

## ARTICLE 3 GENERAL PROVISIONS

### SECTION 300 GENERAL PROVISIONS

The regulations contained within Article 3 shall apply to all uses within the Township.

### SECTION 301 ACCESSORY USES AND STRUCTURES

#### 301.1. Fences and Walls

No fence or wall (except livestock, required junkyard or tennis court walls or fences, or a retaining wall of a building permitted under the terms of this Ordinance) shall be erected to a height of more than three (3) feet in a front yard and more than six (6) feet in any other yard within the (A, RR, VR, R-1, R-2, VC, and RC) Zones. Within any (HC, GN, RH and I) Zones, no fence or wall shall be erected to a height of more than ten (10) feet in any yard. No fence shall block motorist view of vehicles entering or exiting the property (6/11;11/2011);

#### 301.2. Swimming Pools

Swimming pools may be permitted in any zone. No permanent swimming structure shall be permitted without an operable filtration system utilizing chlorine, bromine or some other antibacterial agent. All swimming pools shall be completely enclosed by a minimum four (4) foot high fence or wall with a self-closing and lockable gate; however, this does not apply to above-ground pools having a wall measuring no less than four (4) feet in height at all perimeter points, and having a retractable ladder. Such fence or wall shall be erected before any pool is filled with water. All pools must be set back at least ten (10) feet from all lot lines. No water from a pool shall be discharged onto any public street or alley. These requirements shall not apply to man-made ponds, lakes or other impoundments, unless the primary purpose for their construction is swimming;

#### 301.3. Tennis Courts

Tennis courts may be permitted in any zone. All tennis courts shall include an open mesh permanent fence ten (10) feet in height behind each baseline. Such fence shall extend parallel to said baseline at least ten (10) feet beyond the court's playing surface unless the entire court is enclosed. Any lighting fixtures shall be arranged to prevent objectionable glare on adjoining property;

301.4. **Satellite Dish Antennas**

Satellite dish antennas are subject to all accessory use standards. Furthermore, any satellite dish antenna located within the (A, RR, VR, R-1, R-2, VC, and RC) Zones shall be used only to receive signals, not transmit them. All ground-mounted satellite dish antennas located within the (HC, GN, RH and I) Zones that are used to transmit video format data shall be completely enclosed by an eight (8) foot high non-climbable fence that includes signage warning of dangerous radiation levels. Any gates within the fence shall be locked when unattended. Satellite dish antennas within the (HC, GN and I) Zones shall comply with all principal use standards (Rev.06/11; 11/2011);

301.5. **Alternative Energy Sources**

Except for those contained on farms, Wind Energy Conversion Systems (WECS) shall not be permitted in the front yard area of any property. Height regulations do not apply to WECS units, provided that the height of the WECS unit shall not be greater than the shortest distance measured along a horizontal plane from the unit to any lot line. WECS units may be placed on the roof of any structure, provided that the perimeter of the unit does not cover twenty-five percent (25%) of the roof area of the structure on which the WECS unit is placed. The additional height extension shall be so positioned that the height of the WECS unit above the roof is less than the distance measured along a horizontal plane from such unit to any lot line. All transmission lines to and from any freestanding WECS unit or any supporting building or structure shall be buried underground. Solar energy units shall be permitted in any zone and subject to the requirements of that zone;

301.6. **Ornamental Ponds and Wading Pools**

Ornamental ponds and wading pools may be permitted in any zone, subject to the following:

1. Such structures shall comply with all accessory use setbacks;
2. No such impoundment shall contain more than 66.5 cubic feet of water (500 gallons). All ponds, pools or other impoundments exceeding the requirements of this section shall be considered as "Man-made Lakes, Dams and Impoundments," and are subject to the criteria listed in Section 301.7. of this Ordinance; (Rev. 12/96)
3. No such impoundment shall have a length or diameter exceeding fifteen (15) feet nor a maximum depth exceeding one and one-half (1½) feet;
4. All such ponds or pools shall be maintained so as to not pose a nuisance by reason of odor, or the harboring of insects; and,

1. No such pond(s) shall be used for the commercial hatching of fish or other species. The pond owner shall be responsible for protecting the safety of others and shall provide a fence or plantings or other appropriate arrangement for the protection of small children. (Rev. 12/96)

301.7. **Man-Made Lakes, Dams, Ponds, and Impoundments**

All lakes, dams, ponds and impoundments may be permitted in any zone, subject to the following:

1. All dams, ponds, lakes and impoundments located along and connected to a stream that involve any of the following, shall require a permit from the PA DEP, Bureau of Dams and Waterways, Division of Dam Safety, or a letter indicating that the proposed use does not require a PA DEP permit:
  - A. The dam, pond or impoundment contains a volume of at least fifty (50) acre feet;
  - B. The dam reaches a height of fifteen (15) feet; or
  - C. The dam, pond or impoundment impounds the water from a watershed of at least one hundred (100) acres.
2. All dams, ponds and impoundments not contiguous to a stream that have an intake, outlet, or both, and/or have an embankment within fifty (50) feet of a stream shall require a permit from the PA DEP, Bureau of Dams and Waterways, Division of Waterways and Storm Water Management;
3. All dams, ponds and impoundments shall be located at least seventy-five (75) feet from adjoining lot lines, and any subsurface sewage disposal system or well, as measured from the maximum anticipated water surface elevation;
4. All other dams, ponds and impoundments require the submission of a statement by a qualified engineer that the proposed use is properly constructed and will not pose a threat to the public safety nor the environment during normal flow conditions and those associated with the base flood. The following standards shall be applied:

5. All dams shall conform to the height/width ratios presented in the following table:

<b>Height of Dam</b>	<b>Minimum Top Width</b>
Under 10 feet	6 feet
11 to 14 feet	8 feet
15 to 19 feet	10 feet
20 to 24 feet	12 feet
25 to 34 feet	14 feet

All earthen dams shall be constructed to a maximum slope of three (3) feet horizontal to one (1) foot vertical on both the upstream and downstream faces of the dam. All earthen dams shall be constructed of materials that are free of boulders, stumps, roots, tree limbs and decaying vegetation which could eventually create channels through the dam and cause it to fail. All dams shall have a designed height of at least three (3) feet above the pond's normal water level. All earthen dams shall be initially constructed ten percent (10%) higher than the designed height, to allow for settling. All earthen dams shall include an anti-seepage core that is at least three (3) feet deep and extends the full length of the dam. This core should be dug along the centerline of the dam breast and then be filled with the best clay soil available. The dam shall be constructed by spreading earth in six (6) to eight (8) inch layers that are then individually compacted with a heavy roller. Riprap shall be applied to the pond face of the dam to control wave erosion and muskrat burrows. The downstream face of the dam shall be maintained in a suitable ground cover that inhibits soil erosion;

6. All ponds shall provide an emergency spillway that is constructed in the undisturbed bank next to one end of the dam. Such spillway should be at a minimum, designed to carry overflow waters associated with the base flood storm (100 year) in a flat-bottomed channel. All spillways and side slopes shall be planted and maintained in a thick, tough grass sod. The pond shall not be filled with water until the sodded spillway is established and ready for use;
7. Any overflow trickle tube shall be installed through the dam to convey the normal water flow through the pond. This tube should be positioned twelve (12) inches below the bottom of the emergency spillway. The tube should be sized to restore the water level of the pond to its normal level within 24 hours and after the flow of water ends through the emergency spillway. Any pipes or tubes placed through the dam shall be positioned perpendicular to the centerline of the dam and shall include anti-seep collars to prevent eventual seepage around the pipe, through the dam;
8. All ponds shall be enclosed by fencing that prevents livestock from trampling the pond's shores and polluting the waters; and,

9. All ponds shall be regularly maintained and floating debris shall be removed from all pipes and spillways. All ground cover shall be trimmed. Weeds, brush and trees shall not be permitted to grow on the dam or spillway;

301.8. **Garage/Yard Sales**

Within any zone, an owner and/or occupant may conduct up to four (4) garage/yard sales per year. No garage or yard sale shall be conducted for a period longer than three (3) consecutive days. Such sales may offer for sale personal possessions; no import or stocking of inventory shall be permitted. Only one four (4) square foot sign shall be permitted advertising the garage/yard sale located upon the premises where the sale occurs, and shall be removed promptly upon the completion of the sale. In no case shall any aspect of the garage/yard sale be conducted in a street right-of-way. The conduct of garage sales beyond the extent described herein represents a commercial business and requires appropriate zoning authorization;

301.9. **Accessory Repair of Personal Motor Vehicles**

The routine maintenance, repair and servicing of personal motor vehicles, owned and/or leased by the person performing such services, when performed outside a completely enclosed building, is permitted by an occupant of the residence, but only in compliance with the following:

1. All vehicles shall be maintained with proper licensure;
2. All work shall be performed on the vehicle owner's (leasee's) property of residence;
3. Within the (RR, VR, R-1 and/or R-2) Zones, work shall be limited to the following (Rev. 11/2011):
  - A. Servicing and replacement of spark plugs, batteries, distributors and distributor parts;
  - B. Repair and replacement of tires and wheels, excluding recapping or regrooving;
  - C. Replacement of water hoses, fan belts, brake fluids, transmission fluid, oil filters, air filters, oil, grease, light bulbs, fuses, floor mats and carpeting, seat covers, seat belts, windshield wipers, mirrors, and engine coolants;
  - D. Repair and replacement of car radios, tape or compact disc players, amplifiers, and speakers;
  - E. Cleaning and flushing of radiators only when flushed into a water-tight catch basin;
  - F. Repair and replacement of fuel pump, oil pump and line repairs;
  - G. Minor servicing and adjustment of carburetors;
  - H. Minor motor adjustments not involving the removal of the motor, motor head or crankcase, nor the excessive revving of the motor;

- I. Minor body repairs, excluding the replacement of body parts, the complete repainting of the body and the application of undercoating; and,
  - J. Cleaning of all exterior and interior surfaces, including washing, shampooing, vacuuming, rubbing, polishing, waxing, and the application of paint sealants;
4. All by-product or waste fuels, lubricants, chemicals, and other products shall be properly disposed of;
  5. All such activities shall be conducted at times that do not disturb adjoining residents owing to noise;
  6. No compressed-air driven tools shall be utilized; and,
  7. All exterior repair, maintenance and servicing activities shall be completed within seventy-two (72) hours; and,

301.10. **Domestic Pets**

Within any dwelling, the noncommercial keeping of domestic pets shall be permitted by right; provided, however, that no more than four (4) adult dogs shall be permitted. The Zoning Officer shall determine those animals that constitute suitable domestic pets considering the size, number and likely impact such animals would have upon adjoining properties and the neighborhood. Appeals from the Zoning Officer's determination shall be provided as per Section 604.5. of this Ordinance.

## SECTION 302 UNENCLOSED STORAGE

### 302.1. Recreational Vehicles, Boats, Campers, Trailers and Trucks

Within the (RR, VR, R-1 and/or R-2) Zones, the storage of recreational vehicles, travel trailers, trucks, boats, and trailers used solely for the transport of the residents' recreational vehicle(s) is permitted only according to the following requirements (Rev. 11/2011):

1. For purposes of this section, recreational vehicles, travel trailers, boats (including trailers), and other trailers used solely for the transport of the residents' recreational vehicle(s) are divided into two separate categories, as follows:

Class I Vehicles - Those recreational vehicles, travel trailers, boats (including trailers), and other trailers used solely for the transport of the residents' recreational vehicle(s) 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; and,

Class II Vehicles - Those recreational vehicles, travel trailers, boats (including trailers), and other trailers used solely for the transport of the residents' recreational vehicle(s) that possess more than two hundred (200) square feet, as measured to the vehicle's outermost edges, and/or 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, antennas, masts, outrigger fishing poles, etc.), but will be measured to the highest point of any flybridge or other boat console;

2. The temporary parking of one Class I or Class II vehicle for periods not exceeding seventy-two (72) hours during any seven (7) day period is permitted on a paved or gravel surface in any yard, so long as the vehicle is set back no less than ten (10) feet from any street right-of-way, and five (5) feet from adjoining property lines;
3. The storage of one Class I vehicle shall be permitted per lot behind the building setback line, so long as the unit is set back no less than five (5) 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 be maintained with required licensure and to prevent the leakage of fuels and/or lubricants into the ground;

4. Except as permitted in Section 302.1.2., and as follows, the parking or storage of any Class II vehicle is expressly prohibited in any residential zone, or on any property used principally for residential purposes. The storage of one Class II vehicle on a residentially-zoned parcel, or a parcel used for a principal residence, is permitted, subject to the following requirements:
  - A. In no case shall the vehicle contain more than three hundred twenty (320) square feet, as measured to the vehicle's outermost edges, nor exceed a height of thirteen (13) feet, as measured from the ground to the highest point of the vehicle's main body. 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. All vehicles shall be set back a horizontal distance equal to the Zone's principal use setbacks;
  - C. 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;
  - D. Screening, as described in Section 313 of this Ordinance, shall be provided along any side and rear lot lines. Such screening need not extend into the required front yard. Screening shall not be required along a common side lot line when the owner resides on one (1) lot, and stores the vehicle on an adjacent vacant lot that he/she owns. One ten (10) foot wide break in required screening may be provided along one (1) rear or side lot line for vehicular access onto an adjoining alley; and,
  - E. 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 be maintained with required licensure and to prevent the leakage of fuels and/or lubricants into the ground; and,
5. The storage or parking of any commercial truck upon any residentially-zoned lot, or lot used principally for residential purposes, is prohibited. For purposes of this section, commercial trucks shall include those that exceed a gross vehicle weight (truck plus rated payload) of ten thousand (10,000) pounds. In addition, the parking or storage of any trailer other than those accessory to a principal residential use is expressly prohibited on any residentially-zoned lot, or a lot used principally for residential purposes;

302.2. **Outdoor Stockpiling**

In all zones, no outdoor stockpiling of any material or outdoor storage of trash is permitted in the front yard. The outdoor stockpiling of material or storage of trash is subject to all accessory use setbacks. In any residential zone, the outdoor stockpiling of materials (except firewood) for more than one (1) year is prohibited;

302.3. **Trash, Garbage, Refuse, or Junk**

Except as provided in Sections 432 and 440, the outdoor accumulation of trash, garbage, refuse, or junk for a period exceeding fifteen (15) days is prohibited;

302.4. **Dumpsters and Other Trash Containers**

All dumpsters and other trash containers shall be located within a side or rear yard, screened from adjoining roads and properties, and dumpsters shall be completely enclosed within a masonry or fenced enclosure equipped with a self-latching door or gate;

302.5. **Domestic Composts**

The placement of framed enclosure composts as an accessory residential use is permitted, subject to all accessory use setbacks. Only waste materials from the residential site shall be deposited within the compost, and in no case shall meat, or meat by-products be composted. All composts shall be properly maintained so as not to become a nuisance to nearby properties;

## **SECTION 303      SETBACK MODIFICATIONS**

303.1. **Front Setback of Buildings on Built-Up Streets**

Where at least two (2) adjacent buildings within one hundred (100) feet of a property are set back a lesser distance than that required, the average of the lesser distances becomes the required minimum front setback for the property. However, in no case shall the setback line be less than thirty (30) feet from any abutting street centerline; and,

303.2. **Accessory or Appurtenant Structures**

The setback regulations do not apply to:

1. Bus shelters; telephone booths; and cornices, eaves, chimneys, steps, awnings, and similar extensions, but do apply to porches and patios whether covered or not;
2. Open fire escapes;
3. Articles of ornamentation or decoration; and,
4. Fences, hedges and retaining walls.

## **SECTION 304      HEIGHT LIMIT EXCEPTIONS**

304.1.      The height regulations do not apply to the following structures or projections, provided such structures or projections are set back a horizontal distance at least equal to their height from any property line:

1.      Water towers, antennas, utility poles, smokestacks, chimneys, farm silos, windmills, flagpoles, or other similar structures;
2.      Rooftop structures for the housing of elevators, stairways, water storage tanks, ventilating fans, and other mechanical appurtenances; and,
3.      Parapet walls or cornices used solely for ornamental purposes if not in excess of five (5) feet above the roof line; and,

304.2.      In no case shall any freestanding or rooftop structure above the maximum permitted height be used for the purpose of providing additional floor space for residential, commercial or industrial purposes.

## **SECTION 305      CORNER LOTS**

A front yard, as provided for in the area and lot requirements for the various zones, shall be required along each street on which a corner lot abuts.

On corner lots, no structure or growth exceeding thirty (30) inches in height shall be permitted within an area which is formed by a triangle where the two legs of the triangle extend one hundred (100) feet from the centerline intersection of the two intersecting streets.

## **SECTION 306      MINIMUM HABITABLE FLOOR AREA**

All dwelling units must conform to the minimum habitable floor area following:

306.1.      Single-family (including mobile homes), duplex, and townhouse dwelling units: seven hundred (700) square feet per dwelling unit;

306.2.      Multi-family dwellings: four hundred (400) square feet per dwelling unit; and,

306.3.      ECHO housing, temporary farm employee housing and apartments of two-family conversions: two hundred fifty (250) square feet per dwelling unit.

## **SECTION 307 ESTABLISHMENT OF MORE THAN ONE PRINCIPAL USE ON A LOT.**

More than one principal use may be erected on a single lot, provided that all lot and yard requirements, standards, and other requirements of this Ordinance shall be met for each structure, as though it were on an individual lot. In addition, such proposals shall gain approval for any required land development or subdivision plan, and provide individually approved methods of sewage disposal. (Rev. 3/2016)

## **SECTION 308 REQUIRED VEHICULAR ACCESS**

Every building hereafter erected or moved shall be on a lot adjacent to or with approved access to a public or private street improves to meet the requirements of the Subdivision and Land Development Ordinance. The erection of buildings without approved access shall not be permitted. Access to lots containing farms, or one or two single-family dwellings shall be via driveways (see Section 309); access to lots containing other uses, including three or more single-family dwellings shall be via access drives (see Section 310). For all other lots requiring a subdivision or land development plan, approved access is defined by the Subdivision and Land Development Ordinance. (Rev. 3/2016)

## **SECTION 309 DRIVEWAY REQUIREMENTS (SINGLE-FAMILY DWELLING)**

Driveways shall include private drives serving individual farms and single-family dwellings, as well as shared driveways serving two single-family dwellings. Driveways shall meet the following standards:

### **309.1. General Requirements**

1. Number Per Lot - No more than two (2) driveway connections per lot shall be permitted;
2. Setbacks - Driveways shall be not less than forty (40) feet from the edge of the cartway of any street intersection, nor less than five (5) feet from a fire hydrant, nor less than five (5) feet from adjoining lot lines, unless a shared driveway is proposed;
3. Slope - A driveway shall not exceed a slope of eight percent (8%) within twenty-five (25) feet of the street right-of-way lines;
4. Road Classification - Driveway access shall be provided to the street of lesser classification when there is more than one street classification involved;
5. Driveway Width - No driveway shall provide a curb cut exceeding twenty (20) feet in width;
6. PennDOT Permit - A driveway permit from the Pennsylvania Department of Transportation shall be required for a driveway intersecting with a State-owned road;

7. Township Permit - A driveway permit from Strasburg Township shall be required for a driveway intersecting with a Township-owned road;
8. Traffic Movement/Drainage - Driveways shall not interfere with normal traffic movement nor be constructed in a manner to be inconsistent with the design, maintenance and drainage of the street;
9. Plan Delineation - Driveway location shall be delineated on all plans/permits as applicable;
10. Shared Driveways - Shared driveways may be used to provide required vehicular access between two (2) single-family detached dwellings and a street. The use of a shared driveway shall only be approved when recorded cross-access easements ensure common use, access, and maintenance of the shared driveway for each property owner relying upon said shared driveway. Such cross-access easements shall be required in language acceptable to the Township Solicitor. Shared driveways shall not exceed one thousand (1,000) feet in length;
11. Clear-Sight Triangle - Driveways shall be located and constructed so that a clear-sight triangle, as depicted below is provided. Two apexes of the triangle shall be located in both directions along the street centerline, seventy-five (75) feet from a point where the centerline of a driveway and street intersect. The vertex of the triangle shall be located along the centerline of the driveway, on the site and five (5) feet from the property/street right-of-way line. No permanent obstructions and/or plant materials over three (3) feet high shall be placed within the clear-sight triangle
12. Adequate Sight Distance - Driveways shall be located so as to provide adequate sight distances at intersections with streets. Such sight distances shall be two hundred (200) feet in each direction, unless otherwise specified by the Subdivision and Land Development Ordinance or PennDOT. (Rev. 3/2016)

## **SECTION 310 ACCESS DRIVE REQUIREMENTS (NON-SINGLE-FAMILY DWELLING)**

Access drives shall be consistent with the provisions of the Subdivision and Land Development Ordinance, in addition to the following: (Rev. 3/2016):

### **310.1. General Requirements**

1. Number Per Lot - Except as specified elsewhere, the number of access drives intersecting with a street may not exceed two (2) per lot frontage. The Zoning Hearing Board may grant a variance for additional access points where required to meet exceptional circumstances and where frontage of unusual length exists;
2. Setback - The edge(s) of all access drives shall be set back at least fifteen (15) feet from any side and/or rear property lines; however, this setback can be reduced to not less than three (3) feet where necessary to obtain adequate sight distance, or can be waived along one property line when a joint parking lot, or shared access drive is proposed; and,
3. Access Drive Width - In no case shall any access drive cartway be less than eighteen (18) feet wide if it provides for truck movement between the public right-of-way and any required off street loading spaces as regulated by Section 312 of this Ordinance. Unless otherwise specified, the maximum cartway width of the access drive shall not exceed the area necessary to accommodate the minimum required cartway width and the minimum required tangential arc of the intersecting cartways. (Rev.11/00)

## **SECTION 311 OFF-STREET PARKING REQUIREMENTS**

311.1. Off-street parking shall be required in accordance with the provisions of this section prior to the occupancy of any building or use, so as to alleviate traffic congestion on streets. All parking exclusively serving agricultural and/or forestry-related activities shall be exempt from off-street parking requirements. Off-street parking shall be provided whenever:

1. A building is constructed or a new use is established;
2. The use of an existing building is changed to a use requiring more parking facilities; and,
3. An existing building or use is altered or enlarged so as to increase the amount of parking space required;

311.2. **Parking for Single Family Dwellings**

Every single-family dwelling shall be required to provide at least two (2) off-street parking spaces. Such spaces must be provided behind the street right-of-way line and may take the form of garages, carports or driveways. Additional regulations pertaining to driveways are contained in Section 310 of this Ordinance;

311.3. **Parking for All Other Uses:**

1. **General Requirements:**

- A. **Site Plan** - Each application for a zoning permit (or a use for which parking spaces are required) shall include a drawing (site plan) showing the proposed layout of the lot. The drawing shall clearly indicate all of the design elements required below. No zoning permit shall be issued for any use for which parking spaces are required unless the site plan has been approved or necessary variances have been obtained;
- B. **Surface** - All parking lots shall be constructed and maintained with a paved surface of concrete or bituminous materials, or another approved dust-free surface;
- C. **Drainage** - Parking lots shall be graded to a minimum slope of one percent (1%) to provide for drainage. Adequately sized inlets and storm sewers shall be provided to discharge storm water in accordance with the requirements of Storm Water Management Ordinance (Rev. 3/2016);
- D. **Lighting** - Adequate lighting shall be provided in accordance with the provisions of the Subdivision and Land Development Ordinance. The lighting shall be arranged so that it is not directed at adjoining land used for residential purposes, or adjoining lots or streets;
- E. **Access Drives** - Every parking lot shall be connected to a street by means of an access drive. Access drives shall be in accordance with the provisions of Section 310 of this Ordinance;

2. **Parking Requirements:**

- A. **Size** - The following lists required minimum space sizes in feet:

<b>Standard Car Spaces</b>	<b>Minimum Space Size</b>
Parallel	23 feet × 8 feet
Non-Parallel	19 feet × 9 feet

- B. **Access** - Parking areas for more than one (1) dwelling shall be designed so that each vehicle may proceed to and from the parking space without requiring the moving of any other vehicle;
- C. **Marking** - All parking lots shall be adequately marked and maintained for the purpose of defining parking spaces and interior drives. Where paving is

required, the lines of all parking spaces and interior drives (including directional arrows, etc.) shall be solid white and four (4) inches in width. Painted lines, arrows and dividers shall be provided and maintained to control parking, and direct vehicular circulation;

- D. Separation - Parking spaces shall be guarded by curbs or other protective devices, which are arranged so that parked cars cannot project into access and interior drives, streets, yards or walkways;
- E. Bicycles - Bicycle parking shall be provided as set forth in the Subdivision and Land Development Ordinance (Rev. 3/2016);
- F. Handicapped Parking - Parking spaces for handicapped persons shall be governed by the latest guidelines described under the Americans With Disabilities Act;
- G. Joint Parking Lots:
  - a. In commercial shopping centers over three (3) acres in size, joint parking lots may be permitted. These joint facilities can reduce the total number of parking spaces required by a maximum of twenty percent (20%). Therefore, the resulting joint parking lot will be required to provide at least eighty (80%) of the total number of spaces required by the sum of all of the shopping center's tenants. Such reduced parking spaces must be appropriately distributed on the lot to provide convenient walking distance between every vehicle and each of the shopping center's stores; and,
  - b. Required parking spaces may be provided in parking lots designated to jointly serve two (2) or more establishments or uses, provided that the number of required spaces in such joint facility shall not be less than the total required separately for all such establishments or uses. However, where it can be conclusively demonstrated that one (1) or more uses will be generating a demand for parking spaces, primarily during periods when the other use(s) is not in operation, the total number of required parking spaces may be reduced to:
    - i. That required number of spaces that would be needed to serve the use generating the most demand for parking; plus,
    - ii. Twenty percent (20%) of that number of required parking spaces needed to serve the use(s) generating the demand for lesser spaces.

- H. Schedule of Required Spaces - The following lists required numbers of parking spaces by use type. Any use involving a combination of several uses shall provide the total number of spaces required for each individual use:

<b>COMMERCIAL USES</b>	
<b>Type of Use</b>	<b>Minimum of One Parking Space for Each</b>
Automobile repair, filling and washing facilities	400 square feet of gross floor and ground area devoted to repair and service facilities in addition to areas normally devoted to automobile storage and one per employee on major shift.
Automobile, boat, and trailer sales	1,000 square feet of gross indoor and outdoor display areas.
Boarding house, group home, and short term rental	Bedroom (revised 6/20)
Carpeting, drapery, floor covering, and wall covering sales	500 square feet of gross floor area.
Convenience stores	75 square feet of gross floor area.
Drive-thru and/or fast-food restaurants	Two seats and one per each two employees.
Film Production	750 square feet of gross floor area of all buildings used in connection with film production, not including film sets.
Food markets and grocery stores	150 square feet of gross floor area for public use and one per each employee on two largest shifts.
Funeral homes	100 square feet of gross floor area, one per each employee, and one per each piece mobile equipment, such as hearses and ambulances.
Furniture sales	500 square feet gross floor area.
Hotels, motels	Guest sleeping room and one per each employee on two largest shifts. (Restaurants and other accessory uses shall add to this requirement.)
Mini-warehouses	25 units plus one per 250 square feet of office space, plus two per any resident manager.
Office buildings	300 square feet of gross floor area.

<b>COMMERCIAL USES</b>	
<b>Type of Use</b>	<b>Minimum of One Parking Space for Each</b>
Professional offices of veterinarians, physicians, dentists, etc.	Six spaces per each physician or dentist, etc.
Retail stores or shops (except those listed above)	200 square feet of gross floor area of display area or sales area and one per each employee on two largest shifts.
Restaurants	Four seats plus one per each employee on largest shift.
Shopping centers or malls	182 square feet of gross leasable floor area.
Other commercial buildings	400 square feet of gross floor area.

<b>INDUSTRIAL USES</b>	
<b>Type of Use</b>	<b>Minimum of One Parking Space for Each</b>
Industrial and heavy manufacturing establishments	Two employees on the two largest shifts or at least one space per each 1,000 square feet of gross floor area, whichever is the greatest number.
Warehousing	Employee on the two largest shifts.

<b>RECREATIONAL USES</b>	
<b>Type of Use</b>	<b>Minimum of One Parking Space for Each</b>
Amusement arcades	80 square feet of gross floor area.
Athletic fields	Four seats of spectator seating; however, if no spectator seating is provided, a temporary parking area shall be provided on the site. Such area must provide sufficient numbers of spaces to serve all users of the site, and include a fence delineating such parking area.
Bowling alleys, billiards rooms	One-quarter lane/table and one per each two employees.
Campgrounds	Per campsite, plus one per employee, plus 50% of the spaces normally required for accessory uses.

<b>RECREATIONAL USES</b>	
<b>Type of Use</b>	<b>Minimum of One Parking Space for Each</b>
Golf courses	One-eighth hole, plus one per employee, plus 50% of the spaces normally required for accessory uses
Golf driving ranges	One per tee and one per employee.
Miniature golf courses	One-half hole and one per employee.
Riding schools or horse stables	Two stalls plus one per every four seats of spectator seating.
Picnic areas	Per table.
Skating rinks	Four persons of legal occupancy.
Swimming pools (other than one accessory to a residential development)	Four persons of legal occupancy.
Tennis or racquetball clubs	One-quarter court plus one per employee plus 50% of the spaces normally required for accessory uses.

<b>RESIDENTIAL USES</b>	
<b>Type of Use</b>	<b>Minimum of One Parking Space for Each</b>
Single-family detached dwellings	One-half dwelling unit (i.e., two spaces per dwelling unit).
Boarding houses, group homes, and bed and breakfasts	Bedroom.
Duplex, townhouse, multiple-family, and conversion apartment dwellings	One-third dwelling unit (i.e., three spaces per dwelling unit). Such parking spaces can take the form of private driveways, or garages and/or common parking lots, provided all spaces required are within 150 feet of the unit served.

<b>SOCIAL AND INSTITUTIONAL USES</b>	
<b>Type of Use</b>	<b>Minimum of One Parking Space for Each</b>
Auditorium, banquet, conference, and meeting facilities; church, theater, and other such places of public assembly	200 square feet, but not fewer than one space per each three seats.
Clubs, lodges and other similar places	200 square feet of gross floor area and one per each employee on two largest shifts.
Nursing, rest or retirement homes	Three accommodations (beds) in addition to those needed for doctors and support staff.
Hospitals, sanitariums	Spaces shall be provided for visitors, at the rate of at least one space per each 1.5 accommodations (beds). Such spaces shall be in addition to those necessary for doctors and other personnel.
Museums, art galleries, cultural centers, libraries	400 square feet of gross floor area.
Rehabilitation centers (without overnight accommodations)	One per each employee and per each three people anticipated to be handled through the facility.
Schools below grade ten, including commercial day-care and kindergarten	Six students enrolled.
Schools, tenth grade and above, including colleges	Three students enrolled.
Vocational training and adult education facilities	One and one-half students enrolled.

3. Reduction in Required Spaces - The sum of the required parking spaces may be reduced by special exception. The applicant shall establish, by credible evidence, that the proposed parking facility complies with the general provisions for a special exception, and the following specific conditions:”
  - A. The requested reduction in parking spaces shall be supported by an Off-Street Parking Needs Analysis. The Analysis shall be prepared by a qualified Transportation Engineer. Said study shall consider such issues as:

- a. Type of land use;
  - b. Employment characteristics, such as number of employees/shift changes;
  - c. Availability and frequency of alternative modes of transportation, such as public transit, tour bus, walk-in;
  - d. Joint use parking lot with alternating peak hours of operation, or a mix of land use that includes supporting services to the same customer base; and,
- B. The site plan shall provide for the total number of parking spaces required by Section 311.3.2.H., Schedule of Required Spaces. The improved portion of the parking area and the area reserved for future needs shall be delineated on the site plan.
  - C. The site plan shall provide adequate storm water management facilities for the total parking facility.
  - D. That portion of the parking area that is not improved shall be landscaped with a suitable ground cover.

The zoning permit for use shall remain valid only so long as the reduced parking area provides adequate facilities for the approved land use. Should overflow parking be evident, the reserved parking area shall immediately be installed. Failure to install the reserve parking area, in a timely manner, shall be grounds for termination of the use. Any change in use on the property shall require compliance with the “Schedule of Required Spaces” or a separate special exception.

4. Interior Drives:

- A. Widths - Interior drives between rows of parking spaces shall have the minimum widths indicated in the following table:

<b>Angle of Parking</b>	<b>Width of Driveway; One-Way Traffic</b>	<b>Width of Driveway; Two-Way Traffic</b>
90 Degrees	25 feet	25 feet
60 Degrees	20 feet	22 feet
45 Degrees	18 feet	22 feet
30 Degrees	11 feet	22 feet
Parallel	11 feet	22 feet

- B. Horizontal Curves - Not less than a four (4) foot radius of curvature shall be permitted for horizontal curves in parking areas;
  - C. Back-Up Area - All dead-end parking lots shall be designed to provide sufficient back-up area for all end spaces;
    - a. Speed Bumps;
    - b. Speed bumps, constructed as part of access or interior drives or parking lots, shall be marked with permanent, yellow diagonal stripes;
    - c. The speed bumps shall be in the form of mounds or depressions in the pavement and shall be designed to restrain motor vehicle speed;
    - d. There shall be a warning sign posted at each entrance to a parking area having speed bumps; and,
    - e. In no case shall the overall height (or depth) of speed bumps exceed three (3) inches;
5. Prohibited Uses of a Parking Lot - Automobile parking lots are for the sole purposes of accommodating the passenger vehicles of persons associated with the use which requires them. Parking lots shall not be used for the following:
- A. The sale, display or storage of automobiles or other merchandise;
  - B. Parking/storage of non-passenger vehicles accessory to the use;
  - C. Performing services (including services to vehicles);
  - D. Loading and unloading purposes, except during hours when the business operations are suspended; nor
  - E. Use of vehicles parked in a permanent manner for the sole purpose of advertising; and,
6. Landscaping and Screening - The following landscaping and screening requirements shall apply to all parking lots, and also subject to the requirements of Section 313:
- A. Landscaped Strip:
    - a. When a parking lot is located in a yard which abuts a street, a landscaped strip shall be provided on the property along the entire street line. If there is no building or other structure on the property, the parking lot shall still be separated from the street by the landscaped strip. This strip shall be measured from the street R.O.W. line. The strip may be located within any other landscaped strip required to be located along a street.

The following lists required width of landscape strips:

<b>Number of Spaces in Parking Lot, Including Joint Facilities</b>	<b>Landscape Strip Width Measured From Street R.O.W. Line</b>
Less Than 100	15 feet
100 to 250	20 feet
Over 250	25 feet

- b. Unless otherwise indicated, all parking lots constructed in side or rear yards (as defined herein) shall be set back a minimum of ten (10) feet from all property lines. Such setbacks shall be used for landscape strips;

**B. Interior Landscaping:**

- a. In any parking lot containing twenty (20) or more parking spaces (except for a parking garage), five percent (5%) of the total area of the lot shall be devoted to interior landscaping. Such interior landscaping may be used, for example, at the end of parking space rows, to break up rows of parking spaces at least every ten (10) parking spaces, and to help visually define travel lanes through or next to the parking lot. Landscaped areas situated outside the parking lot, such as peripheral areas and areas surrounding buildings, shall not constitute interior landscaping. For the purpose of computing the total area of any parking lot, all areas within the perimeter of the parking lot shall be counted, including all parking spaces and access drives, aisles, islands, and curbed areas. Ground cover alone is not sufficient to meet this requirement. Trees, shrubs or other approved material shall be provided, as set forth in Section 313 of this Ordinance, except that at least one (1) shade tree shall be provided for each three hundred (300) square feet or fraction thereof, of required interior landscaping area. Such trees shall have a clear trunk at least five (5) feet above finished grade;
- b. Parked vehicles may not overhang interior landscaped areas more than two and one-half (2½) feet. Where necessary, wheel stops or curbing shall be provided to insure no greater overhang;
- c. If a parking lot of under twenty (20) spaces is built without interior landscaping, and later additional spaces are added so that the total is twenty (20) or more, the interior landscaping shall be provided for the entire parking lot;

- C. Screening - When a parking lot is located on property which adjoins land in a residential zone, or other land in residential use, the parking lot shall be screened from the adjoining residential property, as set forth in Section 314 of this Ordinance.

**SECTION 312 OFF-STREET LOADING FACILITIES**

312.1. Off-street loading shall be required in accordance with this section prior to the occupancy of any building or use, so as to alleviate traffic congestion on streets. These facilities shall be provided whenever:

- 1. A new use is established;
- 2. The use of a property or building is changed, thereby requiring more loading space; or
- 3. An existing use is enlarged, thereby requiring an increase in loading space;

312.2. General Requirements:

- 1. Site Plan - Each application for a zoning permit (for a use for which off-street loading spaces are required) shall include a drawing (site plan) showing the proposed layout of the loading area. The drawing shall clearly indicate the design elements required below. No zoning permit shall be issued for any use for which a loading area is required unless the site plan has been approved as in compliance with these requirements or necessary variances have been granted;
- 2. Location - Except as provided elsewhere, a ground level loading area may be located in any side or rear yard. No exterior portion of an off-street loading facility (including access drives) shall be located within fifty (50) feet of any land within a residential zone. Off-street loading facilities shall be located on the face of a building not facing any adjoining land in a residential zone;
- 3. Sizes - The following lists required minimum loading space sizes (excluding access drives, entrances and exits):

Facility	Length	Width	Height (If Covered or Obstructed)
Industrial, Wholesale and Storage Uses	63 feet	12 feet	15 feet
All Other Uses	33 feet	12 feet	15 feet

4. Separation - Off-street loading spaces shall be designed so that there will be no need for service vehicles to back over streets or sidewalks. Furthermore, off-street loading spaces shall not interfere with off-street parking lots;
5. Connection to Street - Every loading space shall be connected to a street by means of an access drive. The access drive shall be at least twenty-four (24) feet wide for two-way travel, or eighteen (18) feet wide for one way travel, exclusive of any parts of the curb and gutters. Section 311 specifies other requirements for access drives;
6. Surface - All off-street loading facilities, including access drives, shall be constructed and maintained with a paved surface of concrete or bituminous materials;
7. Drainage - Off-street loading facilities (including access drives) shall be drained to prevent damage to other properties or public streets. Furthermore, all off-street loading facilities shall be designed to prevent the collection of standing water on any portion of the loading facility surface, particularly next to access drives;
8. Lighting - Adequate lighting shall be provided if the loading facility is to be used at night. The lighting shall be arranged so as not to be directed, reflected or cause glare off the site;
9. Landscaping and Screening - Unless otherwise indicated, all off-street loading facilities shall be surrounded by a landscape strip at least fifteen (15) feet wide. All off-street loading facilities shall also be screened from adjoining residentially-zoned properties and/or adjoining public streets according to the requirements of Section 313 of this Ordinance; and,
10. Schedule of Required Loading Spaces:

Type of Use	Number of Spaces	Gross Floor Area per Dwelling Unit
Hospital or other institution	None 1.0 +1.0	First 10,000 sq. ft. 10,000 to 100,000 sq. ft. Each additional 100,000 sq. ft. (or fraction)
Hotel, motel and similar lodging facilities	None 1.0 +1.0	First 10,000 sq. ft. 10,000 to 100,000 sq. ft. Each additional 100,000 sq. ft. (or fraction)
Industry or manufacturing	None 1.0 +1.0	First 2,000 sq. ft. 2,000 to 25,000 sq. ft. Each additional 40,000 sq. ft. (or fraction)

Type of Use	Number of Spaces	Gross Floor Area per Dwelling Unit
Multi-family dwelling	None 1.0 +1.0	Less than 100 dwelling units 100 to 300 dwelling units Each additional 200 dwelling units
Office building, including banks	None 1.0 +1.0	First 10,000 sq. ft. 10,000 to 100,000 sq. ft. Each additional 100,000 sq. ft. (or fraction)
Retail sales and services, per store, and restaurants	None 1.0 2.0 +1.0	First 2,000 sq. ft. 2,000 to 10,000 sq. ft. 10,000 to 40,000 sq. ft. Each additional 100,000 sq. ft. (or fraction)
Shopping centers (integrated shopping centers, malls and plazas) having at least 25,000 square feet	1.0 +1.0	25,000 square feet up to 100,000 square feet Each additional 100,000 square feet
Theater, auditorium, bowling alley, or other recreational establishment	None 1.0 +1.0	First 10,000 sq. ft. 10,000 to 100,000 sq. ft. Each additional 100,000 sq. ft. (or fraction)
Undertaking establishment or funeral parlor	None 1.0 +1.0	First 3,000 sq. ft. 3,000 to 5,000 sq. ft. Each additional 10,000 sq. ft. (or fraction)
Wholesale or warehousing (except mini-warehousing)	None 1.0 +1.0	First 1,500 sq. ft. 1,500 to 10,000 sq. ft. Each additional 40,000 sq. ft. (or fraction)

## **SECTION 313      LANDSCAPING AND SCREENING REQUIREMENTS**

### **313.1.      Yard Ground Cover**

Any part of the site which is not used for buildings, other structures, loading or parking spaces and aisles, sidewalks, and designated storage areas shall be planted with an all-season ground cover (e.g., grass, ivy, pachysandra, etc.). In addition, gravel can be substituted if done in a manner to complement other vegetative materials. Ground covers shall be maintained to provide an attractive appearance, and all non-surviving plants shall be replaced promptly;

### **313.2.      Landscaping Requirements**

Any required landscaping (landscape strips and interior landscaping) shall include a combination of the following elements: deciduous trees, ground covers, evergreens, shrubs, vines, flowers, rocks, gravel, earth mounds, berms, walls, fences, screens, sculptures, fountains, sidewalk furniture, or other suitable materials. Artificial plants, trees and shrubs may not be used to satisfy any requirement for landscaping or screening. No less than eighty percent (80%) of the required landscape area shall be vegetative in composition, and no outdoor storage shall be permitted within required landscape areas;

For each seven hundred fifty (750) square feet of required area for landscape strips, one (1) shade/ornamental tree shall be provided. For every three hundred (300) square feet or fraction thereof of interior landscaping required (parking lots), one (1) shade tree shall be provided. If deciduous, these trees shall have a clear trunk at least five (5) feet above finished grade; if evergreen, these trees shall have a minimum height of six (6) feet. All required landscape strips shall have landscaping materials distributed along the entire length of the lot line abutting the yard;

### **313.3.      Screening**

The following materials may be used: evergreens (trees, hedges, or shrubs), walls, fences, earth berms, or other approved similar materials. No wall or fence shall be constructed of corrugated metal, corrugated fiberglass, or sheet metal. Screening shall be arranged so as to block the ground level views between grade and a height of six (6) feet. Landscape screens must achieve this visual blockage within two (2) years of installation; and,

313.4. **Selection of Plant Materials**

Trees and shrubs shall be typical of their species and variety; have normal growth habits, well-developed branches, dense foliage, vigorous, fibrous root systems. They shall have been grown under climatic conditions similar to those in the locality of the project or properly acclimated to conditions of the locality of the project.

Any tree or shrub, planted as part of a landscaping or screening requirement which dies shall be replaced. All landscaping and screening treatments shall be properly maintained.

## SECTION 314      OUTDOOR SIGNS

### 314.1.      General Requirements:

1. Signs must be constructed of durable material and maintained in good condition;
2. No sign shall be maintained within the Township in such a state of disrepair as to have the appearance of obvious neglect, which is rotting or falling down, which is illegible, or has loose parts separated from original fastenings;
3. Whenever a sign becomes structurally unsafe or endangers the safety of the building or premise, or endangers the public safety, the Zoning Officer may give written notice to the owner of the premises on which the sign is located that such sign shall be made safe or removed within five (5) days;
4. Advertising painted upon or displayed upon a barn or other building or structure shall be regarded as a flat wall sign and the regulations pertaining thereto shall apply;
5. Each sign shall be removed when the circumstances leading to its erection no longer apply;
6. Signs may be interior lighted with non-glaring lights, or may be illuminated by floodlights or spotlights that are shielded so there is no direct light shining on other properties or public rights-of-way;
7. No sign shall be of the intermittent flashing or rotating type;
8. No sign located within three hundred (300) feet of any traffic light shall be illuminated with red, green or yellow lights or red, green or yellow neon tubing;
9. All electrically illuminated signs shall be constructed to the standards of the National Board of Fire Underwriters;
10. Signs must be positioned so that they do not interfere with any required clear sight triangle;
11. 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 enclosed, on which they are displayed, including any border framing or decorative attachments, including any supporting framework or bracing specifically designed to be incorporated into the display itself. Where the sign consists of individual letters or symbols attached to a building, wall or window, the area of the sign shall be considered to be that of the smallest rectangle or other regular symmetrical geometric shape which encompasses all of the letters and symbols. Where a sign has two (2) or more faces, the area of all faces shall be included in determining the area of the sign; provided, however, for a double-faced sign, if the interior angle formed by the two faces of the double-faced sign is less than forty-five (45) degrees and the two (2) faces are at no point more than three (3) feet from one another, the area of only the larger face shall be included;
12. No loud, vulgar, indecent, or obscene advertising matter shall be displayed in any manner, including, but not limited to any illustration pertaining to specified sexual activities and/or specified anatomical areas;

13. No sign shall be erected or located to prevent free ingress or egress from any window, door or fire escape;
14. No sign shall be placed in such a position that it will obscure light or air from a building or create a traffic danger, including an obstruction within the required clear sight triangle;
15. No sign shall be permitted which is permanently attached to public utility poles, nor trees which are within the right-of-way of any street;
16. Signs Within Any Floodplain - Heights to the bottom of any sign within the floodplain shall be higher than any projected possible height of water during a flood. Like an elevated bridge, signs shall be heightened to allow water to flow unrestricted underneath it. No sign located within any floodplain shall exceed six (6) square feet of area per side;
17. In the event that a symbol, trademark or other such figure is used as a sign post or standard which could be construed to indicate or identify a particular use or business, that symbol, trademark or figure is to be computed as part of the total allowable sign area;
18. In all zones, only those signs referring directly to materials or products made, sold or displayed on the premises shall be permitted, except as otherwise noted; and,
19. No streamers, pennants or other similar materials shall be permitted to be located outside any building.

314.2. **Specific Requirements**

In addition to the general sign regulations listed in the preceding Section 314.1, specific regulations contained within this section shall also apply to all signs. For the purposes of this Ordinance, each sign is classified by its (1) use, and (2) type of construction. Specific sign requirements are listed by use, and then by construction type; therefore, each sign must comply with those regulations specified for its classification of use, and its classification by type of construction.

1. Classification of Signs by Use - All signs shall be divided into the following types of uses and shall be subject to the specific regulations listed therewith:
  - A. Official traffic signs - No specific regulations are applied to this type of sign use when the signs are erected by or with written approval from the Township Supervisors;

- B. Professional accessory use, or name signs indicating the name, profession, or activity of the occupant of a dwelling, and trespassing or hunting or similarly restrictive signs, or signs indicating the private nature of a driveway or premises - The area on one (1) side of such sign shall not exceed two (2) square feet nor project more than six (6) inches from a wall when attached to a building;
- C. Identification signs identifying schools, churches, hospitals, parks or similar public and semi-public institutions and uses - A total of forty (40) square feet will be allowed. Not more than one (1) such sign per organization will be permitted on the site except that a maximum of two (2) such signs per organization shall be permitted when the property fronts on two (2) or more public streets;
- D. Temporary signs of contractors, architects, mechanics, and artisans - The signs shall be displayed only while actual work is in progress, and shall not exceed twelve (12) square feet in area, and provided further that such signs must be removed promptly upon completion of work. Should such sign be left on the site beyond the allowable time frame, the Township may impound it and recover a fee from the owner of the sign equal to the costs of removal and storage of the sign. All signs of these types shall be set back a minimum of ten (10) feet from the edge of the adjoining cartway;
- E. Real estate sale-sold-rent signs when placed on the property to be sold, or rented - These signs shall not exceed (6) square feet in area. No more than one (1) sign per property is permitted unless the property fronts on more than one (1) street; in which case, two (2) signs are permitted. All such signs shall be removed within five (5) days after final transactions are completed. No such signs shall be located off the site, nor in the established clear sight triangle;
- F. Residential development signs - Name of a residential subdivision or neighborhood. Such sign shall not include the name of any builder, contractor, realtor, or other person or business associated with the construction/sale of homes within the development; instead, only the name of the development shall be displayed. Each residential development sign shall not exceed a combined area (front and back) of thirty-two (32) square feet. The total sign area for all residential development signs shall also not exceed one (1) square foot per dwelling unit within the development. Only one (1) residential development sign shall be permitted per frontage at the entrance to such development, and no more than two (2) such signs shall be permitted per development. The applicant shall submit a written description of the maintenance responsibilities for all residents for all residential development signs;
- G. Public use and utilities signs - Signs necessary for the identification, operation or protection of public use and public utilities are permitted so long as the general regulations of Section 315.1. of this Ordinance are met;
- H. Business, commercial or industrial signs - A sign for a use conducted on the premises which shall identify the written name and/or the type of business

and/or any trademark of an article for sale or rent on the premises or otherwise call attention to a use conducted on the premises. The total sign area shall not exceed one (1) square foot per five (5) lineal feet of lot frontage with a maximum size of eighty (80) square feet. One (1) sign is allowed per lot or per adjoining lots occupied by the same use, or by related uses operated as a single business enterprise. If the lot's frontage exceeds one thousand (1,000) feet in separate and single ownership, one (1) additional sign is permitted;

- I. Functional signs, such as those designating rest rooms, entrance, exit, or other signs not otherwise defined or directly connected with the business or profession conducted upon the premises, but attendant or accessory thereto - Two (2) signs per frontage used for vehicular access are permitted. Each sign shall not exceed two (2) square feet in total sign area;
- J. Planned center signs - Signs advertising the name of an integrated development, such as a planned shopping center, office or apartment complex, or industrial park. These signs shall devote no less than fifty percent (50%) of the total sign area to the advertisement of the planned center's name. Additionally, individual uses within the center may be advertised, but shall be flat-wall, wall-projecting and/or roof signs as defined in Section 314.2. of this Ordinance; no other ground signs shall be permitted for those uses within the planned center. Only one (1) planned center sign per frontage of the planned center shall be permitted. The size of such sign shall not exceed one (1) square foot for each four (4) feet of frontage contained within the planned center. In no case shall a planned center sign exceed a maximum size of one hundred (100) square feet nor an overall height of twenty (20) feet;
- K. Temporary (special event) signs and banners - One (1) such sign may be permitted per lot or by related uses operated as a single business enterprise for one (1) period not exceeding thirty (30) days during any calendar year. Such signs shall be limited to a maximum of forty (40) square feet in total sign area and shall be securely attached; and,
- L. Billboards - These signs are only permitted by conditional use in the Industrial Zone. See Section 406 of this Ordinance for additional requirements;

2. Classification of Signs by Type of Construction - All signs shall be divided into the following types of construction and shall be subject to the specific regulations listed therewith:
- A. Ground Sign - Any sign erected upon a permanently affixed independent structure (legs or base) so that such structure is the main support of the sign. Ground signs shall not include temporary signs that are attached to mobile trailers containing wheels and capable of being towed from one site to the next.
- No ground sign shall project to a point nearer than twelve (12) feet from the edge of a street right-of-way, and if a sign obstructs the safe clear view along any roadway, a further setback is required. No support for any ground sign shall be located nearer than twelve (12) feet to any property line. Such signs shall not exceed twenty (20) feet in height, nor exceed eighty (80) square feet in total sign area; however, planned center signs may have a maximum size of one hundred (100) square feet. Billboards, as regulated in Section 406 are exempt from these specific requirements;
- B. Flat Wall Sign - A sign erected, or displayed on, or parallel to, the surface of a building.
- a. Flat wall signs may have a maximum area of fifteen percent (15%) of the wall area of the wall on which the sign is to be erected, but that area is not to exceed one hundred (100) square feet.
  - b. Flat wall signs may be erected upon a canopy or marquee if the structural strength of such canopy or marquee is sufficient to safely carry the additional load, and provided that such signs may not extend beyond the edges of said canopy or marquee or extend within otherwise prohibited areas. Flat wall signs shall not project more than twelve (12) inches from the building wall and must be located so that the lower edge is a minimum of eight (8) feet above grade where the sign projects from the wall more than six (6) inches;
- C. Wall Projecting Sign - Any sign mounted upon a building so that its principal face is not parallel to the building wall.
- a. Projecting signs shall be located upon the buildings so that the lower edge is a minimum of ten (10) feet above grade. Projecting signs may project a maximum of six (6) feet from the building wall, provided however, that no sign shall project to a point nearer than twelve (12) feet from the edge of the street right-of-way.
  - b. No projecting sign shall extend more than five (5) feet above the top of the wall upon which it is mounted, nor above the permitted structural height as listed in each zone.
  - c. Wall projecting signs may be erected upon a canopy or marquee if the structural strength of such canopy or marquee is sufficient to safely carry the additional load, and provided that such signs may not extend

beyond the edges of said canopy or marquee or extend within otherwise prohibited areas;

- D. Roof Sign - A sign erected or displayed upon the roof of any building or structure or a wall sign, a portion of which exceeds the height of the building; however, all roof signs must comply with structural height limitations required in each zone.
- a. No roof sign shall be placed upon the roof of any building so as to prevent the free passage from one part of the roof to the other thereof, or interfere with any openings in such roof.
  - b. No sign erected upon the roof of any building shall project beyond the edges of said roof in any horizontal direction.
  - c. Roof signs may extend above the roof, or top of wall, a distance equal to one-half (1/2) the height of the roof or wall, or five (5) feet, whichever is the smaller height.
  - d. Roof signs may have a maximum area of fifteen percent (15%) of the roof or wall area to which the sign is attached, but that area is not to exceed one hundred (100) square feet.
  - e. No roof sign parallel to a building shall extend in length a distance greater than one-half (1/2) the length of the wall to which it is parallel;

314.3. **Permits:**

1. The following signs shall be permitted without requirement of permit for erection when erected and maintained in conformity hereto:
  - A. Official traffic signs;
  - B. Residential accessory use or name signs;
  - C. Temporary signs of contractors, architects, mechanics, and artisans;
  - D. Temporary real estate sale-sold-rent-development signs;
  - E. Functional signs, such as "Exit," "No Admittance," "Rest Rooms," etc.; and,
  - F. Signs within buildings, not visible from beyond the property lines;

2. All other signs shall require a permit prior to the erection or installation of the sign. All applications for sign permits shall be accompanied by scaled plans or diagrams showing the following:
  - A. Exact dimensions of the lot, including any right-of-way lines and any building upon which the sign is proposed to be erected;
  - B. Exact size, dimensions, and location of the said sign on the lot or building together with its type, construction, materials to be used, the manner of installation, sketch of layout and suggested colors;
  - C. Any other lawful information which may be required of the applicant by the Zoning Officer;
  - D. Application for permit shall be made in writing to the Zoning Officer and shall contain all information necessary for the Officer to determine whether the proposed sign, or the proposed alterations, conform to all the requirements of this Ordinance; and,
  - E. No sign permit shall be issued except in conformity with the regulations of this Ordinance, except upon order of the Zoning Hearing Board, granted pursuant to the procedures established for the issuance of a variance.

**SECTION 315      ROADWAY CLASSIFICATIONS**

For the purposes of this Ordinance, the Township's roads shall be classified in the following categories:

Arterial Roads	Major Collector Roads	Minor Collector Roads	Local Roads
<ul style="list-style-type: none"> <li>• Hartman Bridge Road (PA 896)</li> <li>• Georgetown Road (PA 896)</li> <li>• Village Road (PA 741)</li> <li>• Gap Road (PA 741)</li> <li>• Beaver Valley Pike (US 222)</li> </ul>	<ul style="list-style-type: none"> <li>• May Post Office Road</li> <li>• Strasburg Pike</li> </ul>	<ul style="list-style-type: none"> <li>• Bunker Hill Road</li> <li>• Fairview Road</li> <li>• Smithville Road</li> <li>• White Oak Road</li> <li>• Paradise Lane</li> <li>• South Ronks Road</li> </ul>	All roads not listed as arterials or collectors.

**SECTION 316      REQUIRED FRONT YARD SETBACKS**

316.1.      Except as may be specified elsewhere in this Ordinance, all principal and accessory buildings shall be set back the following distances from the centerline of various road types as identified in Section 315:

<b>Road Type</b>	<b>Minimum Setback</b>
Arterial	100 feet
Major Collector	80 feet
Minor Collector	60 feet
Local	50 feet
Cul-de-Sac Turnaround	75 feet

316.2.      All accessory structures shall be set back at least fifteen (15) feet behind the principal building line. If there is no principal building, the accessory structure shall be set back at least fifteen (15) feet behind the required principal structure front yard setback line.

**SECTION 317      ZONING REQUIREMENTS FOR USE OF ON-LOT SEWAGE DISPOSAL SYSTEMS**

317.1.      As of the effective date of this Ordinance, all future uses that rely upon on-lot sewage disposal systems shall be required to specifically test for and secure one disposal site (field, bed or trench) and another alternate disposal site. Both disposal sites shall be approved by the Sewage Enforcement Officer. Furthermore, the alternate disposal site shall be perpetually protected from excavation, construction and other activities that would result in disturbance of the soils' ability to renovate sewage effluent, until such time as the alternate field may be activated due to malfunction of the initial disposal site;

317.2.      Regardless of any maximum lot area requirements listed elsewhere in this Ordinance, the minimum required or the maximum permitted lot size may be increased to insure an acceptable level of nitrate-nitrogen in the adjoining groundwaters. Such determinations will be made by the PA DEP, through its sewer module review process. In those cases where applicable maximum lot area requirements are exceeded to protect groundwater quality, the applicant shall furnish evidence that the amount of land needed to protect local groundwater is the minimum necessary for such protection; and,

317.3      Every use relying upon on-lot sewage disposal systems shall be required to properly maintain and repair such systems.

## **SECTION 318 PERMANENT/TEMPORARY OCCUPANCY REQUIREMENTS**

No persons or family shall be permitted to permanently reside within any tent, travel trailer, bus, boat, camper, or motor home. However, temporary occupancy of a tent, travel trailer, camper, or motor home shall be permitted within an approved campground or for periods of up to fourteen (14) days in any calendar year on the property of a friend or relative.

## **SECTION 319 OPERATIONAL AND PERFORMANCE STANDARDS**

### **319.1. General Requirements**

1. Purpose - The purpose of this section is to establish guidelines for the use and operation of any use which might negatively affect or impact adjoining properties and/or the Township as a whole or in part. The primary intent of this section is to assure that commercial, industrial, intensive agriculture, or other nonresidential uses are sited, maintained, and operated in such a way that effects of such operations do not exceed explicit and acceptable levels as measured at the edge of the property on which they are sited; and,
2. Applicability - An application for a permit shall provide documentation that the intended use will comply with the operational and performance standards enumerated below. In the case of a structure being built where the future use is not known, a building permit may be issued with the condition that no certificate of occupancy will be issued until such time as this documentation is submitted with respect to the particular occupant. Continued conformance with such standards shall be a requirement for the continuance of any certificate of occupancy;

319.2. **Noise** (Rev. 3/01, 1/09, 6/11, 11/11)

1. **Maximum permissible sound levels by zoning districts.** No person shall operate or cause to be operated any source of sound in connection with a permitted commercial activity in such a manner as to create a sound level that exceeds the limits set forth in the zoning designations category in Table I hereof when measured at or across the property line (boundary) from the noise source. Any such sound source that produces a sound level in excess of those levels shall constitute a noise disturbance. Normal farming operations shall be exempt, although commercial non-farming activities, even in the Agriculture Zone, shall not be exempt. Commercial kennels shall not be exempt.

Zoning District of the Property on Which the Noise Source is Located	Sound Level Limit	
	8:00 AM to 9:00 PM	9:00 PM to 8:00 AM
Residential [Zones A, VR, R-1, R-2, RR]	55 dB(A)	50 dB(A)
Commercial [Zones RC, HC, VC, GN, RH]	65 dB(A)	60 dB(A)
Industrial/Manufacturing [Zone I]	75 dB(A)	75 dB(A)

2. **When exceeded** - The sound level limits set forth in Subsection 1, Table I, hereof shall be exceeded when any one or more of the following occur:
  - A. The sound level at any point in time exceeds any of the established zone limits in Subsection 1, Table I hereof by a measured sound level of 15 dB(A).
  - B. The sound level exceeds any of the established zone limits in Subsection 1, Table I hereof by a measured sound level of 10 dB(A) for a cumulative total of one (1) minute or more out of any ten (10) minute period; or
  - C. The sound level exceeds, except in the Industrial/Manufacturing District, any of the established zone limits in Subsection 1, Table I hereof by a measured sound level of three (3) dB(A) continually for a period of five (5) minutes, or a total of five (5) minutes out of any ten (10) minute period.
3. **Ambient sound** - In the event that the background ambient sound levels in an area of suspected noise disturbance exceed the levels set forth in Subsection 1, Table I hereof, the sound level of the intrusive sound source shall be measured with the ambient background sound level being substituted as the Table I sound level limit.
4. **Where measured** - For purposes of this section, the sound level shall be measured at or beyond the property line (boundary) of the property on which the noise source is located.

5. Pure tone and impulsive sound - For any source of sound that emits a pure tone or impulsive sound, the limits set forth in Subsection 1, Table I hereof shall be reduced by five (5) dB(A).
6. Adjustment for nonconforming uses - Any noise that occurs on property which, according to the Zoning Code, is being used in a legally nonconforming manner, and which noise relates to such use, shall be judged as if the property bore a zoning designation under which the use would be conforming. If more than one zone applies, the most restrictive permitted sound level shall apply.
7. How measured - The instrument shall be set to the A-weighting response scale and the meter to slow response. Measurements shall be conducted in accordance with ANSI S1.2-1962 (R1971), "American Standard Method for the Physical Measurement of Sound" or the latest revision thereof.

319.3. **Glare from On-Site Lighting Sources**

1. Purpose - The purpose of this section is to establish guidelines for the use and operation of all on-site outdoor lighting sources which may negatively impact adjoining residential properties and adjacent public streets. The primary intent of this section is to assure that commercial, industrial, institutional, and other nonresidential land uses do not employ outdoor lighting sources that emit excessive light beyond the lot line and onto adjacent residential properties; and,
2. Applicability and Guidelines - An application for a permit shall provide documentation that the intended use will not employ an outdoor lighting source(s) that emits an intensity in excess of 3.0 foot candles at the edge of the lot line when adjacent to a residentially zoned property or existing residential property. All lights used to illuminate such use shall be arranged as to direct the light away from all adjoining properties (Rev. 3/2016);

319.4. **Radiation**

The handling, storage or disposal of radioactive materials or radioactive waste by-products, whether or not licensed by the Atomic Energy Commission, shall be conducted only in accordance with the standards established in Title 10, Chapter 1, Part 20, of the Code of Federal Regulations, Standards for the Protection Against Radiation, as amended, and in accordance with any other applicable laws or regulations;

319.5. **Odor**

Odors due to non-agriculture operations shall not be discernible at the lot line(s) of the lot on which the use producing the odor is operating or beyond that lot line(s);

319.6. **Air Pollution**

The emission of any smoke or particulate matter shall be regulated by Title 25 of the Pennsylvania Code, Chapters 121-143, entitled Air Resources, as amended, and any applicable Federal regulations;

319.7. **Heat**

There shall be no emission of heat which would cause a temperature increase of one or more degrees Fahrenheit (1" F.) along any adjoining lot line, whether such change be in the air, in the ground or in any watercourse or water body;

319.8. **Ventilation**

No use shall obstruct the natural ventilation of adjacent uses nor contaminate the air with excessive heat or odor, as set forth in Sections 319.5. and 319.7. Further, no air conditioners or exhaust fans shall be permitted to discharge exhausted air unless set back from all property lines ten feet or equipped with baffles to deflect the discharged air away from the adjacent property;

319.9. **Fire and Explosive Hazards**

The Township shall require any proposed use, structure, process, product or material that appears to involve a fire or explosive hazard the Township to furnish a copy of the approved plans from the Pennsylvania Department of Labor and Industry showing that adequate safeguards against the origin and spread of fire have been or shall be taken in regard to such things as the construction and materials of the building or structure, the installation of safety and warning devices and the adoption of fire prevention procedures and operations. The applicant will also be required to provide a statement from the appropriate Township fire company that the applicant has complied with all applicable fire prevention regulations; and,

319.10. **Access for Persons with Disabilities**

All new, rebuilt or substantially modified commercial, industrial and institutional uses shall comply with the latest version of the Americans With Disabilities Act.

## **SECTION 320      COMMON OPEN SPACE REQUIREMENTS**

In those instances where open space is required elsewhere in this Ordinance, or when an applicant proposes the use of open space, such open space shall comply with the following:

320.1.      Required open space shall be designed and arranged to achieve at least one of the following objectives, and the applicant shall demonstrate specific measures employed to achieve these objectives:

1.    Protection of important natural resources (e.g., streams, ponds, wetlands, steep slopes, woodlands, unique geologic features, wildlife habitats, aquifer recharge areas, etc.);
2.    Protection of important historical and/or archaeological sites;
3.    Provision of usable play and recreation areas that are conveniently accessible to residents within the development and the Township; and,
4.    Integration of greenbelts throughout the development that link residences with on-site or adjoining parks, schools or other similar features.

320.2.      An essential element of the provision of open space is a written description regarding its ownership and/or disposition. Such ownership and/or disposition shall be accomplished through one of the following:

1.    An offer of dedication to the Township. The Township shall not be obligated to accept dedication of the common open space;
2.    With permission of the Township, and with appropriate deed restrictions in favor of the Township and in language acceptable to the Township Solicitor, the developer may transfer ownership of the common open space or a portion thereof to a private, nonprofit organization among whose purposes is the preservation of open space land and/or natural resources. The organization shall be a bona fide conservation organization with a perpetual existence, the conveyance must contain appropriate provision for reverter or retransfer if the organization is unable to maintain the land, and the organization must enter into a maintenance agreement with the Township; and,

3. The developer shall provide for and establish an organization for the ownership and maintenance of the common open space which shall be generally consistent with the requirements for unit owners and associations found in the Pennsylvania Uniform Condominium Act, 68 Pa. C.S. §3101 et seq. If such an organization is created, the agreements of sale and deeds for all lots shall contain the following requirements in language acceptable to the Township Solicitor:
  - A. Such organization shall not dispose of the common open space by sale or otherwise, except to the Township unless the Township has given prior written approval. Such transfer shall be made only to another organization which shall maintain the common open space in accordance with this Ordinance;
  - B. The organization and all lot owners shall enter into a maintenance agreement with the Township and shall agree to be bound by the provisions of Article VII of the Pennsylvania Municipalities Planning Code relating to the maintenance of deteriorating common open space by municipalities; and,
  - C. The Township may require the establishment of a reserve fund to provide for maintenance of or capital improvements to the common open space.

## **SECTION 321      TRAFFIC IMPACT STUDY**

### **321.1.      Applicability**

For those uses requiring a traffic study, the following requirements are applicable:

### **321.2.      Traffic Impact Study**

1. Area of Traffic Impact Study - The traffic impact study area shall be based on the characteristics of the surrounding area. The intersections to be included in the study shall be adjacent to the site or have direct impact upon the access to the site. The intersections shall be mutually agreed upon by the municipalities in which the proposed project is located and the traffic engineer preparing the study. The County Planning Commission shall be called upon to resolve any disputes between the municipality and the engineer;
2. Preparation by Transportation Engineer Required - Traffic impact studies shall be prepared under the supervision of qualified and experienced transportation engineers with specific training in traffic and transportation engineering and at least two (2) years of experience related to preparing traffic studies for existing or proposed developments;
3. Horizon Year - The traffic forecasts shall be prepared for the anticipated opening year of the development, assuming full buildout and occupancy. This year shall be referred to as the horizon year in the remainder of this section;
4. Non-Site Traffic Estimates - Estimates of non-site traffic shall be made, and will consist of through traffic and traffic generated by all other developments within

the study area for which preliminary or final plans have been approved. Non-site traffic may be estimated using any one of the following three methods: “Build-up” technique, area transportation plan data or modeled volumes, and trends or growth rates;

5. Trip Generation Rates Required - The traffic impact study report shall include a table showing the categories and quantities of land uses, with the corresponding trip generation rates or equations (with justification for selection of one or the other), and resulting number of trips. The trip generation rates used must be either from the latest edition of Trip Generation by ITE, or from a local study of corresponding land uses and quantities. All sources must be referenced in the study;
6. Consideration of Pass-By Trips - If pass-by trips or shared trips are a major consideration for the land use in question, studies and interviews at similar land uses must be conducted or referenced;
7. Rate Sums - Any significant difference between the sums of single-use rates and proposed mix-use estimates must be justified in the study report;
8. Explanations Required - The reasoning and data used in developing a trip generation rate for special/unusual generators must be justified and explained in the report;
9. Definition of Influence Area - Prior to trip distribution of site-generated trips, an influence area must be defined which contains eighty percent (80%) or more of the trip ends that will be attracted to the development. A market study can be used to establish the limits of an influence area, if available. If no market study is available, an influence area should be estimated based on a reasonable documented estimate. The influence area can also be based on a reasonable maximum convenient travel time to the site, or delineating area boundaries based on locations of competing developments;

Other methods such as using trip data from an existing development with similar characteristics or using an existing origin-destination survey of trips within the area can be used in place of the influence area to delineate the boundaries of the impact;

10. Estimates of Trip Distribution Required - Trip distribution can be estimated using any one of the following three methods:
  - A. Analogy
  - B. Trip distribution model
  - C. Surrogate data

Whichever method is used, trip distribution must be estimated and analyzed for the horizon year. A multi-use development may require more than one distribution and coinciding assignment for each phase (for example, residential and retail phases on the same site). Consideration must also be given to whether inbound and outbound trips will have similar distributions;

11. Trip Assignments - Assignments must be made considering logical routings, available roadway capacities, left turns at critical intersections, and projected (and perceived) minimum travel times. In addition, multiple paths should often be assigned between origins and destinations to achieve realistic estimates rather than assigning all of the trips to the route with the shortest travel time. The assignments must be carried through the external site access points and in large projects (those producing five hundred [500] or more additional peak direction trips to or from the site during the development's peak hour) through the internal roadways. When the site has more than one access driveway, logical routing and possibly multiple paths should be used to obtain realistic driveway volumes. The assignment should reflect conditions at the time of the analysis. Assignments can be accomplished either manually or with applicable computer models;

If a thorough analysis is required to account for pass-by trips, the following procedure should be used:

- A. Determine the percentage of pass-by trips in the total trips generated;
- B. Estimate a trip distribution for the pass-by trips;
- C. Perform two separate trip assignments, based on the new and pass-by trip distributions; and,
- D. Combine the pass-by and new trip assignment.

Upon completion of the initial site traffic assignment, the results should be reviewed to see if the volumes appear logical given characteristics of the road system and trip distribution. Adjustments should be made if the initial results do not appear to be logical or reasonable;

12. Total Traffic Impacts - Traffic estimates for any site with current traffic activity must reflect not only new traffic associated with the site's redevelopment, but also the trips subtracted from the traffic stream because of the removal of a land use. The traffic impact report should clearly depict traffic estimate and its components;
13. Capacity Analysis - Capacity analysis must be performed at each of the major street and project site access intersection locations (signalized and unsignalized) within the study area. In addition, analyses must be completed for roadway segments deemed sensitive to site traffic within the study area. These may include such segments as weaving sections, ramps, internal site roadways, parking facility access points, and reservoirs for vehicles queuing off site and on site. Other locations may be deemed appropriate depending on the situation;  
  
The recommended level-of-service analysis procedures detailed in the most recent edition of the Highway Capacity Manual must be followed. The Township considers the overall level-of-service ratings A, B, C, and D to be acceptable for signalized intersections (levels C or better are considered desirable); level-of-service E or F is considered to be unacceptable (Rev. 3/2016);  
  
The operational analyses in the Highway Capacity Manual should be used for analyzing existing conditions, traffic impacts, access requirements, or other future conditions for which traffic, geometric, and control parameters can be established;
14. Required Levels of Service - The recommendations of the traffic impact study shall provide safe and efficient movement of traffic to and from, and within and past, the proposed development, while minimizing the impact to non-site trips. The current levels of service must be maintained if they are C or D, not allowed to deteriorate to worse than C if they are currently A or B, and improved to D if they are E or F;
15. Documentation Required - A traffic impact study report shall be prepared to document the purpose, procedures, findings, conclusions, and recommendations of the study.
  - A. The documentation for a traffic impact study shall include, at a minimum:
    - a. Study purpose and objectives;
    - b. Description of the site and study area;
    - c. Existing conditions in the area of the development;
    - d. Recorded or approved nearby development;
    - e. Trip generation, trip distribution, and modal split;
    - f. Projected future traffic volumes;
    - g. An assessment of the change in roadway operating conditions resulting from the development traffic; and,

- h. Recommendations for site access and transportation improvements needed to maintain traffic flow to, from, within, and past the site at an acceptable and safe level of service;
- B. The analysis shall be presented in a straight forward and logical sequence. It shall lead the reader step-by-step through the various stages of the process and resulting conclusions and recommendations;
- C. The recommendations shall specify the time period within which the improvements should be made (particularly if the improvements are associated with various phases of the development construction), and any monitoring of operating conditions and improvements that may be required;
- D. Data shall be presented in tables, graphs, maps, and diagrams wherever possible for clarity and ease of review;
- E. To facilitate examination by the Board of Supervisors, an executive summary of one or two pages shall be provided, concisely summarizing the purpose, conclusions and recommendations (Rev. 3/2016); and
- F. The report documentation outlined above provides a framework for site traffic access/impact reports. Some studies will be easily documented using this outline. However, the specific issues to be addressed, local study requirements, and the study results may warrant additional sections; and,

321.3. **Improvements**

1. **Responsibility for Improvements** - The applicant shall be responsible for the improvements required to provide safe and convenient ingress and egress to the development site; and,
2. **Coordination with Municipal Requirements** - The applicant shall be responsible for other improvements as may be agreed to with the Board of Supervisors to be installed or paid for by the applicant consistent with provisions of Article V-A of the Act.

## **SECTION 322      REQUIRED NUTRIENT MANAGEMENT PLANS**

All intensive agricultural animal operations with more than two thousand (2,000) pounds live weight of livestock or poultry per acre shall comply with the Pennsylvania “Nutrient Management Act” of 1993, as may be amended.

## SECTION 323      STEEP SLOPE REQUIREMENTS (Rev. 4/17)

### 323.1.      **Procedure**

An application for construction or land disturbance within the Steep Slope area shall be submitted in accordance with Section 323.5. Any area of the Steep Slope that falls within the subject lot or lots shall be delineated on the site plan required under Section 323.5 through shading of such area or areas.

### 323.2.      **Designation of Steep Slope Areas**

1. Steep slope areas consists of two (2) areas that are delineated and defined as follows:
  - A. **Prohibitive Slope** - Prohibitive slopes are those of twenty-five percent (25%) or greater slope (e.g., sloping twenty-five (25) feet or more vertical over a distance of one hundred (100) feet horizontal). Slopes shall be deemed prohibitive when there are five (5) adjacent contour intervals of two (2) feet each such that, in aggregate, they delineate a slope of at least twenty-five percent (25%).
  - B. **Precautionary Slope** - Precautionary slopes are those of fifteen percent (15%) to twenty-five percent (25%) slope [e.g., sloping fifteen (15) to twenty-five (25) feet vertical over a distance of one hundred (100) feet horizontal]. Slopes shall be deemed precautionary when there are four (4) adjacent contour intervals of two (2) feet each such that, in aggregate, they delineate a slope between fifteen percent (15%) and twenty-five percent (25%).
2. Steep slopes shall be determined by either aerial photogrammetric methods or by field survey. The contour intervals shall be set forth at no more than two (2) feet per interval on slopes less than twenty-five percent (25%) and may be set forth at five (5) feet per interval on slopes over twenty five percent (25%). U.S.G.S. 7.5 minute Quadrangles may be used as the source of slope information, subject to the approval of the Zoning Officer upon the recommendation of the Township Engineer.
3. In instances where interpretation is required to determine the exact location of the steep slope boundaries, an initial determination shall be made by the Township Engineer. Any party seeking such a determination may submit a topographic survey of the property and any other pertinent documentation for consideration. The Township Engineer shall prepare a written report of his initial determination, a copy of which shall be provided to the Board of Supervisors.
4. Any party aggrieved by any such determination of the Township Engineer or other decision or determination under this Section may appeal to the Zoning Hearing Board. The party contesting the location of the steep slope boundary shall have the burden of proof in such appeal.

323.3. **Uses Permitted by Right**

1. In any part of the steep slope area, no grading shall be undertaken except where approved in conjunction with a use permitted under the terms of this Section.
2. The following uses shall be permitted by right in areas of prohibitive slope, provided they are in compliance with all other applicable provisions of this Ordinance and shall not involve the erection of buildings, construction of streets, installation of sewage disposal systems, or removal of top soil.
  - A. Parks and outdoor recreational uses.
  - B. Yard areas of a building.
  - C. Pasture and other agricultural activities such as tree farming that do not expose the soil to erosion.
  - D. Forestry, (logging and woodcutting, where such activity does not involve clear-cutting), is limited to selective removal of trees and maximum precautions are taken to avoid destruction of or injury to the understory.
3. The following uses shall be permitted by right in areas of precautionary slope, provided they are in compliance with the base Zone and all other applicable provisions of this Ordinance.
  - A. All uses permitted in areas of prohibitive slopes.
  - B. Tree farming, forestry, and other agricultural uses when conducted in conformity with conservation practices, including minimum tillage methods, approved by the Conservation District.
  - C. Single family dwellings and earthmoving activities associated with such use.
  - D. Accessory uses (except swimming pools), necessary for the operation and maintenance of the above permitted uses.
4. On any lot, the maximum extent of areas classified as precautionary slopes that may be permanently disturbed for the installation of site improvements shall be limited to twenty percent (20%) of the precautionary slope area, or ten percent (10%) of the lot area, whichever is the lesser, subject to the approval of the Zoning Officer upon recommendation of the Township Engineer. Any such disturbance in excess of either twenty percent (20%) of the precautionary slope area or ten percent (10%) of the lot area shall require a special exception. On any lot, the total amount of impervious surface that may be installed within areas of precautionary slope shall not exceed twenty percent (20%) of the total impervious area permitted under the base Zone.

323.4. **Uses Permitted by Special Exception**

Any of the following uses are permitted within the precautionary steep slope areas when approved as a special exception in accordance with Section 604.3 herein:

1. Any structure permitted by right, special exception, or conditional use under the base zoning district other than single family dwellings.
2. Any road necessary to provide primary access to a use permitted by this Ordinance, when no practical alternative, in an area of lesser slope, exists.

In areas of precautionary slopes, the above uses shall demonstrate that there are no alternatives to encroachment. In making its determination, the Zoning Hearing Board shall give particular consideration to the criteria and standards in Section 323.6, below.

323.5. **Administration**

Administration of this Section is governed by Article 7. In addition, the following specific requirements shall apply:

1. Application Procedures - Prior to the issuance of a permit for any construction or land disturbance in steep slope areas, the following shall be submitted for review by the Zoning Officer and the Zoning Hearing Board where such application involves a special exception use:
  - A. An earth moving plan for the property, drawn to a scale of not less than one inch equals fifty feet (1" = 50'), that indicates existing grades, with contour lines at two (2) foot intervals, and proposed grades within the area of any proposed activity, disturbance, or construction. All areas of prohibitive and/or precautionary slope shall be shaded accordingly.
  - B. A site plan, drawn to a scale of not less than one inch equals one hundred feet (1" = 100'), indicating existing and proposed structures, other impervious surfaces, storm drainage facilities and retaining walls. The site plan also shall locate and identify existing vegetation and ground cover within areas of prohibitive and precautionary slopes, as well as proposed landscaping material to be installed.
  - C. Architectural plans, elevations, and sections, drawn to a scale of not less than one eighth inch equals one foot (1/8" = 1'), with such specifications as may be pertinent.
  - D. A statement signed and sealed by a registered architect or engineer, explaining the building methods to be used in overcoming foundation and other structural problems created by slope conditions, preserving the natural watersheds, and preventing soil erosion and excessive surface water runoff to neighboring properties and/or streets.
  - E. Engineering plans, profiles, and typical cross-sections, sealed by a registered professional engineer, of any proposed street, emergency access or driveways within areas of precautionary slopes.

- F. A sediment and erosion control plan, with construction narrative, setting forth the measures to control sediment generated on site by the proposed activity. The plan shall be prepared according to the standards and procedures established by the Conservation District and the PA DEP.
  - G. A statement, signed by the owner or future occupant at the time of subdivision, land development, or building permit application, that there is a full understanding of any problems that may be associated with access due to steep slopes. In the case of subdivisions and land developments, such statement shall appear as a note on the final plan.
2. No zoning permit shall be issued by the Zoning Officer and no special exception shall be granted by the Zoning Hearing Board without the Township Engineer's review of the application and recommendation thereon.

323.6. **Standards and Criteria for Review of Special Exceptions**

In evaluating any application for a special exception for steep slope disturbance, the Zoning Hearing Board shall determine consistency of the proposal with the following:

- 1. Disturbance to particularly sensitive features of the site shall be minimized. Special emphasis in planning for the site should be given to the protection of:
  - A. The areas of steepest slope, especially those approaching or exceeding twenty-five percent (25%).
  - B. Soils with seasonal high water table.
  - C. Underlying geology that comprises or contributes to a major groundwater resource including the flow of existing springs.
- 2. Disturbance shall be minimized where the length or area of steep slopes, both on the site and on adjacent lands within two hundred (200) feet of the site is extensive.
- 3. The proposed development, any impervious ground cover, and the resultant disturbance to the land and existing vegetative cover will not cause runoff and/or related environmental problems off-site.
- 4. Removal of, or disturbance to, existing vegetation on the site shall be minimized. The proposed impacts on existing vegetation shall be evaluated in terms of the potentially detrimental effects on slope stability, transportation and recharge of storm water, aesthetic and traditional characteristics of the landscape, and existing drainage patterns. The Zoning Hearing Board, at its discretion, may require mitigation measures.
- 5. The design, construction procedures, and sediment and erosion control measures are such that there is no risk of damage or impairment to adjacent slopes, neighboring properties, or down-slope watercourses as a result of the proposed activities.

6. Important visual qualities of the site shall, to the maximum extent feasible, be retained. In addition to vegetation, these may include hilltops/ridgelines, rock outcroppings, topography and the natural terrain of the site.
7. Road construction shall follow the natural topography, with cuts, fills and grading minimized.
8. Innovative building techniques that are well suited to slope conditions shall be encouraged, consistent with other applicable codes and regulations.
9. Disturbance to the equilibrium of the slope, as characterized by the existing inter relationships among soil, water, and vegetation, shall be minimized.
10. Finished slopes of all cuts and fills shall not exceed thirty three percent (33%), unless the applicant can demonstrate that steeper slopes can be stabilized and maintained to the satisfaction of the Township Engineer.
11. Exposed cut slopes below prohibitive slopes shall be protected, to the greatest extent practicable, by engineered retaining walls or other structures to maintain the stability of the disturbed slopes and reduce the risk of harm by reason of erosion and potential slope failure that could result in mudslides.
12. In addition to all other applicable provisions of this Ordinance, all activities within steep slope areas shall conform to the requirements of Strasburg Township Stormwater Management Ordinance.

## **SECTION 324 WELL DRILLING REQUIREMENTS**

### **324.1. Procedure**

All applications submitted subject to this section shall be reviewed and approved by the Zoning Officer after review by any other specified agent of the Township. Should the Zoning Officer determine that the applicant's statement does not adequately meet the requirements, the application shall be denied;

324.2. **General Requirements**

Prior to the subdivision or land development of one (1) or more lots which would be served by individual wells or a community water system, and prior to the issuance of zoning permits for pre-existing lots which would be so served, the applicant shall demonstrate compliance with the following requirements:

1. All proposed wells shall be drilled and well water yields tested and evaluated by a qualified water well driller, geologist or professional engineer. A well water yield test shall be conducted for a minimum of one (1) hour at a fixed rate of water removal of three (3) gallons per minute for each unit of occupancy. It is recommended, but not required, that a pump be installed to measure well water yield, because of its greater accuracy over bailing methods. It is further recommended, but not required, that well water yield not be measured until 24–48 hours after drilling and any installation of a pump, to allow the water level to recover and to ensure greater accuracy in reported well water yields. A data sheet shall be prepared showing the following for each pumped well:
  - A. The date;
  - B. Clock time;
  - C. Elapsed time since water removal started/stopped;
  - D. Depth to water below land surface before and after water removal;
  - E. Drawdown or recovery in feet and inches; and
  - F. Specific capacity of the well;
2. A water quality test shall be conducted concurrently with the well water field test by a certified laboratory. Such test shall demonstrate that the quality of the water tested either meets the minimum public health drinking water standards or is capable of being treated to attain such standard, in which case approval shall be conditioned on receipt of such treatment;
3. The data sheet and summary of test results, together with recommendations as to the suitability of the well or wells for the intended uses and the results of the water quality test, shall be provided to the Township Zoning Officer (Rev. 3/2016);
4. All wells shall be shown to be capable of supplying potable water at a minimum rate of four hundred (400) gallons per day per unit of occupancy at a demand rate of not fewer than three (3) gallons per minute for one (1) hour, either with or without the use of a storage system;

6. If a storage system is needed to meet the above minimum requirements, the applicant shall note the recommended capacity of such storage system together with well water yield and well water quality results on any subdivision or land development plan. The Zoning Officer shall make a note of the same information on all subsequent zoning permits issued for the subject property;
7. Where a high-yield well is proposed, or a subdivision plan requires more than 5 individual wells or a community water system serving more than 5 residences, the applicant shall conduct a Water Feasibility Study (Section 326) and shall submit the results of that study to the Zoning Officer along with the well yield and water quality test results. The applicant shall also provide the Zoning Officer with evidence to show that all applicable state and federal requirements shall be met by the group of wells or the high-yield well requiring the Water Feasibility Study; and (11/00 and 3/2016)
8. It is recommended, but not required, that prior to the drilling of well, the applicant consult with the Township Planning Commission for a pre-application review of a sketch plan for the proposed subdivision to determine its consistency with the requirements of the Subdivision and Land Development Ordinance. (Rev.11/00 and 3/2016)

## **SECTION 325 MATERIALS AND WASTE HANDLING REQUIREMENTS**

- 325.1. All principal commercial, industrial, institutional, health-care related uses, and farm and rural occupations, shall be required to provide detailed information regarding materials and waste handling, including:
1. Listing of all materials to be used and/or produced on the site;
  2. Listing of all wastes generated on the site; and,
  3. Written evidence that the storage, treatment, processing, transfer, and disposal of all materials and wastes shall be accomplished in a manner that complies with all applicable Federal, State, County, and municipal requirements, including, but not limited to, the following:
    - A. the Pennsylvania Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101);
    - B. the Pennsylvania Solid Waste Management act (Act 97);
    - C. the Federal Emergency Management Act;
    - D. the Federal Superfund Amendment and Reauthorization Act;
    - E. the Pennsylvania Hazardous Materials Emergency Planning and Response Act; and,
    - F. the Pennsylvania Low-Level Radioactive Waste Disposal Act.

## SECTION 326 WATER FEASIBILITY STUDY

### 326.1. Applicability

For those uses requiring a water feasibility study, including any high-yield well and any subdivision of more than 5 individual residences, the following requirements are applicable: (Rev.11/00)

326.2. The applicant shall submit an analysis of raw water needs (groundwater or surface water) from either private or public sources, indicating quantity of water required. If the source is from a municipal system, the applicant shall submit documentation that the public authority will supply the water needed.

In addition, if the facility is to rely upon non-public sources of water, a water feasibility study will be provided to enable the municipality to evaluate the impact of the proposed development on the groundwater supply and on existing wells. The purpose of the study will be to determine if there is an adequate supply of water for the proposed development and to estimate the impact of the new development on existing wells in the vicinity. The water feasibility study shall be reviewed by the municipal engineer at the applicant's expenses.

A water system which does not provide an adequate supply of water for the proposed development, considering both quantity and quality, or does not provide for adequate groundwater recharge, considering the water withdrawn by the proposed development, shall not be approved by the municipality.

326.3. A water feasibility study shall include the following information:

- Calculations of the projected water needs;
- A geologic map of the area with a radius of at least one mile from the site;
- The location of all existing and proposed wells within one thousand (1,000) feet of the site, with a notation of the capacity of all high-yield wells;
- The location of all existing on-lot sewage disposal systems within one thousand (1,000) feet of the site;
- The location of all streams within one thousand (1,000) feet of the site and all known point sources of pollution;
- Based on the geologic formation(s) underlying the site, the long-term safe yield shall be determined;
- A determination of the effects of the proposed water supply system on the quantity and quality of water in nearby wells, streams, and the groundwater table and,
- A statement of the qualifications and the signature(s) of the person(s) preparing the study.

## SECTION 327 --RESERVED--

## **SECTION 328 HISTORIC RESOURCES PROTECTION**

### **328.1 Purpose**

The purpose of historic resources protection is to promote the general welfare of Strasburg Township through the following goals:

1. To discourage the demolition of historic resources; and
2. To implement the following sections of the MPC: Section 603(b)(5) which states that zoning ordinances may permit, prohibit, regulate, restrict and determine protection and preservation of natural and historic resources. Section 603(g)(2) which states that “zoning ordinances shall provide for protection of natural and historic features and resources; Section 604(1) which states that “the provisions of zoning ordinances shall be designed to promote protect and facilitate any or all of the following: . . . preservation of the natural, scenic and historic values . . .”; and Section 605(2)(vi) whereby uses and structures at or near places having unique historical, architectural or patriotic interest or value may be regulated.

### **328.2. Applicability**

This Section shall be applicable to an historic resource as defined herein. An historic resource is identified as one of the following:

1. Historic resources listed on the National Register of Historic Places, as it may be amended, and the lots on which they are located.
2. Historic resources listed on any register of historic places compiled or maintained by the Commonwealth or any of its agencies, as it may be amended, and the lots on which they are located.
3. Historic resources as listed in the Strasburg Regional Comprehensive Plan and the lots on which they are located.

**Demolition, Removal or Relocation of Historic Resources**

1. General Requirements. Demolition, removal or relocation of a historic resource shall be regulated in accordance with this Section. No historic resource shall be demolished, removed or otherwise relocated without a permit obtained under this provision except for emergency demolitions.
  - A. Emergency demolitions to protect the health, safety and welfare of the citizens of Strasburg Township are regulated under the Township Building Code or its successors and the provisions of that code shall take precedence over the provisions contained herein.
2. Application Procedures. All applications for demolition, removal or relocation of historic resources shall be referred by the Zoning Officer to the Board of Supervisors to hear and decide such request as a conditional use. The Board of Supervisors shall have the authority to permit or deny demolition, removal or relocation of the historic resource.
3. Criteria for Review. Applicants for conditional use approval to demolish, remove, or relocate a historic resource in whole or in part must provide a written statement as to whether the following statements are correct and provide detailed substantiation for each statement which is believed to be correct. In each instance the burden of proof is on the applicant to demonstrate that the applicant has been deprived any profitable use of the relevant parcel as a whole. The decision of the Board of Supervisors shall be based upon a review of the information submitted by the applicant against all criteria and not any one criterion. The goals and development objectives of the Township shall also be considered.
  - A. It is not feasible to continue the current use.
  - B. Other uses permitted within the Zone, either as permitted uses, special exception uses, or conditional uses, have been denied or are not feasible due to constraints on the building or structure.
  - C. Adaptive use opportunities do not exist due to constraints related to the building, structure or property.
  - D. The building, its permitted uses, and adaptive use potential does not provide a reasonable rate of return, based on a reasonable initial investment. Such reasonable rate of return shall be calculated with respect to the property taken as a whole.
  - E. The applicant has not contributed to the existing conditions, either through neglect or prior renovation, conversion, alteration or similar physical action.
  - F. The demolition will not adversely affect the character of the property, streetscape, neighborhood or community.
  - G. A proposed new building, structure or use (if applicable) on or of the property will not adversely affect the character of the streetscape, neighborhood or community.

- H. The building is structurally unsound.
  - I. The denial of demolition would result in unreasonable economic hardship to the owner.
  - J. Sale of the building or structure is impossible or impractical.
  - K. Denial of demolition will deprive the property as a whole of all beneficial use.
4. Associated Land Development Plan - If the application for an approval for the demolition, removal or relocation of a historic resource is being requested to facilitate future development of the land, the said permit shall not be issued until the following additional requirements have been satisfied.
- A. Approval of the land development plan by the Board of Supervisors
  - B. Issuance of any necessary zoning approvals; and
  - C. The recording of the approved subdivision or land development plan for the parcel where the demolition, removal or relocation is proposed.
5. Pre-demolition Requirements - In those instances where an application for demolition is approved, the building(s) to be demolished shall be historically and photo-graphically documented. The extent of the documentation will be determined by the significance of the building(s). When documentation is complete the building shall be dismantled and recycled to the greatest extent possible.