

PART 13**HB – HIGHWAY BUSINESS DISTRICT****§27-1301. HB - Highway Business District.**

- A. The HB – Highway Business District is designed primarily to provide for the special requirements of a wide-range of highway oriented and service type business establishments and to encourage the sound and attractive commercial development of highway frontage.
- B. In HB - Business Districts, the following shall apply, subject also to all other applicable requirements of this Chapter.

§27-1302. Use Regulations.

- A. Uses Permitted By Right.

A principal building or group of principal buildings may be erected, altered or used, and a lot may be used or occupied for any of the following purposes and no other:

- (1) Any nonresidential use permitted by right in LB - Local Business Districts.
- (2) Wholesale, office or showroom, contractor or general service shop including machine shop, carpentry, plumbing, lumber mill, planing mill or any similar shop.
- (3) Bed and breakfast inn pursuant to §27-1615.
- (4) Indoor place of amusement, recreation or assembly.
- (5) Warehouse in conjunction with a permitted use, frozen food locker.
- (6) Laundry or dry cleaning plant, provided that no flammable liquids are utilized.
- (7) Business or trade school.
- (8) Job printing or publishing establishment.
- (9) Mortuary.
- (10) No-impact home-based business.
- (11) Forestry, where conducted in compliance with the provisions of §27-1701.H. and §27-1631 of this Chapter.

- (12) Renewable energy systems. The following uses are allowed by right, subject to the provisions of §27-1630 of this Chapter:
- (a) Building-mounted Solar Energy Systems that are proposed for a building or structure not shown on the Oley Township Historic Resource Inventory.
 - (b) Ground-mounted Solar Energy Systems that are a maximum of eight hundred (800) square feet in surface area, and proposed in the rear yard of a lot that does not contain buildings or structures shown on the Oley Township Historic Resource Inventory.
 - (c) Closed-loop Geothermal Energy System.

B. Uses Permitted By Special Exception.

Any of the following uses when authorized by the Zoning Hearing Board as a special exception, subject to the general standards prescribed in §27-2007.B.

- (1) Indoor storage building other than permitted in this Section above, and outdoor storage of building materials or products of manufacturing uses permitted in the Township (but not including junk yard or similar use), provided that the area used for storage is suitably screened from the surrounding area by a satisfactory fence, wall, planting or other barrier which is not less than six (6) feet in height.
- (2) Wholesale business establishment other than permitted in this Section above.
- (3) Commercial greenhouse or nursery.
- (4) Bakery, drive-in restaurant or refreshment stand.
- (5) Car sales lot or trailer sales agency.
- (6) Automobile car wash, on a lot area of not less than 20,000 square feet, provided that:
 - (a) No portion of the lot used for washing shall be within two hundred (200) feet of a residence district boundary line.
 - (b) All washing operations shall be conducted within an enclosed building or structure.
 - (c) A minimum of ten (10) off-street customer parking or waiting spaces be provided on the same site for each car washing stall or space. The location of parking shall be such as not to require the re-entry of cars into the street or the recrossing of sidewalks to gain access into the

actual car washing facilities.

- (d) No water from the car washing activities to be discharged onto a public street or adjacent property.
- (7) Hotel or motel, on a lot not less than two (2) acres in size, provided that the location is appropriate for the use.
- (8) Kennels pursuant to §27-1616 of this Chapter.
- (9) Outdoor flea market pursuant to §27-1622 of this Chapter.
- (10) Renewable energy systems. The following uses may be allowed by Special Exception approval by the Zoning Hearing Board, and subject to the provisions of §27-1630:
 - (a) Building-mounted Solar Energy Systems on a building or structure shown on the Oley Township Historic Resource Inventory, and only when the system is proposed for installation on the rear-facing components of the building or structure; i.e., the system is not visible from the public way.
 - (b) Ground-mounted Solar Energy Systems that are less than eight hundred (800) square feet in surface area, only when proposed in the rear yard of a building or structure shown on the Oley Township Historic Resource Inventory, and only when not visible from the public way.
 - (c) Ground-mounted Solar Energy Systems that are eight hundred (800) square feet or greater in surface area:
 - i. Subject to the provision of sufficient documentation that the System size is needed to meet the energy needs of the tract's principal use; and
 - ii. Only when said System is proposed in the rear yard of a building or structure not shown on the Oley Township Historic Resource Inventory.

C. Uses Permitted Subject to Conditional Use Approval.

The following uses may be permitted when approved as a conditional use by the Board of Supervisors:

- (1) Two or more principal uses on a single lot or parcel.
- (2) Motor vehicle service station, motor vehicle sales agency, public garage or automobile repair shop (but not to include outdoor car sales lot, automobile

carwash or trailer sales agency as a main use), provided that all facilities are located and all services are conducted within the confines of the lot. All repairs must be conducted inside a building. All parts must be stored inside a building.

- (3) Mini-warehouse.
- (4) Outdoor place of amusement, recreation or assembly.
- (5) Distributing or trucking establishment.
- (6) Grower/Processor Facility.
- (7) Medical Marijuana Delivery Vehicle Office.
- (8) Dispensary Facility.

D. Accessory Uses.

- (1) Accessory building or use on the same lot with and customarily incidental to any of the foregoing permitted uses, and signs when erected and maintained in accordance with the provisions of Part 19 of this Chapter.

(Ord. 371, 05/08/2017, §5)

§27-1303. Area, Height and Special Regulations.

Every principal building, group of principal buildings on a lot or use shall comply with the following area, height and special design regulations:

A. Lot Area and Width.

- (1) Minimum Lot Area.
 - (a) Public water and sewer available – 15,000 square feet.
 - (b) Without public sewer available – 40,000 square feet.
- (2) Minimum Lot Width – one hundred (100) feet.

B. Maximum Coverages.

- (1) Building Coverage: thirty-five (35) percent
- (2) Lot Coverage: sixty-five (65) percent

C. Yards.

- (1) **Front Yard.** Minimum of fifty (50) feet, subject to the provisions of §27-1613, and provided that parking shall not be permitted within ten (10) feet of any street line.
- (2) **Side Yards.** Two yards, a minimum of twenty (20) feet each.
- (3) **Rear Yard.** Minimum of thirty (30) feet.
- (4) **Exception.** Where a new principal building is proposed within fifty (50) feet of an existing principal building, the minimum front yard setback applicable to the proposed new building may be reduced to the actual setback of the principal building within fifty (50) feet, subject to conditional use approval.

D. Height. Maximum of thirty-five (35) feet.

E. Parking Area Setbacks. Parking areas shall be set back from property lines according to the following:

- (1) **Front.** No closer than the ultimate right-of-way as specified in the Subdivision and Land Development Ordinance [Chapter 22].
- (2) **Side and Rear.** A minimum of ten (10) feet.

F. Special Procedural Requirements.

- (1) The application for a permit to construct two or more stores or permitted uses on a lot shall be accompanied by a plan in compliance with the provisions of the Township Subdivision and Land Development Ordinance [Chapter 22], and shall be subject to review under said Chapter by the Planning Commission and approved by the Board of Supervisors.
- (2) The request for a permit to construct a use referred to in (1) above shall be accompanied by the following information:
 - (a) A plan for the integrated development of the total area to be developed which shall be drawn to scale and shall include, among other things:
 - i. The location, boundaries, dimensions and ownership of the land to be included in the area for which application is made.
 - ii. The location, dimensions, arrangement and proposed use of all buildings and open spaces, yards, accessways, entrances, exits, off-street parking facilities, loading and unloading facilities, buffer areas and screening devices.

- (b) A description of the provisions made for sewage and waste disposal, water supply and storm water drainage.
- (c) Sufficient data, in all instances, to enable the Township to judge the effectiveness of the design and the character of the proposed use, its compliance with the requirements of this Part and to consider properly such things as its relationship to surrounding area, anticipated traffic, public health, safety and welfare.

G. Special Design Requirements.

- (1) No operation, equipment or use shall be harmful or hazardous as defined in §27-1608.
- (2) Each use, including the storage of merchandise, articles or equipment, but excluding a parking lot, off-street loading facility, public utility or motor vehicle service, shall be conducted within a completely enclosed building. Special exception uses contained in §27-902.B.1, 2, 3, 4, 5, 8, 9, and 10, and uses subject to conditional use approval contained in §27-902.C.4, when permitted, are also exempt from being conducted within a completely enclosed building, subject to compliance with §27-1304 below.
- (3) If there is more than one building or use on a single lot:
 - (a) The proposed development shall be designed as, or as part of, a single architectural and landscaping scheme;
 - (b) The group of buildings as a whole shall comply with the area and yard regulations of the district; and
 - (c) The distance at the closest point between any two (2) buildings or groups of buildings shall be at least as great as the average height of the two (2) adjoining buildings and not less than twenty (20) feet.
- (4) Along each side or rear property line which abuts an RU, RA or RMH District boundary line, a buffer yard not less than twenty-five (25) feet in width shall be provided, and screening established in conformance with the Landscape and Screening provisions of Section 27-1633. Bed and breakfast inns need not comply with these buffer yard or screening requirements.
- (5) Each use shall comply with the provisions of §§27-1609, 27-1610 and 27-1612 relating to parking, loading, access and highway frontage development and with any other applicable general requirements of this Chapter.

§27-1304. Village Design Standards.

- A. Every principal building, group of principal buildings on a lot or use permitted in