

Highway Commercial Zoning

Antrim Township

ARTICLE VIII, Highway Commercial District (HC)

§ 150-25. Purpose.

The purpose of the Highway Commercial District (HC) is to provide light manufacturing, retail shopping, service facilities, and other uses supported by highway traffic to create employment opportunities as well as attract local and regional consumers and to serve the needs of the general community. Green designs shall be used to create an aesthetic shopping and working environment.

§ 150-26. Permitted uses.

- A. The following uses shall be permitted in the Highway Commercial District:
 - 1. Accessory buildings in accordance with § 150-55 "Accessory Building Regulations".
 - 2. Accessory uses incidental to the principle use.
 - 3. Business service.
 - 4. Churches or similar places of worship.
 - 5. Funeral Homes and Parlors.
 - 6. Lodges and fraternal houses.
 - 7. Mini warehousing and self storage establishments.
 - 8. Professional offices.
 - 9. Public Utilities.
 - 10. Service providers.
 - 11. Veterinary office or animal hospitals.
- B. The following uses shall be permitted in the Highway Commercial District with greater minimum area regulations:
 - 1. Accessory uses incidental to the principle use in accordance with the minimum area regulations listed in 150-28.
 - 2. Agricultural and Agriculturally related operations in accordance with all Federal, State, and local regulations.
 - 3. Automotive, trailer and recreational vehicle sales and service.
 - 4. Carpentry/Woodworking shops.
 - 5. Farm equipment sales facilities.
 - 6. Federal, state, and local government offices and accessory uses etc.
 - 7. Health clubs, health spas, and other similar establishments.
 - 8. Hotels and Motels.
 - 9. Laundry, dry cleaning and/or clothes pressing plant.
 - 10. Light manufacturing.
 - 11. Multiple use buildings.
 - 12. Recreational facilities and recreational organizations.
 - 13. Repair services.
 - 14. Restaurants.
 - 15. Retail businesses.
 - 16. Rural enterprises in accordance with §150-61.
 - 17. Theatres.
 - 18. Wholesale business facilities.
- C. The following uses shall be permitted in the Highway Commercial District with greater minimum area regulations:
 - 1. Accessory buildings in accordance with the minimum area regulations listed in 150-28.
 - 2. Accessory uses incidental to the principle use.
 - 3. Building material storage, lumber yards, and lumber mills.
 - 4. Convention Center.
 - 5. Food manufacturing and processing.
 - 6. Public schools, private schools, daycare centers, geriatric centers, nursing homes, personal care establishments, hospitals, and similar institutions.
 - 7. Shopping centers in accordance with the following provisions:

- a. Access. There shall be a minimum of two (2) separate points of ingress and egress and no access points shall be located within two hundred (200) feet of intersecting streets, unless such points are located directly at an intersection.
- b. Management. A shopping center shall be under unified management which shall clearly establish centralized responsibility for the operation and maintenance of the project including all common areas.
- c. Signs. There shall be only one (1) freestanding sign per road frontage or access in compliance with the applicable provisions of this chapter. Such free standing sign shall be exempt from size limitations and the location and detail shall be shown on the land development plan
- d. Circulation. Traffic circulation within a shopping center project shall be designed to minimize pedestrian and vehicular mixing and congestion. Circulation shall be provided along the outer perimeters and along store entrances to serve as an internal road separate from the main roadway. This road shall be owned and maintained by the shopping center.
- e. All access to outparcels shall use the internal roadway.
- f. Maintenance agreements shall be required and shall be reviewed and approved by the Township solicitor before site approval.

§ 150-27. Highway Commercial conditional uses.

A. Conditional uses in the Highway Commercial District shall be as follows.

1. Adult businesses.

- a. Adult businesses must be conducted and maintained in such a manner as to ensure the health, safety and welfare of the citizens and their property in Antrim Township.

b. General regulations.

- (1) No adult-oriented business shall be located within one-thousand (1,000) feet of any of the following land uses, as measured from the nearest point of both properties.

- (a) Churches.
- (b) Schools (public or private).
- (c) Child-care/day-care facility.
- (d) Residence.
- (e) Park.
- (f) Playground.
- (g) Community center.
- (h) Library.
- (i) Museum.
- (j) Camp.
- (k) Amusement park.
- (l) Ball field.
- (m) Any other area where minors congregate.

- (2) No adult-oriented business shall be located on a parcel of land that is adjacent to an interstate or Grindstone Hill Road from S.R. 0016 south to Exit 3 of Interstate 81.

- (3) No adult-oriented business shall be located within two-thousand (2,000) feet of another adult business.

- (4) Permit required. No adult business shall be commenced or continued without a conditional use permit being obtained from the Township pursuant to this chapter.
- (5) Signs and displays. No exterior display or interior display which is visible from outside the business shall be made to identify or portray the type of activity which occurs at an adult-oriented business, excepting for one approved ground sign not to exceed a surface area of thirty-six (36) square feet for both sides combined. Such sign shall be subject to all other limitations applicable to signs. It shall not incorporate any obscene material, sexual messages, or any sexual or obscene innuendos, or any pictures, but shall be otherwise unlimited as to message. All entrances to an adult business shall be clearly and legibly posted by a notice indicating that minors are prohibited from entering the premises.
- (6) Nonconforming buildings or lots. No nonconforming building or lot shall be used for an adult-oriented business. No other existing building, lot or use shall be added to, enlarged, expanded in size or program or converted for purposes of conducting an adult-oriented business unless application to do so has been made pursuant to this section.
- (7) All exterior areas of the adult business, including buildings, landscaping and parking areas, shall be kept free of trash and debris and maintained in a clean and orderly manner at all times.
- (8) Hours of operation shall not be from 2:00 a.m. to 6:00 a.m. and such businesses must be closed on Sundays and all federal observed holidays.
- (9) Each adult business shall conform to all applicable laws and regulations with regards to federal, state and local laws.
- c. Prohibited activities. Because they are known to present severe health risks (including spread of sexually transmitted diseases), encourage prostitution, increase sexual assaults and attract criminal activity, the following activities shall not be permitted in any adult-oriented business within Antrim Township:
 - (1) Adult business shall not sell or display "obscene matter," as that term is defined by the PA Crimes Code or its successors, and may not exhibit "harmful matter," as that term is defined by the PA Crimes Code or its successors, to minors.
 - (2) No adult business shall be operated in any manner that permits the observation of any persons or material depicting, describing or related to "specified sexual activities" or "specified anatomical areas" inside the premises from any public way or from any location outside the building or area of such establishment. This provision shall apply to any display, decoration, sign, show window or other opening.
 - (a) Specified sexual activities:
 - 1. Fondling or other erotic touching of human genitals pubic region, buttocks, anus (or) female breast.
 - 2. Sex acts, normal or deviant, actual or simulated, including intercourse, oral copulation or sodomy.
 - 3. Acts of human masturbation, actual or simulated.
 - 4. Excretory function as part of or in connection with any of the activities set forth above.
 - (b) Specified anatomical areas:

1. Less than completely and opaquely covered human genitals, pubic region, buttocks or female breast below a point immediately above the top of the areola.
2. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.
- (c) No loudspeakers or sound equipment shall be used by an adult business for the amplification of sound to a level audible beyond the walls of the building in which the business is located.
- (d) Public appearance by a person knowingly or intentionally engaged in sexual intercourse, deviate sexual conduct or the fondling of the genitals of himself or another person, or the fondling of female breasts.
- (e) The knowing and intentional public appearance of a person in a state of nudity.
- d. Adult businesses must meet the following minimum criteria:
 - (1) Minimum front yard setback of three hundred (300) feet.
 - (2) Minimum side and rear yard of one-hundred (100) feet.
 - (3) Screening shall be provided along all property lines that are not adjacent to a public road, which shall be three (3) rows of evergreens, six (6) feet in height, and staggered so as to not see through them. The screening must be maintained by the property owners, and trees that do not survive must be replaced as soon as they show signs of dying.
 - (4) Meet any other condition set forth by the Board of Supervisors which is reasonable and that provides for the health, safety, and well-being of the public in general.
2. Commercial Communication transmitting and receiving facilities not including towers.
 - a. Antennae and accessory equipment shall not exceed a maximum height of thirty-five (35) feet above the top of a structure upon which it is located.
 - b. Antennae and accessory equipment shall be located/placed on existing structures.
 - c. Antennae and accessory shall not be located on any residential structure
 - d. The applicant shall be required to submit to the Township evidence of the need for antennae and that all alternatives have been exhausted. Applicants are required to prove need by providing evidence that existing antennae can not accommodate this added use due to structural capacity, interference, or locational needs.
 - e. All facilities shall be constructed in accordance with all State and Federal regulations.
 - f. Facilities shall be removed within one year from decommissioning. Upon written notice from the Township the facilities shall be removed. Failure to do so gives the Township the right to enter the property and remove such facilities at the expense of the property owner, including any and all legal costs incurred by the Township.
 - g. The applicant shall submit a copy of its current Federal Communications Commission license: the name, address and emergency telephone number for the operator of the communications tower; and a certificate of insurance evidencing general liability coverage in the minimum amount of one-million dollars(\$1,000,000) per occurrence and property damage coverage in the amount one-million dollars (\$1,000,000) per occurrence covering the communications tower and communications antennas.
 - h. Financial Security in an amount deemed satisfactory by the Board to ensure no disturbances or interferences are generated as a result of such facility.
3. Fireworks sales.

- a. Fireworks sales and storage establishments must be conducted and maintained in such a manner as to ensure the health, safety and welfare of the citizens and their property in Antrim Township and any other neighboring municipality.
 - b. General regulations.
 - (1) Fireworks sales and/or storage facilities shall supply adequate fire suppression by either a fire hydrant if on public water, or a water tower or similar water storage device to supply the sprinkler system at full flow with a minimum of one (1) hour of water.
 - (2) All front, side and rear yards shall be fifty (50) feet.
 - (3) No fireworks sales and/or storage facility shall be located within two-hundred-fifty (250) feet, measured from the property line, from another fireworks sales or storage facility's property line.
 - (4) Nonconforming buildings or lots. No nonconforming building or lot shall be used for a fireworks-oriented business. No nonconforming buildings, lots or uses shall be added to, enlarged, expanded in size or program or converted for purposes of conducting any fireworks sales and/or storage business unless application to the Zoning Hearing Board to do so has been made pursuant to this section.
 - (5) Each fireworks sales and storage business shall conform to all applicable laws and regulations with regards to federal, state and local laws. If any of these regulations conflict then the most stringent requirement shall apply.
 - (6) Meet any other condition set forth by the Board of Supervisors which is reasonable and that provides for the health, safety, and well-being of the public in general.
 - c. It shall be prohibited to sell display fireworks within the municipal boundaries of Antrim Township.
- 4. Research facilities.
 - a. Provide a detailed description of the type of research being conducted and any potential public health concern.
 - b. Provide a list of materials, chemicals, biological agents etc. to be used or stored on site.
 - c. Any modification to the type of research being conducted shall require a re-submittal of subsection a. and b. for determination by the Board of Supervisors as to the need for a public hearing.
- 5. Resource recovery facilities and transfer stations excluding salvage yards.
 - a. General.
 - (1) Resource recovery facilities and transfer stations shall be conducted and maintained in such a manner as to ensure the health, safety and welfare of the citizens of Antrim Township.
 - (2) All operations shall be conducted inside a building.
 - (3) Resource recovery facilities and transfer stations shall comply with all State, Federal, and local regulations.
 - (4) Fencing. Fencing shall be required in accordance with DEP rules and regulations.
 - b. Location of resource recovery facilities and transfer stations within the Township shall:
 - (1) not be located in an area with soils classified by the Soil Conservation Service as prime agricultural soils.

- (2) not be located on property which has any creek, stream, run or any other free-flowing body of water within one-hundred (100) feet of the boundary lines of said facility or station, nor shall any such creek, stream, run or free-flowing body of water run through any land upon which it is proposed to locate a resource recovery facility or transfer station. Temporary water runoff such as that present in swales after a rainstorm shall not be considered a creek, stream, run or any other free-flowing body of water for the purpose of this section.
 - (3) not be established within one-hundred (100) feet of a property line.
 - (4) not be established within one-hundred (100) feet of a public right-of-way.
Where the right-of-way is bounded on both sides by a resource recovery facility or transfer station under a single ownership, the facility or station shall be set back one-hundred (100) feet on each side of the right-of-way.
 - (5) not be established within one-thousand-five-hundred (1,500) feet of a water supply for domestic use.
- c. A physical plan drawn to scale of the resource recovery facility or transfer station shall be submitted along with the application, including the following:
- (1) Tract metes and bounds upon which the facility or station is to be maintained, the area presently in use as a facility or station and the area for which a permit has been granted by the Department of Environmental Protection.
 - (2) All streams, creeks, runs or other free-flowing bodies of water within five-hundred (500) feet of all property lines, all properties within two-hundred (200) feet of the facility or station, all buildings within two-hundred (200) feet of the station or facility, all rights-of-way within two-hundred (200) feet of the facility or station and all water supplies for domestic use within five-hundred (500) feet of the facility or station.
 - (3) Proposed planting locations.
 - (4) Soil embankments for noise, dust and visual barriers and heights of soil mounds, including proposed soil erosion and sedimentation control which has been favorably reviewed by the Soil Conservation Service.
 - (5) Stormwater management provisions.
 - (6) Interior road patterns and points of ingress and egress onto state and Township roads.
 - (7) Source of water, if plans show use of water, and location of all monitoring wells.
6. Truck stops.
- a. The applicant for a truck stop shall provide a detailed written description of the proposed use in each of the following topics:
- (1) 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.
 - (2) 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.
 - (3) Any environmental impacts that are likely to be generated (e.g., noise, smoke, dust, litter, glare, vibration, electrical disturbance, wastewater, stormwater, solid waste, etc.) and specific measures employed to mitigate or eliminate any negative impacts.

- (4) Expected traffic impacts (number of total vehicle trips per day, peak hour trips, breakdown of trips by vehicle size, trip distribution, effects on existing volumes of nearby corridors and intersections serving traffic generated by the proposed use) and any measures or improvements that will be used to assure an acceptable level of service.
- b.Screening. Screening shall be provided along the entire property line adjacent to residential uses.
- c.Property shall not abut a residential district.
- d.No parking, buildings, or drive areas shall be within three-hundred (300) feet of a residential dwelling.
- e.Access to a local street, as defined by this chapter, shall not be permitted.
- f.Ingress, egress and internal traffic circulation shall be designed to ensure safety and minimize congestion and accommodate pedestrian traffic.

§150-28 Minimum area regulations for Highway Commercial District (HC).

	Min. Area Regulations for § 150-26 (A)	Min. Area Regulations for § 150-26 (B)	Min. Area Regulations for § 150-26 (C) and 150-27 Cond. Uses
Lot size (sq. ft.)	10,000	20,000	40,000
Lot width (feet)	75	100	150
Lot Depth (feet)	100	100	150
Front yard (feet)	25	25	25
Side Yard (feet)	12	12	25
Rear yard (feet)	25	25	40
Maximum Height	40	50	50
Maximum impervious area	75%	75%	75%