site
Limited Industry	1 per 400 sq. ft of gross floor area or 1.5 per employee on the largest shift, whichever is greater	Company vehicle parked on site
General Industry	1.5 per employee on the largest shift	Company vehicle parked on site

For any building or use not covered above, the applicant shall apply the standard off-street parking spaces in the above schedule deemed by the Zoning Officer to most closely approximate the proposed building use.

Appendix 5

Standard Animal Weights to Calculate Animal Units

Standard Animal Weights

Agronomy Facts 54 - Table 1. Standard animal weights used to calculate animal equivalent units to identify concentrated animal operations.

Type of Animal	Standard Weight (lbs) during Production (range)
Dairy Holstein/Brown Swiss	
Cow	1450
Heifer: 1-2 yr.	1000 (750 – 1250)
Calf: 0-1 yr.	420 (90 – 750)
Bull	1700
Dairy Guernsey/Ayrshire	
Cow	1200
Heifer: 1-2 yr.	865 (630 – 1100)
Calf: 0-1 yr.	350 (70 – 630)
Bull	1600
Dairy Jersey	
Cow	1000
Heifer: 1-2 yr.	675 (500 – 850)
Calf: 0-1 yr.	275 (50 – 500)
Bull	1200
Beef	
Calf: 0-8 mo.	300 (100 – 500)
Backgrounding Cattle	500 (300 – 700)
Finishing: 8-24 mo.	950 (500 – 1400)
Replacement Heifer: 8 mo.-1 yr.	500 (300 – 700)
Replacement Heifer: 1-2 yr.	875 (700 – 1050)
Cow	1400
Bull	1500
Veal	
Calf: 0-20 wk.	280 (95 – 465)
Swine	
Nursery pig	35 (13 – 57)
Wean to finish	143 (13 – 273)
Grow finish	165 (57 – 273)
Gestating sow	450
Sow and litter	470
Boar	450

Type of Animal	Standard Weight (lbs) during Production (range)
Poultry Layer	
White egg: 18-75 wk.	3.13 (2.82 – 3.44)
White egg: 18-90 wk.	3.14 (2.82 – 3.46)
Brown egg: 18-75 wk.	3.85 (3.35 – 4.34)
Brown egg: 18-90 wk.	3.85 (3.35 – 4.34)
Pullet, white egg: 0-16 wk.	1.38 (0.08 – 2.67)
Pullet, brown egg: 0-16 wk.	1.54 (0.08 – 3.0)
Breeder hen, white egg: 17-70 wk.	3.25 (2.7 – 3.8)
Breeder rooster, white egg: 17-70 wk.	4.37 (3.67 – 5.06)
Breeder hen, brown egg: 17-70 wk.	3.55 (2.9 – 4.2)
Breeder rooster, brown egg: 17-70 wk.	4.78 (4.5 – 5.06)
Poultry Broiler	
Large: 0-53 days	3.55 (0.09 – 7.0)
Medium: 0-35 days	2.55 (0.09 – 5.0)
Roaster male: 0-7 wk.	4.70 (0.09 – 9.3)
Roaster female: 0-9 wk.	4.95 (0.09 – 9.8)
Breeder pullet: 0-20 wk.	2.55 (0.09 – 5.0)
Breeder cockerel: 0-20 wk.	3.55 (0.09 – 7.0)
Breeder hen: 20-65 wk.	6.75 (5.0 – 8.5)
Breeder rooster: 20-65 wk.	8.75 (7.0 – 10.5)
Poultry Turkey	
Tom brooder: 0-6 wk.	3.36 (0.22 – 6.5)
Hen brooder: 0-6 wk.	2.74 (0.22 – 5.25)
Tom: 6-18 wk.	25.25 (6.5 – 44)
Hen regular: 6-12 wk.	11.13 (5.25 – 17)
Hen heavy: 6-16 wk.	14.63 (5.25 – 24)
Poultry Duck	
Starter: 0-17 days	1.36 (0.22 – 2.5)
Finisher: 17-38 days	4.88 (2.5 – 7.25)
Developer: 0-196 days	3.21 (0.22 – 6.2)
Layer	6.85 (6.2 – 7.5)
Poultry Game Birds	
Guinea, growing: 0-14 wk.	1.91 (0.06 – 3.75)
Guinea, mature	3.75
Pheasant, growing: 0-13 wk.	1.53 (0.05 – 3.0)
Pheasant, mature	3.0
Chukar, growing: 0-13 wk.	0.52 (0.04 – 1.0)
Chukar, mature	1.0
Quail, growing: 0-13 wk.	0.26 (0.02 – 0.5)
Quail, mature	0.5

Type of Animal	Standard Weight (lbs) during Production (range)
Larger Breed Sheep	
Lamb: 0-1 yr.	95 (10 – 180)
Ewe	225
Ram	300
Medium Breed Sheep	
Lamb: 0-1 yr.	80 (10 – 150)
Ewe	175
Ram	225
Smaller Breed Sheep	
Lamb: 0-1 yr.	45 (10 – 80)
Ewe	100
Ram	125
Meat Goats	
Kid: 0-1 yr.	65 (5 – 125)
Doe	150
Buck	200
Dairy Goats	
Kid: 0-1 yr.	45 (5 – 85)
Doe	125
Buck	170
Miniature Horses & Miniature Donkeys	
Foal: 0-6 mo.	35 (25 – 45)
Weanling: 6-12 mo.	60 (45 – 75)
Yearling: 12-24 mo.	100 (75 – 125)
Two Year Old: 24-36 mo.	150 (125 – 175)
Mature	200
Ponies & Donkeys	
Foal: 0-6 mo.	65 (30 – 100)
Weanling: 6-12 mo.	150 (100 – 200)
Yearling: 12-24 mo.	300 (200 – 400)
Two Year Old: 24-36 mo.	400 (300 – 500)
Mature	600
Light Horses & Mules	
Foal: 0-6 mo.	190 (80 – 300)
Weanling: 6-12 mo.	450 (300 – 600)
Yearling: 12-24 mo.	700 (600 – 800)
Two Year Old: 24-36 mo.	900 (800 – 1000)
Mature	1100

Type of Animal	Standard Weight (lbs) during Production (range)
Draft Horses	
Foal: 0-6 mo.	360 (120 – 600)
Weanling: 6-12 mo.	800 (600 – 1000)
Yearling: 12-24 mo.	1150 (1000 – 1300)
Two Year Old: 24-36 mo.	1450 (1300 – 1600)
Mature	1800
Bison	
Calf: 0-1 yr.	275 (50 – 500)
Yearling: 1-2 yr.	650 (500 – 800)
Cow	1000
Bull	1600
Deer	
Fawn: 0-6 mo.	36 (7 – 65)
Yearling Doe: 6-18 mo.	95 (65 – 125)
Yearling Buck: 6-18 mo.	110 (65 – 155)
Mature Doe	145
Mature Buck	200
Alpaca	
Young	80 (15 – 145)
Mature Female	145
Mature Male	170
Llama	
Cria: 0-1 yr.	75 (25 – 125)
Yearling: 1-2 yr.	213 (125 – 300)
Mature	350

Appendix 6

Keeping of Domestic Farm Animals

KEEPING OF DOMESTIC FARM ANIMALS

The Keeping of Farm Animals on Properties in the R-C, A-P, R-1 and R-2 Zoning Districts that DO NOT meet the criteria of Farms or Agricultural Operations as regulated in the West Brunswick Township Zoning Ordinance

ANIMAL	ACRES	R-C	A-P	R-1	R-2
Small (as defined)	0.5-2.0	2	2	2	0
	2.1-3.0	5	5	5	2
	3.1-5.0	10	10	10	5
	5.1-7.0	15	15	15	7
	7.1-9.9	20	20	20	10
All Fowl	0.5-2.0	2	2	2	2
	2.1-3.0	5	5	5	2
	3.1-5.0	10	10	10	5
	5.1-7.0	15	15	15	7
	7.1-9.9	20	20	20	20
Bovine	0.5-2.0	0	0	0	0
	2.1-3.0	0	0	0	0
	3.1-5.0	1	1	1	0
	5.1-7.0	2	2	2	1
	7.1-9.9	3	3	3	2

ANIMAL	ACRES	R-C	A-P	R-1	R-2
Sheep	0.5-2.0	0	0	0	0
	2.1-3.0	1	1	1	0
	3.1-5.0	2	2	2	1
	5.1-7.0	3	3	3	2
	7.1-9.9	4	4	4	4
Swine	0.5-2.0	0	0	0	0
	2.1-3.0	0	0	0	0
	3.1-5.0	1	1	1	0
	5.1-7.0	2	2	2	2
	7.1-9.9	3	3	3	2
Equine	0.5-2.0	0	0	0	0
	2.1-3.0	0	0	0	0
	3.1-5.0	1	1	1	0
	5.1-7.0	2	2	2	1
	7.1-9.9	3	3	3	2