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PART 1
INTERPRETATION AND DEFINITIONS

§ 27-101. Short Title. [Ord. 1985-3, 6/12/1985, 101]

This Chapter shall be known as the "Smithfield Township Zoning Ordinance."

§ 27-102. Interpretation. [Ord. 1985-3, 6/12/1985, 102]

In interpreting and applying the provisions of this Chapter, they shall be held to be the minimum requirements for the promotion of the health, safety, morals and general welfare of the Township. It is not intended to interfere with or abrogate or annul other rules, regulations or ordinances of the Township, provided that where this Chapter imposes a greater restriction upon the use of buildings or premises, or upon the height of buildings, or requires larger open spaces than are imposed by either other rules, regulations or ordinance, the provisions of this Chapter shall control.

§ 27-103. Definition of Terms. [Ord. 1985-3, 6/12/1985, § 103; as amended by Ord. 1989-2, 5/15/1989, § 2; by Ord. 1997-7, 10/13/1997, § 1; and by Ord. 1997-8, 11/10/1997, § 1]

Unless otherwise expressly stated, the following words shall, for the purpose of this Chapter, have the meaning herein indicated. The singular includes the plural. The word "person" includes a corporation as well as an individual. The word "lot" includes also a "plot" or "parcel." The term "shall" is always mandatory. Words used in the present tense shall include the future. The word "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged or designed to be used or occupied."

ACCESSORY BUILDING — A detached subordinate building, the use of which is customarily incidental and subordinate to that of the principal building, and which is located on the same lot as that occupied by the principal building; provided, however, that accessory buildings in the Planned Business Center District may be located on a lot other than that containing the principal building, but in such event the accessory building shall necessitate the filing of a land development plan.

ACCESSORY STRUCTURE — A detached subordinate structure, the use of which is customarily incidental and subordinate to that of the principal structure or building and which is located on the same lot as that occupied by the principal building or structure; provided, however, that accessory structures in the Planned Business Center District may be located on a lot other than that containing the principal building or structure, but in such event the accessory building or structure shall necessitate the filing of a land development plan.

ACCESSORY USE — A use customarily incidental and subordinate to the principal use of the land or principal building and located on the same lot

with such principal building; provided, however, that accessory uses located within the Planned Business Center District may be located in a building or on a lot other than that containing the principal use or principal building, but in such event the accessory building or structure shall necessitate the filing of a land development plan.

ADULT DAY CARE CENTER — A building or space in a building and grounds in which, on a regular basis for a fee, care is provided to adults who are in need of supervision because of their mental or physical condition. It does not include any establishment which provides overnight care of stays of any kind. This term is not synonymous with the terms "recreation area" or "recreation facility."

ALLEY — A public thoroughfare which affords only a secondary means of access to abutting property and not intended for general traffic circulation.

ALTERATIONS — As applied to a building or structure means a change or rearrangement in the structural parts or in the exit facilities, or an enlargement, whether by extending on a side or by increasing in height, or the moving from one locate or position to another.

ALTERATIONS, STRUCTURAL — Any changes in the support members of a building such as bearing walls, columns, beams or girders.

APARTMENT, CONVERSION — A dwelling altered by converting an existing dwelling into apartments for three or more families without substantially altering exterior of the building.

APARTMENT HOUSE — A building arranged, intended or designed to be occupied by three or more families living independently of each other.

AREA, BUILDING — The total of areas taken on a horizontal plane at the main grade level of the principal building and all accessory buildings, exclusive of uncovered porches, terraces and steps.

AREA, NET SITE — The total area within the property lines excluding external streets.

AUTO COURT — A building or group of buildings, whether detached or in connected units, used as individual sleeping or dwelling units designed primarily for transient automobile travelers and providing for accessory off-street parking facilities. The term "auto court" includes buildings designated as tourist courts, motor lodges, motels and similar appellations.

BASEMENT — A story partly underground but having a least 1/2 of its height above the average level of the adjoining ground. A basement shall be counted as a story for the purposes of height measurement if the vertical distance between the ceiling and the average level of the adjoining ground is more than five feet or if used for business or dwelling purposes.

BOARDING HOUSE — Any dwelling in which more than three persons, either individually or as families, are housed or lodged for hire with or without meals. A rooming house and a dormitory shall be deemed a boarding house.

BUILDING — A combination of materials to form a permanent structure having walls and a roof and including mobile homes.

BUILDING, ACCESSORY — A subordinate building or a portion of the main building on a lot, the use of which is customarily incidental to that of the main or principal building.

BUILDING, DETACHED — A building surrounded by open space on the same lot.

BUILDING, FRONT LINE OF — The line of that face of the building nearest the front line of the lot. This face includes sun parlors, covered porches and covered patios, whether enclosed or unenclosed but does not include steps.

BUILDING, HEIGHT OF — The vertical distance measured from the average elevation of the finished grade at the front of the building to the highest point of the roof for flat roofs, to the deck line of mansard roofs and to the main height between eaves and ridge for gable, hip and gambrel roofs.

BUILDING LINE — That line established by the required minimum setback from the street right-of-way for buildings and/or structures for the district involved. The building line shall be the point at which the lot width shall be measured.

BUILDING, PRINCIPAL — A building in which is conducted the principal use of the lot on which it is located.

BUSINESS SERVICES — Establishments primarily engaged in rendering services to business establishments on a fee or contract basis, such as advertising and mailing, building maintenance, employment services, management and consulting services, protective services, equipment rental and leasing, commercial research, development and testing, photo finishing and copying services and personal supply services.

CAMP — Any one or more of the following, other than a hospital, place of detention or school offering general instruction:

- (1) **TYPE 1** — Any area of land or water on which are located two or more cabins, tents, trailers, shelters, houseboats or other accommodations of a design or character suitable for seasonal or other temporary living purposes, regardless of whether such structures or other accommodation actually are occupied seasonally or otherwise.
- (2) **TYPE 2** — Any building or group of buildings, other than buildings constituting a camp-Type 1, used for temporary or seasonal living

purposes other than: (1) normal residential occupancy of the dwelling of a type permitted in the district in which situated or (2) normal occupying of a hotel, rooming house, tourist home or automobile court

- (3) TYPE 3 — Any land, including any building thereon, used for any assembly of persons for what is commonly known as "day camp" purposes; and shall apply to any of the foregoing establishments whether or not conducted for profit and whether occupied by adults or children, whether as individuals, families or groups.

CAMPING GROUND — A parcel of land used or intended to be used, let or rented for occupancy by campers or for occupancy by or of trailers, tents or movable or temporary dwellings, rooms or sleeping quarters of any kind.

CARPORTS — See, "garage, private."

CELLAR — A story partly underground and having more than 1/2 of its clear height below the average level of the adjoining ground. A cellar shall not be considered in determining the permissible number of stories.

COURT — An unoccupied open space, other than a yard, on the same lot with a building, which is bounded on two or more sides by the walls of such building.

COURT, INNER — A court enclosed on all sides by exterior walls of a building or by exterior walls and lot lines on which walls are allowable.

COURT, OUTER — A court enclosed on not more than three sides by exterior walls and lot lines on which walls are allowable, with one side or end open to a street, driveway, alley or yard.

COVERAGE — That percentage of the plot or lot area covered by the area of all buildings on the lot.

CURB LEVEL — The officially established grade of the curb in front of the midpoint of the lot.

DEVELOPMENT — Any man-made change to improved or unimproved real estate including, but not limited to, buildings or other structures, the placement of mobile homes, streets and other paving, utilities, filling, grading, excavation, mining, dredging or drilling operations and the subdivision of land.

DOG KENNEL — The keeping of more than three dogs that are more than six months old.

DORMITORY — See "boarding house."

DUMP — A lot or land or part thereof used primarily for the disposal by abandonment, dumping, burial, burning or any other means and for whatever purpose of garbage, sewage, trash, refuse, junk, discarded machinery, vehicles or part thereof, or waste material of any kind.

DWELLING — A building designed or used for residential occupancy as the living quarters for one or more families. The terms "dwelling," "one-family dwelling," "multiple dwelling," "two-family dwelling" or "dwelling group" shall not be deemed to include automobile court, rooming house, tourist home, motel or hotel.

DWELLING, ONE-FAMILY — A building designed for or occupied exclusively by one family.

DWELLING, ONE-FAMILY DETACHED — A building accommodating but a single family and having two side yards.

DWELLING, TWO-FAMILY — A building designed specifically for or occupied exclusively by two families living independently of each other and of one story or two story design.

DWELLING, MULTIPLE — A building used or designed as a residence for three or more families living independently of each other and doing their own cooking therein, including apartment houses, apartment hotels, condominiums and group houses.

DWELLING, GROUP — A group of two or more one-family, two-family or multiple dwellings occupying a lot in one ownership and having any yard in common.

DWELLING, ROW — A dwelling, the walls on two sides of which are in common with the walls of adjoining dwellings and are party or lot line walls.

DWELLING UNIT — A building or portion thereof providing complete housing keeping facilities for one family.

ELECTRIC SUBSTATION — An assemblage of equipment for purposes other than generation or utilization, through which electric energy in bulk is passed for the purpose of switching or modifying its characteristics to meet the needs of the general public.

FAMILY — One or more persons who live together in one dwelling unit and maintain a common household. May consist of a single person or of two or more persons, whether or not related by blood, marriage or adoption. May also include domestic servants and gratuitous guests.

FARM — Any parcel of land containing at least 10 acres which is used in the raising of agricultural products, livestock, poultry and dairy products. It includes necessary farm structures within the prescribed limits and the

storage of equipment used. It excludes the raising of fur bearing animals, riding academies, livery or boarding stables and dog kennels.

FLOOR AREA OF A BUILDING — The sum of the gross horizontal areas of the several floors of a building and its accessory buildings on the same lot, excluding cellar and basement floor areas not devoted to business or dwelling purposes but including the area of roofed porches and roofed terraces. All dimensions shall be measured between exterior faces of walls.

FLOOR AREA, HABITABLE — The aggregate of the horizontal areas of all rooms use for habitation, such as living room, dining room, kitchen, rooms or utility rooms, bathroom, closets, nor unheated areas such as enclosed porches, nor rooms without at least one window or skylight opening onto an outside yard or court. At least 1/2 of the floor area of every habitable room shall have a ceiling height of not less than seven feet and the floor area of that part of any room where the ceiling height is less than five feet shall not be considered as part of the habitable floor area. The minimum total window area, measured between stops shall be 10% of the habitable floor area of such room.

FLOOR AREA RATIO OF A BUILDING — The quotient of the sum of all the floor area of a building divided by its lot area.

GARAGE, PRIVATE — An enclosed or partly enclosed space for the storage or one or more motor vehicles, provided that no business, occupation or service is conducted for profit therein nor space therein for more than one car is leased to a nonresident of the premises. For the purpose of this Chapter, the term "private garage" shall include the term "carport."

GARAGE, PUBLIC — Any garage not a private garage and which is used for storage, parking, repair, rental, servicing or supplying of gasoline or oil to motor vehicles.

GRADE, ESTABLISHED — The elevation of the center line of the streets as officially established by the municipal authorities.

GRADE, FINISHED — The completed surfaces of lawns, walks and roads brought to grades as shown on official plans or designs relating thereto.

HOME OCCUPATION — An accessory use customarily conducted entirely within a dwelling and carried on by the inhabitants thereof, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof.

HOSPITAL — A place for the diagnosis, treatment or other care of humans and having facilities for inpatient care including such establishments as a sanatorium, sanitarium and preventorium.

HOTEL — A building containing rooms intended or designed to be used or which are used, rented or hired out to be occupied or which are occupied for sleeping purposes by guests and where only a general kitchen and dining room are provided within the building or in an accessory building.

HOUSE TRAILER — See "recreation vehicle."

JUNKYARD — See "scrap yard."

LAUNDROMAT — A business premises equipped with individual clothes washing machines for the use of retail customers, exclusive of laundry facilities provided as an accessory use such as in the case of apartment houses.

LINE, STREET — The dividing line between the street right-of-way and the lot.

LODGING HOUSE — A building in which three or more rooms are rented and in which meals are not served.

LOT — Land occupied or to be occupied by a building and its accessory buildings or by a dwelling group and its accessory buildings, together with such open spaces as are required under the provisions of this Chapter, having not less than the minimum area and width required by this Chapter for a lot in the district in which such land is situated, and having its principal frontage on a street or on such other means of access as may be determined in accordance with the provisions of law to be adequate as a condition of the issuance of the zoning or building permit for a building on such land.

LOT OF RECORD — A parcel of land held in single and separate ownership described by a recorded deed or other legal instrument which may or may not conform to the minimum regulations required herein.

LOT, CORNER — A parcel of land at the junction of, and fronting on, two or more intersecting streets.

LOT, INTERIOR — A lot other than a corner lot.

LOT, THROUGH — An interior lot having frontage on two parallel or approximately parallel streets.

LOT LINES — The lines bounding a lot as defined herein.

MOBILE HOME — Any structure intended for or capable of human habitation with or without wheels and capable of being driven, propelled, transported or towed from place to place by whatsoever name or title it is colloquially or commercially known. Provided, that this definition shall not include transport trucks or vans equipped with sleeping space for a driver or

drivers, or unoccupied vehicles, whether self propelled or not, commonly referred to as campers and travel vans, or sectional and/or fabricated homes hauled on trucks or other vehicles.

MOBILE HOME, DEPENDENT — A mobile home equipped with a toilet and bathtub or shower.

MOBILE HOME, INDEPENDENT — A mobile home equipped with a toilet and bathtub or shower.

MOBILE HOME, PERMANENT — Shall be construed to mean an independent mobile home with wheels, tow bar or other means of propulsion removed and the unit firmly affixed to a permanent foundation which is located on a lot in accordance with the controls, regulations and standards set forth for the district in which the mobile homes are to be located. A permanent foundation shall be of masonry construction upon footers set below frost line and oriented to the frame of the mobile homes so as to provide a weather tight joint on all four sides.

NONCONFORMING STRUCTURE — A structure or part of a structure manifestly not designed to comply with the applicable use provisions of this Chapter or amendment heretofore or hereafter enacted, where such structure lawfully existed prior to the enactment of this Chapter or such amendment. Such nonconforming structures include, but are not limited to, nonconforming signs.

NONCONFORMING USE — A use, whether of land or of structure, which does not comply with the applicable use provisions of this Chapter or amendment heretofore or hereafter enacted, where such use was lawfully in existence prior to the enactment of this Chapter or such amendment.

NURSING OR CONVALESCENT HOME — Any structure containing sleeping rooms where persons are housed or lodged and furnished with meals and nursing care.

ONE-HUNDRED-YEAR FLOOD — A flood that, on the average, is likely to occur once every 100 years (i.e., that has a 1% chance of occurring each year, although the flood may occur in any year); for the purpose of this Chapter, the regulatory flood.

OPEN SPACE — A space, not occupied by a structure, open to the sky and on the same lot with the building or structure.

PARKING GARAGE/DECK — An enclosed or covered space used exclusively for the parking of vehicles.

PARKING SPACE — The area required for parking one automobile, which in this Chapter is held to be an area of not less than 180 square feet, nine feet wide and 20 feet long, plus space for access and passageways.

PREMISES — Any lot, parcel or tract of land and any building constructed thereon.

PLAT — A map, plan or layout of a subdivision indicating the location and boundaries of individual properties.

QUARRY, SAND PIT, TOPSOIL STRIPPING — A lot or land or part thereof used for the purpose of extracting stone, sand, gravel or topsoil for sale or for processing into a product for sale and exclusive of the process of grading a lot preparatory to the construction of a building.

RECREATION, ACTIVE — Leisure time activities, usually of a more formal nature and performed with others, often requiring equipment and taking place at prescribed places, sites or fields.

RECREATION, PASSIVE — Any leisure time activity not considered active.

RECREATION VEHICLE — Any portable or mobile vehicle used or designed to be used for travel, recreation and/or living purposes, and with its wheels, rollers or skids in place. A recreation vehicle shall include trailer, house trailer, camper, sleigh, golf cart, boat, boat trailer, airplane or other similar vehicle providing partial and usually temporary living and sleeping quarters and which may or may not include kitchen and bathroom conveniences.

RECREATION VEHICLE PARK — A tract of land:

- (1) Where two or more recreation vehicles are parked.
- (2) Which is used or held out for the purposes of supplying to the public a parking space for two or more recreational vehicles.

REGULATORY FLOOD ELEVATION — The elevation of the one-hundred-year flood; the one-hundred-year flood elevation plus a freeboard safety factor of 1 1/2 feet.

RESIDENTIAL HOTEL — A dwelling occupied by permanent guests only and not by transients. It may include restaurants, newsstands and other accessory services primarily for serving its occupants and only incidentally the public.

RESIDENTIAL ACADEMY — Any establishment where horses are kept for riding, driving or stabling for compensation or incidental to the operation of any club, association, ranch or similar establishment.

SANITARIUM, SANATORIUM — A private hospital, whether or not such facility is operated for profit.

SCRAP YARD — A lot, land or structure, or part thereof, used primarily for the collecting, storage or sale of waste paper, rags, scrap metal or discarded material; or for collecting, dismantling, storage or salvaging of machinery or

vehicles not in running condition, or for the sale of parts thereof. Such uses shall be classified as industrial.

SERVICE STATION, AUTOMOTIVE — Any area of land, including structures thereon, that is used or designed to be used for the supply of gasoline or oil or other fuel for the propulsion of motor vehicles and which may include facilities used or designed to be used for polishing, greasing, washing, dry cleaning or otherwise cleaning or servicing such motor vehicles. Automotive parts may be sold.

SHOPPING CENTER, COMMUNITY — A shopping center featuring a junior department store and containing approximately 150,000 square feet of gross leasable area and having a site area of 10 to 25 acres.

SHOPPING CENTER, REGIONAL — A shopping center containing a wide range of retail and service establishments, occupying 50 to 100 acres of land, having at least one or more anchor stores, and containing more than 400,000 square feet of gross leasable space.

SIGN [Amended Ord. 2014-1, 12/9/2014, effective 1/1/2015] —

- (1) A structure, object, device, display, light, figure, painting, drawing, message, plaque, poster, billboard or natural object, or part thereof, including the ground itself or any device attached thereto or painted or represented thereon, which shall be used to identify, inform, advertise, or attract attention to any object, product, place, activity, person, institution, organization, firm, group, commodity, profession, enterprise, industry, or business, or which shall display or include one or more elements such as a letter, word, model, number, banner, flag, pennant, insignia, symbol, color, illumination, projected image, device, or presentation used to announce, direct, or advertise. Excluded are the United States flag; flags of states; flags of another country; window displays (but not window signs); graffiti; athletic scoreboards; official government signs; and permitted traffic control devices.
 - (a) **SIGN AREA** — Shall be considered to include all lettering, wording and accompanying designs and symbols, together with the background, whether open or enclosed, on which they are displayed, but not including any supporting framework and bracing which are incidental to the display itself.
 - (b) **SIGN, BILLBOARD** — A sign that directs attention to a business, commodity, service or entertainment conducted, sold, or offered at a location other than the premises on which the sign is located.
 - (c) **SIGN, BUSINESS IDENTIFICATION** — A sign which directs attention to a business, profession or industry, located upon the premises where the sign is displayed, to a type of products sold, manufactured or assembled upon the premises and/or to a service or entertainment offered on said premises.

- (d) SIGN, FLASHING — Any illuminated sign or device in which the artificial light is not maintained stationary and/or constant in intensity and color at all times.
- (e) SIGN, FREESTANDING — A sign supported by one or more uprights, poles, posts, monolithic wall structure or braces placed in or upon the ground in a fixed location and not attached to any building or structure. A freestanding sign may contain off-premises advertising.
- (f) SIGN, MOVING — Any sign which is animated, flashes, blinks, oscillates, rotates, revolves or in any way moves or provides an electronic or digital message, display, action or color change, including lasers.
- (g) SIGN, OFF-PREMISES — A sign, which may be a billboard, which contains a message unrelated to a business or profession conducted upon the premises where such sign is located or which is unrelated to a commodity, activity, person, service or entertainment sold or offered upon the premises where such sign is located.
- (h) SIGN, PORTABLE — A sign not permanently attached to the ground or other permanent structure, including but not limited to signs with attached wheels, A-frame signs, signs attached to or painted on vehicles parked and visible from a street, unless said vehicle is used as a vehicle in the normal day-to-day operations of the business it advertises and is parked on the same lot as the business. A sandwich board sign, as defined by this section, is not considered a portable sign.
- (i) SIGN, SANDWICH BOARD — A single- or double-faced movable sign that is intended to be used on a sidewalk or pedestrian way in front of the business for which the commercial message is intended.
- (j) SIGN, SELF-SUPPORTING — A sign mounted on its own self-supporting structure and constructed on a permanent base.
- (k) SIGN, TEMPORARY — A sign, handbill, or poster which is placed to advertise or announce a specific event, or which pertains to a particular event or occurrence, and which is not designed or intended to be placed permanently and which is located on another property from where the event or occurrence is taking place. A temporary sign shall not include political signs or yard sale signs.
- (l) SIGNBOARDS or BILLBOARDS — Shall include any sign of any size, which relates to any product, service or other pictorial information, which is not directly related to the principal use of the land on which the sign is located.

- (2) In those situations where the Uniform Construction Code, Appendix H (Signs), is applicable, and where any definition contained herein is found to be in conflict with the definition contained in the code, the definition contained in the code shall apply.

STABLE, PRIVATE — A building in which one or more horses are kept for private use and not for hire, remuneration or sale.

STABLE, PUBLIC — A building in which one or more horses are kept for remuneration, hire or sale.

STORY — That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between any floor and the ceiling next above it.

STORY, HALF — A story under a gable, hip or gambrel roof, the wall plates of which on at least two opposite exterior walls are not more than two feet above the floor of such story.

STREET — A public right-of-way which affords principal means of access to abutting properties.

STREET, GRADE — The officially established grade of the street upon which a lot fronts or in its absence the established grade of another street upon which the lot abuts, at the midpoint of the frontage of the lot thereon. If there is no officially established grade, the existing grade of the street at such midpoint shall be taken as the street grade.

STRUCTURE — Any man-made objects having an ascertainable stationary location on or in land or water, whether or not affixed to the land.

SUBDIVISIONS — The division or redivision of a lot, tract or parcel of land by any means into two or more lots, tracts or parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, transfer of ownership or building or lot development; provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than 10 acres, not involving any new street or easement of access, or residential dwellings shall be exempted.

SUBSTANTIAL IMPROVEMENT — Any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure either (1) before the improvement or repair is started, or (2) if the structure has been damaged and is being restored, before the damage occurred. For the purpose of this Chapter, substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not the alteration affects the external dimensions of the structure. The term does not, however, include either (1) any project for improvement of a structure to comply with existing State or local health, sanitary or safety code specifications which are solely necessary to assure safe living conditions or (2) any alteration of a structure listed on the National Register of Historic Places or a State inventory of historic places.

TELEPHONE CENTRAL OFFICE OR TELEPHONE EXCHANGE BUILDING — A building and its equipment erected and used for the purpose of facilitating transmission and exchange of telephone messages between subscribers and other business of the telephone company.

THEATER, OUTDOOR DRIVE-IN — A building or part of a building devoted to the showing of moving pictures on a paid admission basis.

TOURIST CABINS — A group of buildings, including either separate cabins or a row of cabins which:

- (1) Contain living and sleeping accommodations for transient occupancy, and
- (2) Have individual entrances.

TRAILER — See "recreation vehicle."

USE — The specific purpose for which land or a building is designed, arranged, intended or for which it is or may be occupied or maintained. The term "permitted use," or its equivalent, shall not be deemed to include any nonconforming use.

WINDOW — An opening to the outside, other than a door, which provides all or part of the required natural light, natural ventilation or both to an

interior space. The glazed portion of a door in an exterior wall may be construed to be a window.

YARD — An occupied space, open to the sky, on the same lot with a building or structure.

YARD, FRONT — A yard extending the full width of the lot and situated between the street right-of-way line and the required setback line projected to the side lines of the lot. The depth of the front yard shall be measured between the required setback line and the street right-of-way line.

YARD, REAR — A yard extending the full width of the lot and situated between the rear line of the lot and the line established the required rear yard projected to the side lines of the lot. The depth of the rear yard shall be measured between the rear line of the lot or the adjacent right-of-way line of the alley or street, if there be an alley or street, and the line establishing the rear yard.

YARD, SIDE — A yard situated between the line establishing the required side yard area and the adjacent side line of the lot and extending from the front yard to the rear yard. Any yard not a rear yard or a front yard shall be deemed a side yard.

YARDS, CORNER LOT — Corner lots have two front yards, one side yard and one rear yard.

PART 2

DESIGNATION OF DISTRICTS; OFFICIAL ZONING MAP; DISTRICT BOUNDARIES AND COMMUNITY DEVELOPMENT OBJECTIVES

§ 27-201. Designation of Districts. [Ord. 1985-3, 6/12/1985, § 200; as amended by Ord. 1997-7, 10/13/1997, § 1]

For the purposes of this Chapter, the Township is hereby divided into districts which shall be designated as follows:

R	Residential District
RC	Residential Conservation District
V	Village District
CH	Commercial Highway District
I	Industrial District
PBC	Planned Business Center District
RCC	Residential Commercial Center District
Floodplain Districts	
FW	Floodway District
FF	Flood Fringe District
GFPC	General Floodplain Conservation District

§ 27-202. Official Zoning Map. [Ord. 1985-3, 6/12/1985, § 201]

1. The Township is hereby divided into districts as shown on the Official Zoning Map which, together with all supplementary matter thereon, is hereby adopted by reference and declared to be part of this Chapter.
2. The Official Zoning Map shall be identified by the signature of the Township official properly attested and shall bear the Township seal.
3. No change of any nature shall be made in the Official Zoning Map except in conformance with procedures set forth under § 609 of Article VI, Act 247.
4. The Official Zoning Map may be replaced only by resolution of the Township Supervisors and said resolution shall state that the adoption of a new Official Zoning Map shall supersede any prior Official Zoning Map. The new Official Zoning Map shall be identified by a certification to the effect that "This Official Zoning Map supersedes and replaces the Official Zoning Map adopted the ____ day of ____, 19____, as part of Ordinance No. ____ of the Township of Smithfield, Huntingdon County, Pennsylvania.

§ 27-203. District Boundaries. [Ord. 1985-3, 6/12/1985, § 202]

1. The boundaries of the districts shall be as shown upon the Official Zoning Map.
2. Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply:
 - A. Boundaries indicated as approximately following the center lines of streets, highways, alleys or railroads shall be construed to follow such center lines.
 - B. Boundaries indicated as approximately following platted lot lines or Township limits shall be construed as following such lot lines.
 - C. Boundaries indicated as following shore lines shall be construed to follow such shore lines and in the event of change in the shore line shall be construed as moving with the actual shore line; boundaries indicated as approximately following the center lines of streams, rivers, canals, lakes or other bodies of water shall be construed to follow such center lines.
 - D. Boundaries indicated as parallel to or extensions of features indicated in Subsections A through C above, shall be so construed. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map.
 - E. Where physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map; or in other circumstances not covered by Subsections A through D above, the Zoning Hearing Board shall interpret, the district boundaries.
 - F. Where a district boundary line divides a lot which was in single ownership at the time of passage of this Chapter, the Zoning Hearing Board may permit, as a special exception, the extension of the regulations for either portion of the lot not to exceed 50 feet beyond the district line into the remaining portion of the lot, provided that such extension does not extend the district boundary along any street or road.

§ 27-204. Community Development Objectives. [Ord. 1985-3, 6/12/1985, 203]

Those zoning regulations are designed to promote and effectuate the following community development objectives:

- A. Achievement of the highest and best use of land.
- B. Protection of transportation corridors.
- C. The establishment of a realistic population density control.

- D. To effectuate a logical road and street pattern designed to adequately serve business, industry and residence and insofar as possible maintain a separation necessary to protect the neighborhood environment.
- E. To guide development with a view to providing adequate and economical community facilities and utilities.
- F. To achieve adequate public protection.
- G. To permit economical installation of sanitary sewers and treatment facilities.
- H. To effectuate the future land use plan including the preservation of natural amenities, resources and environment.
- I. To ultimately eliminate pollution factors and pollutants from land, water and air.

§ 27-205. Application of District Regulations. [Ord. 1985-3, 6/12/1985, 204]

The regulations set by this Chapter within each district shall be minimum regulations and shall apply uniformly to each class of kind of structure or land, and particularly, except as hereinafter provided:

- A. No building, structure or land shall hereafter be used or occupied, and no building or structure, or part thereof, shall hereafter be erected, constructed, reconstructed, moved or structurally altered except in conformity with all the regulations herein specified for the district in which it is located.
- B. No building or other structure shall hereafter be erected or altered:
 - (1) To exceed the height or bulk.
 - (2) To accommodate or house a greater number of families.
 - (3) To occupy a greater percentage of lot area.
 - (4) To have narrower or smaller rear yards, front yards, side yards or other open spaces than herein required; or in any other manner contrary to the provisions of this Chapter.
- C. No part of a yard or other open space, or off-street parking or loading space required about or in connection with any building for the purpose of complying with this Chapter shall be included as part of a yard, open space, or off-street parking or loading space similarly required for any other building.
- D. No yard or lot existing at the time of passage of this Chapter shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this Chapter shall meet at least the minimum requirements established by this Chapter.

PART 3**NONCONFORMING LOTS, NONCONFORMING USES OF LAND,
NONCONFORMING STRUCTURES, NONCONFORMING USES OF
STRUCTURES AND PREMISES AND NONCONFORMING
CHARACTERISTICS OF USE****§ 27-301. Intent. [Ord. 1985-3, 6/12/1985, 300]**

1. Within the districts established by this Chapter, or amendments that may later be adopted, there exist: (A) lots; (B) structures; (C) uses of land and structures; and (D) characteristics of use which were lawful before this Chapter was passed or amended, but which would be prohibited, regulated or restricted under the terms of this Chapter of future amendment. It is the intent of this Chapter to permit these nonconformities to continue until they are removed, but not to encourage their survival.
2. To avoid undue hardship, nothing in this Chapter shall be deemed to require a change in the plans, construction or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this Chapter and upon which actual building construction has been carried on diligently. Actual construction is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner. Where excavation or demolition or removal of an existing building has been substantially begun preparatory to rebuilding, such excavation or demolition or removal shall be deemed to be actual construction, provided that work shall be carried on diligently.

§ 27-302. Nonconforming Building or Uses. [Ord. 1985-3, 6/12/1985, § 301]

1. A certification of nonconformance shall be issued by the Zoning Officer for all structures existing at the effective date of this amendment in conflict with the use designated for the zone in which they are situated.
2. Continuation. Any lawful use of a structure or land existing at the effective date of this Chapter, may be continued although such use does not conform to the provisions of this Chapter. Such uses may be sold or otherwise transferred to other owners and continued as nonconforming uses.
3. Extensions.
 - A. A nonconforming use of a building may be extended throughout the building if no structural alterations are made therein, provided that such extension may include structural alterations when authorized as a special exception.

- (1) A nonconforming use may be extended upon a lot occupied by such use and held in single and/or separate ownership at the effective date of this Chapter, provided that any extension or enlargement shall conform to the area, height and setback regulations of the district in which it is situated; and, further provided, that each extension does not replace a conforming use or extend beyond an area equivalent to the minimum area permitted for a same or similar use in a zone permitting such use.
4. Changes. A nonconforming use of a building or land may be changed to a use of an equal or more restricted classification or to a conforming use, but such use shall not thereafter be changed to a use of less restricted classification.
5. Restoration. A nonconforming building and/or structure which has been damaged or destroyed by fire or other causes to the extent that replacement cost will exceed 75% of its real value prior to damage, or a nonconforming building which has been legally condemned, may not be reconstructed and used for any nonconforming use unless authorized by special exception and subject to regulations designed to minimize any adverse affects on conforming uses.
6. Abandonment. If a nonconforming use of a building or land ceases for a period of one year or more, subsequent use of such building or land shall be in conformity with the provisions of this Chapter.
7. The nonconforming controls as set forth herein shall not apply to agricultural structures when such structures are part of an active agriculture program. An active farm group situated, through action of the Board of Supervisors in enacting this Chapter, in a zone where agricultural uses become nonconforming is exempt. It is not the intent of this Chapter to hamper continued agricultural activities. However, should the agricultural use be abandoned, thereafter agricultural buildings damaged or destroyed in any manner shall be subject to the nonconforming rules and regulations.
8. Building Permits for Uses That Will be Rendered Nonconforming. In a case where a building permit has been issued prior to the effective date of this Chapter and the proposed use of land and/or building does not conform with this Chapter, said proposed use shall be regulated by the nonconforming use requirements of this Chapter and shall be considered the same as a lawful nonconforming use if construction, other than excavation and foundations, is undertaken within a period of 30 calendar days after the issuance date of said building permit and construction thereof is completed within 12 calendar months from the issuance date of the building permit.
 - A. In the event that building permits were not required prior to the effective date of this Chapter, any construction initiated prior to the effective date of this Chapter that will result in a nonconformance, such nonconformance shall be regulated by the requirements of this

Chapter. Any construction so initiated shall be completed within a reasonable period not to exceed 18 months from the effective date of this Chapter.

PART 4
DISTRICT REGULATIONS

§ 27-401. R Residential District. [Ord. 1985-3, 6/12/1985, 400; as amended by Ord. 1999-1, 6/14/1999; by Ord. 2007-2, 5/22/2007; and by Ord. 2011-1, 2/14/2011]

1. Purpose. To design a district that would permit a logical residential transition from the Borough to the Township. To protect to the greatest extent possible the existing character of the Township and to permit further development that would enhance the environment of the district and provide for the health, safety and welfare of the citizens in a residential environment.
2. Permitted Uses and Structures.
 - A. One-family detached dwellings.
 - B. Two-family dwellings.
 - C. Conversion apartments not to exceed three families per structure.
 - D. Planned residential development. (See § 27-515.)
3. Permitted Nonresidential Uses and Structures.
 - A. Churches and similar places of worship, parish house, convent.
 - B. Public and private schools and institutions of higher education to include dormitory facilities.
 - C. Public parks, public playgrounds, municipal recreation areas.
 - D. Municipal buildings, public libraries, museums and radio stations.
 - E. Philanthropic institutions, hospitals, YMCA and YWCA.
 - F. Home occupation (see, Part 1). And further, provided that no more than one employee other than the residents of the dwelling shall be permitted. Home occupation is deemed to include; professional office of attorneys, architects, landscape architects, engineers, accountants, physicians, dentists, realtors, insurance agents, municipal officials, barber, beautician and other personal service shops. Off-street parking and service area shall be required subject to the approval of the Zoning Hearing Board. Signs identifying home occupation, see § 27-517A(1)(i).
 - G. Agricultural uses in accordance with § 27-501.

4. Permitted Accessory Uses and Structures.
 - A. Private garages and carports when supplementary and incidental to a permitted use.
 - B. Private swimming pool.
5. Conditional Uses When Approved as a Special Exception by the Zoning Hearing Board.
 - A. Radio transmission towers and antennae, public utility structures, municipal structures and structures used for or in conjunction with municipal recreation programs.
 - B. Neighborhood commercial facilities necessary to the everyday convenience of the residents to include, but not necessarily be limited to, offices and studios, banks, drugstores and grocery stores.
 - C. Restaurants offering food or beverage excluding any type that offers in-car, drive-in or service outside of the building.
 - D. Personal service facilities other than home occupations, such as barber, beauty shop, shoe repair and a dry cleaning pickup station.
 - E. Conversion apartments to houses more than three families; multiple family dwellings. Townhouses, not to exceed six units per structure.
 - F. Mobile homes as a permanent independent dwelling unit. See § 27-512.
6. Prohibited Uses and Structures. As provided herein, a building may not be erected, altered or used for any trade, industry, business or purpose that is noxious or injurious by reason of odor, dust, smoke, gas, vibration, illumination or noise or otherwise creates a nuisance or hazard to public health, safety or welfare. The uses prohibited as a trade or business are as follows:
 - A. The incineration, reduction or storage of offal, animals, fish or similar objectionable refuse.
 - B. The tanning or storage of rawhides or skins and fat rendering.
 - C. The manufacture of gunpowder, fireworks or other explosives, excepting as may be a by-product of other manufacturing operations, in which event all regulations of the Middle Department of the Fire Underwriters shall apply.
 - D. Abattoir and stockyards.
 - E. Dumps or dumping of any kind.

7. Lot Requirements.

A. Area.

- (1) With public water and sewer:
 - (a) One-family detached dwelling — minimum 9,000 square feet.
 - (b) Two-family dwelling — minimum 5,500 square feet per family.
 - (c) Townhouses: 2,400 square feet per family.
 - (d) Multiple-family dwelling — a minimum lot area of 7,500 square feet plus 2,000 square feet for each family in excess of two, but not to exceed a density of 20 families per acre.
- (2) With public sewer, but no public water available, and further subject to all rules and regulations of the Township and the Pennsylvania Department of Environmental Protection, the minimum lot size shall be four acres.
- (3) With no public sewer or water available, the minimum lot size shall be four acres.

B. Width.

- (1) With lot area not exceeding 10,000 square feet, a minimum width of 75 feet. Townhouses, not less than 20 feet.
- (2) With lot areas over 10,000 square feet, but not exceeding 20,000 square feet, a minimum width of 80 feet.
- (3) For lot areas over 20,000 square feet, a minimum width of 100 feet.

8. Minimum Yard Requirements.

- A. Front yard: 25 feet or 50 feet from the center line of a public right-of-way whichever is the greater.
- B. Rear yard: 10 feet.
- C. Side yard: two yards will be required neither of which shall be less than 10 feet in width.

9. Lot Coverage. Maximum lot coverage for all buildings: 30%.

10. Height. Maximum height of one-family detached and two-family structures: three stories or 35 feet. See § 27-508.
11. Off-Street Parking and Loading. For off-street parking and off-street loading, see "Supplementary Regulations," §§ 27-509, 27-514 and 27-526.
12. Signs. See "Supplementary Regulations," § 27-517.

§ 27-402. RC Residential Conservation District. (See also § 406.) [Ord. 1985-3, 6/12/1985, 401; as amended by Ord. 1999-1, 6/14/1999; and by Ord. 2007-2, 5/22/2007]

1. Purpose. The purpose of this district is to identify the land areas within the Township upon which development should be discouraged by reason of excessive slope, the need for preservation of stream beds and channels, and to provide for the preservation of open space necessary to the health and welfare of the citizens.
2. Permitted Uses and Structures.
 - A. One-family detached dwellings.
 - B. Lodges, vacation homes, camps and camping areas.
 - C. Recreation vehicles and recreation vehicle parks. (See § 27-516.)
 - D. Mobile homes as a permanent dwelling unit. (See § 27-512.)
3. Permitted Nonresidential Uses and Structures.
 - A. Municipal buildings and uses and fairgrounds.
 - B. Radio, television transmission and receiving towers and facilities.
 - C. Electric, telephone and other public utility transmission and distributor facilities including, substations, water pumping stations and sewage treatment facilities.
 - D. Public and private parks and recreation facilities; vehicle race tracks.
 - E. Preservation of natural amenities; protection of forest products, forest industries and agricultural activities.
 - F. Shopping centers and large commercial enterprise adjacent to major thoroughfares when evidence is presented to the Planning Commission that floods, landslides or other natural phenomenon will not cause undue physical damage or endanger the safety and welfare of the citizens; and furthermore, that the U.S. Corps of Engineers, Department of Environmental Protection and Soil Conservation approves the location and elevation of the proposed structure.

4. Permitted Accessory Uses and Structures.
 - A. Private garages and carports when supplementary and incidental to a permitted use.
 - B. Private swimming pool.
 - C. Shelters necessary to house utility pumps, transformers and regulating valves.
 - D. Shelters and storage facilities in park areas.
5. Conditional Uses When Approved as a Special Exception by the Zoning Hearing Board. Natural production uses, mines and quarries. (See § 27-513.)
6. Prohibited Uses and Structures. As provided herein, a building may not be erected, altered or used for and trade, industry, business or purpose that is noxious or injurious by reason of odor, dust, smoke, gas, vibration, illumination or noise; or otherwise creates a nuisance or hazard to public health, safety or welfare. The uses prohibited as a trade or business are as follows:
 - A. The incineration, reduction or storage of offal, animals, fish or similar objectionable refuse.
 - B. The tanning or storage of rawhides or skins and fat rendering.
 - C. The manufacture of gunpowder, fireworks or other explosives, excepting as may be a by-product of other manufacturing operations, in which event all regulations of the Middle Department of the Fire Underwriters shall apply.
 - D. Abattoir and stockyards.
 - E. Dumps or dumping of any kind.
 - F. Industrial uses.
7. Lot Requirements.
 - A. Area.
 - (1) One-family detached dwelling: 40,000 square feet.
 - (2) All other uses — no minimum, however a sufficient lot area must be available to provide for the use and to meet all Township and State requirements for health and welfare of the citizens and for environmental preservation.
 - (3) Notwithstanding all other regulations, any lot which does not have public sewer available shall be a minimum of two acres.

- B. Width.
 - (1) One-family detached dwelling — not less than 150 feet.
 - (2) All other uses — no minimum.
- 8. Minimum Yard Requirements.
 - A. Front yard: 30 feet.
 - B. Rear yard: 30 feet.
 - C. Side yard: 12 feet.
 - D. For recreation facilities the yard requirements will apply to structure location only.
- 9. Lot Coverage.
 - A. Maximum lot coverage for all structures: 15%.
 - B. At least 50% of the lot must be wooded or permanently planted with trees and shrubs.
 - C. Structures shall not be within 50 feet of a stream edge or on a space subject to flooding. (See also § 27-406.)
- 10. Height. No limit.
- 11. Off-Street Parking and Loading. For off-street parking and off-street loading, see "Supplementary Regulations," §§ 27-509, 27-514 and 27-526.
- 12. Signs. See "Supplementary Regulations," § 517.

§ 27-403. V Village District. [Ord. 1985-3, 6/12/1985, § 402; as amended by Ord. 1997-8, 11/10/1997, § 1; by Ord. 1999-1, 6/14/1999; and by Ord. 2007-2, 5/22/2007]

- 1. Purpose. The purpose of this Part is to provide for the continued development of the existing commercial, residential and public uses in the district; to provide for the public health and safety and to exclude those uses which would not be compatible with the existing development; to provide for the public convenience and avoid undue congestion on the streets or roads.
- 2. Permitted Uses and Structures.
 - A. Residential uses, single and two-family, multifamily and apartment or residential in combination with commercial uses. However, no mobile homes may be erected within the Village District.

- B. Stores and shops for retail business such as restaurants, food, drug, clothing, hardware, variety, antique shops; personal service shops, such as barber, beauty, shoe or similar retail; provided, such shops are conducted entirely within a building.
 - C. Offices to include governmental offices. Banks and financial institutions.
 - D. Municipal building or use, theaters, radio and television studios.
 - E. Billiards and pool parlors, bowling alley, skating rink and similar recreational uses.
 - F. Churches or similar places of worship including parish houses or convents.
 - G. Public utilities and facilities, libraries, post offices and similar public services.
 - H. Signs as provided for hereinafter.
 - I. Mortuary and undertaking establishments.
 - J. Clubs, lodges and fraternal organizations. When restricted to those not conducted primarily for gain, although a dining room may be operated for the benefit of club members, provided that no sign advertising the sale of food or beverages will be permitted. Buildings or structures hereafter converted or erected for such use are subject to all applicable regulations and those listed under § 27-401.8 through 27-401.12 hereof.
3. Permitted Accessory Uses and Structures.
- A. Garage and carport where supplementary and incidental to a permitted use.
 - B. Loading and unloading facilities.
 - C. Off-street parking facilities.
4. Conditional Uses. Permitted when authorized as a special exception by the Zoning Hearing Board.
- A. Automotive service stations. (See § 27-507.)
5. Prohibited Uses and Structures. As provided herein, a building may not be erected, altered or used for any trade, industry, business or purpose that is noxious or injurious by reason of odor, dust, smoke, gas, vibration, illumination or noise; or otherwise creates a nuisance or hazard to public health, safety or welfare. The uses prohibited as a trade or business are as follows:

- A. The incineration, reduction or storage of offal, animals, fish or similar objectionable refuse.
 - B. The tanning or storage of rawhides or skins and fat rendering.
 - C. The manufacturing of gunpowder, fireworks or other explosives, excepting as may be a by-product of other manufacturing operations, in which event all regulations of the Middle Department of the Fire Underwriters shall apply.
 - D. Abattoir and stockyards.
 - E. Dumps or dumping of any kind.
 - F. Industrial uses.
 - G. Additionally, no mobile homes may be erected in the Village District.
6. Minimum Lot Requirements.
- A. All existing lots are considered legal lots.
 - B. No existing lot can be reduced to an area less than 6,000 square feet.
 - C. No lot can hereafter be created less than 6,000 square feet in area; provided, however, any lot hereafter created without public sewer available to the lot shall be a minimum of two acres.
7. Minimum Yard Requirements. (See also § 27-510.)
- A. Each lot shall have front, side and rear yards of not less than the depth of widths following:
 - (1) Front yard: 15 feet.
 - (a) Accessory buildings shall not be permitted in this front yard.
 - (2) Side yards — the minimum side yard created hereafter shall be not less than six feet and the total width of the two required side yards shall be not less than 15 feet.
 - (a) Accessory buildings shall not be permitted in these side yards.
 - (3) Rear yard: 25 feet. When the rear yard area abuts a public street or alley, the twenty-five-foot requirement may be lessened when approved by the Planning Commission, but never to a width less than 10 feet. A rear yard reduction may be authorized only when the Commission makes the finding that

no jeopardy shall be created or shall result to adjoining properties from such action.

- B. Yard requirements shall be subject to all rules and regulations of the Pennsylvania Department of Environmental Protection with respect to size in reference to sewer and water service.
- 8. Coverage. Lot coverage including main and accessory buildings shall not exceed 40% of the lot.
- 9. Height. No building shall be erected to a height in excess of 35 feet.
- 10. Off-Street Parking and Loading. For off-street parking and off-street loading, see "Supplementary Regulations," §§ 27-509, 27-514 and 27-526.
- 11. Signs. See "Supplementary Regulations," § 27-517.

§ 27-404. CH Commercial Highway District. [Ord. 1985-3, 6/12/1985, § 403; as amended by Ord. 1999-1, 6/14/1999; and by Ord. 2007-2, 5/22/2007]

- 1. Purpose. The purpose for this district is to provide necessary transient commercial facilities along highways in such a manner as to protect the highway for its primary purpose of moving traffic; to minimize danger from traffic congestion to provide safe and easy access to commercial facilities through the use of marginal access roads and to provide for the expansion of the economic base of the Township.
- 2. Permitted Uses and Structures.
 - A. Automobile service stations, hotels, motels, restaurants, drive-in restaurants, super markets, theaters and drug stores.
 - B. Retail shopping center, subject to the approval of the Township Supervisors, provided that a plan is presented that clearly delineates the structure area, parking area not less than 3:1 ratio to structure area, an acceptable plan for ingress and egress that would minimize interference with moving traffic on the highway; areas for buffer yards or other screening for adjacent land; and other regulations that would be deemed necessary to the health, safety and welfare of the citizens.
 - C. Other uses similar in character to those enumerated above.
- 3. Permitted Noncommercial Uses and Structures.
 - A. Residential uses only when accessory and incidental to the proper functioning of a permitted use.
 - B. Municipal buildings and uses; clubs and fraternal organizations.
 - C. The radio and television transmission and receiving towers.

- D. Public utility facilities.
- 4. Permitted Accessory Uses and Structures.
 - A. Garages for the storage of automobiles and equipment necessary to the maintenance and upkeep of the permitted uses.
 - B. Storage facilities for products sold or displayed in a permitted use.
 - C. Loading docks.
 - 5. Conditional Uses when Approved as a special exception by the Zoning Hearing Board, subject to such safeguards to public health, safety and welfare as deemed necessary by the Board.
 - A. Golf driving range.
 - B. Miniature golf course.
 - C. Laundromats.
 - D. Wholesale establishments.
 - E. Distribution centers.
 - 6. Prohibited Uses and Structures. As provided herein, a building may not be erected, altered or used for any trade, industry, business or purpose that is noxious or injurious by reason of odor, dust, smoke, gas, vibration, illumination or noise; or otherwise creates a nuisance or hazard to public health, safety or welfare. The uses prohibited as a trade or business are as follows:
 - A. The incineration, reduction or storage of offal, animals, fish or similar objectionable refuse.
 - B. The tanning or storage of rawhides and fat rendering.
 - C. The manufacturing of gunpowder, fireworks or other explosives, excepting as may be a by-product of other manufacturing operations, in which event all regulations of the Middle Department of the Fire Underwriters shall apply.
 - D. Abattoir and stockyards.
 - E. Dumps or dumping of any kind.
 - F. Commercial uses except as specifically permitted in this Section and except supplementary commercial activities necessary to the proper function of a permitted use.
 - G. Industrial uses.

7. Lot Requirements.
 - A. Area. Not less than 12,000 square feet; however, each lot established in this district shall be of sufficient size to provide for all the off-street services necessary to the proper functioning of the use and the district as a whole.
 - B. Width. No less than 100 feet.
 - C. Any lot without public sewer available to the lot shall be a minimum of two acres.
8. Minimum Yard Requirements.
 - A. No structure shall be erected closer than 20 feet to a highway right-of-way line.
 - B. Parking area shall not be closer than eight feet to a highway right-of-way line.
 - C. Structures within the district shall be separated by at least 15 feet, however, two or more structures may be contiguous, provided that party walls are not permitted and that adequate space shall be provided for access of firefighting equipment at intervals of not less than 400 L.F.
 - D. All yards shall be of sufficient size to provide for off-street parking services, loading and unloading and other open space requirements in respect to trees, shrubs and other vegetative material.
9. Lot Coverage.
 - A. Maximum coverage: 35%.
 - B. At least 15% of the area of the district must be planted with trees, shrubs or other vegetative materials.
10. Height: 35 feet.
11. Off-Street Parking and Loading. For off-street parking and off-street loading, see "Supplementary Regulations," §§ 27-509, 27-514 and 27-526.
12. Signs. See "Supplementary Regulations," § 27-517.

§ 27-405. I Industrial District. [Ord. 1985-3, 6/12/1985, § 404; as amended by Ord. 2007-2, 5/22/2007]

1. Purpose. To provide for expansion and perpetuation of existing industry; to encourage new industrial enterprise; to establish safeguards to protect adjacent uses; and to minimize air, land and water pollution.

2. Permitted Uses and Structures. All industrial uses and structures not otherwise prohibited herein or by other laws.
3. Industrially-Related Permitted Uses. None.
4. Permitted Accessory Uses and Structures.
 - A. Loading and unloading docks and platforms.
 - B. Storage structures and warehouses.
 - C. Parking lots and parking structures.
 - D. Accessory uses and structures supplementary to a permitted use.
 - E. Fairgrounds and carnivals.
5. Conditional uses when authorized as a special exception by the Zoning Hearing Board.
 - A. A guard or grounds-keeper dwelling.
 - B. A prohibited use when sufficient safeguards and controls are required to eliminate hazards and nuisances, to the satisfaction of the Zoning Hearing Board and the Township Supervisors.
6. Prohibited Uses and Structures.
 - A. A lot and/or structure shall not be used for any industrial or other purpose that is or may be noxious or injurious by reason of odor, dust, smoke, gas, vibration, illumination or noise; or otherwise creates a nuisance or hazard to public health, safety or welfare.
 - B. The incineration, reduction or storage of offal, animals, fish or similar objectionable refuse.
 - C. The tanning or storage of rawhides and fat rendering.
 - D. The manufacturing of gunpowder, fireworks or other explosives, excepting as may be a by-product of other manufacturing operations, in which event all regulations of the Middle Department of the Fire Underwriters shall apply.
 - E. Abattoir and stockyards.
 - F. Dumps or dumping of any kind.
7. Lot Requirements.
 - A. Area. None.

- B. Width. None.
 - C. Notwithstanding Subsections A and B, above, a lot area and width sufficient to house proposed expansion and/or new installation shall be required; and, further provided, that the lot for a new industrial enterprise shall be of a size to permit a 100% expansion of the initial physical improvements. A finding to this effect shall be made by the Zoning Hearing Board and recorded in the records of said the Zoning Hearing Board.
 - D. Notwithstanding the above provisions regarding lot requirements, no lot without public sewer available to the lot shall be less than two acres.
8. Minimum Yard Requirements.
- A. None. (See "Supplementary Regulations," § 27-525.)
 - B. A setback of at least 10 feet shall be required from any street or road right-of-way line.
9. Lot Coverage. No minimum; however, the unoccupied space must be sufficient to provide for all open space, buffer yards, parking, loading and other outdoor services.
10. Height. No maximum.
11. Off-Street Parking and Loading. For off-street parking and off-street loading, see "Supplementary Regulations," §§ 27-509, 27-514 and 27-526.
12. Signs. See "Supplementary Regulations," § 27-517.

§ 27-406. PBC Planned Business Center District. [Ord. 1985-3, 6/12/1985, § 405; as amended by Ord. 1997-7, 10/13/1997, § 1; and by Ord. 2007-2, 5/22/2007]

- 1. Purpose. The purpose of this district is to provide for the orderly and integrated development of a campus-like professional office park consisting of a variety of office facilities and uses for local residents as well as the general public. Only those uses compatible with this purpose will be permitted in the Planned Business Center District.
- 2. Permitted Uses and Structures.
 - A. Adult day care centers and day care centers.
 - B. Banks and similar financial institutions.
 - C. Business services.

- D. Educational institutions and vocational schools.
 - E. Health services.
 - F. Light industrial uses.
 - G. Parking garages/decks and lots, accessory to other permitted uses.
 - H. Professional and business offices.
 - I. Wholesale establishments.
 - J. Warehousing establishments.
 - K. Public parks and recreation areas.
 - L. Public utility installations, including telecommunications exchanges.
 - M. Uses, buildings and structures customarily accessory and incidental to any permitted uses including, but not limited to, recreational areas.
3. Uses by Special Exception. The following uses are permitted as a special exception when authorized by the Zoning Hearing Board. In granting any special exception, the Board may attach certain conditions to its approval which, in addition to the requirements listed within this Chapter, it feels are necessary requirements in order to preserve and protect the character of the district in which the proposed use would locate.
- A. Fitness centers.
 - B. Restaurants.
 - C. Retail sales and services, provided that such retail uses shall be compatible with and incidental to other permitted uses, and shall not include, supermarkets, motor vehicles service stations or garages, motor vehicle sales areas or buildings, or adult establishments; and, further provided, that no such establishment shall exceed 5,000 square feet in gross floor area.
 - D. Automobile service station and retail sales, provided that no facilities are used or designed to be used for polishing, greasing, washing, dry cleaning or otherwise cleaning or servicing such automobiles, provided further that the retail sales building shall not exceed 8,000 square feet in gross floor area. **[Added 11/14/2012 by Ord. 2012-2 , 11/14/2012]**
4. Area and Bulk Regulations for Principal Buildings and Permitted Uses.
- A. Maximum building height: 50 feet, provided that if the lot is adjacent to a residential district, the minimum yard dimensions along the side

contiguous with the residential district shall be increased by one foot for every foot of building height over 45 feet.

B. Minimum Lot Requirements for Permitted Uses, excluding Public Utility Installations, Public Parks and Public Recreation Areas.

- (1) Sewer and Water. Both public sewer and public water service shall be utilized if available to the site. If not available, on-lot and/or community systems, approved by the appropriate agencies, shall be required.
- (2) Minimum Lot Area, Width and Depth. None, except as based upon required minimum yard dimensions, minimum open area, minimum off-street parking requirements and other applicable standards contained within this Chapter. Notwithstanding any of the above, no lot without public sewer available shall be less than two acres in size.
- (3) Minimum Yard Dimensions.
 - (a) Front yard: 25 feet.
 - (b) Side Yard. Each side: 10 feet, provided that if the lot is adjacent to a residential district, the side yard shall be 75 feet along the side contiguous with the residential district.
 - 1) No minimum side yard shall be required on either side of the common boundary of two or more separate, adjoining lots on which two or more buildings are adjoined side by side if: (a) the buildings are connected areas, and (b) the use of such passageways, corridors or common areas is provided by cross easements for the benefit of the owners of all such buildings or structures and their respective employees, clients and/or visitors.
 - 2) In order to reduce the continuous appearance of the adjoining buildings or structures, each of the adjoining and connected buildings on the lots not subject to the specified minimum side yard dimensions shall have a visual break in the building facade at minimum distances of each 100 feet. Such visual breaks may consist of projections from the building, angles of deflection of the building's center line or variations in the color or texture of the facade.

- (c) Rear yard: 25 feet, provided that if the lot is adjacent to a residential district, the rear yard shall be 75 feet along the side contiguous with the residential district.
 - 1) No minimum rear yard shall be required on the common boundary of two or more separate, adjoining to the rear if: (a) the buildings are connected by passageways, corridors or common areas, and (b) the use of such passageways, corridors or common areas is provided by cross easements for the benefit of the owners of all such buildings or structures and their respective employees, clients and/or visitors.
 - (d) Interior Yards. Open space between separate principal buildings on the same lot.
 - 1) When front to front, rear to rear or front to rear parallel buildings shall have 50 feet between faces of the building. If the front or rear faces are obliquely aligned, the above distance may be decreased by as much as 10 feet at one end if increased by similar or greater distance at the other end.
 - 2) An interior yard of 50 feet is required between end walls of buildings. If the buildings are at right angles to each other, the distance between the corners of the end walls of the building may be reduced to a minimum of 25 feet.
 - 3) An interior yard of 50 feet is required between end walls and front or rear faces of buildings.
 - (e) Buffer area: 10 feet, provided that should off-street parking areas be shared between lot occupants and cross lot lines, no buffer area shall be required at such contiguous lot lines. If the lot is adjacent to a residential district, the buffer area shall be 40 feet along the side contiguous with the residential district.
- (4) Minimum open area: 20%.
- C. Minimum Lot Requirements for Public Utility Installations.
- (1) Minimum Lot Area Width and Depth. None, except as based upon required minimum yard dimensions, minimum open area, minimum off-street parking requirements and other applicable standards contained within this Chapter.

- (2) **Minimum Yard Dimensions.** To be measured from ground facilities or security fences, not including poles or transmission towers, whichever is closer to property line.
 - (a) Front yard: 25 feet.
 - (b) Side yard. Each side: 10 feet.
 - (c) Rear yard: 10 feet.
 - (3) **Minimum Open Area.** None.
- D. **Minimum Lot Requirements for Public Parks and Public Recreation Areas.**
- (1) **Minimum Lot Area, Width and Depth.**
 - (a) **Active Recreational Areas.** None; except as based upon required minimum yard dimensions, minimum open area, minimum off-street parking requirements and other applicable standards contained within this Chapter.
 - (b) **Passive Recreational Areas.** None.
 - (2) **Minimum Yard Dimensions.**
 - (a) **Active Recreational Areas.**
 - 1) Front yard: 25 feet.
 - 2) Side yard. Each side: 20 feet.
 - 3) Rear yard: 35 feet.
 - (b) **Passive Recreational Areas.** None.
 - (3) **Minimum Open Area.** None.
5. **Area and Bulk Regulations for Principal Buildings and Special Exceptions.**
- A. **Maximum Building Height:** 50 feet, provided that the lot is adjacent to a residential district, the minimum yard dimensions along the side contiguous with the residential district shall be increased by one foot for every foot of building height over 45 feet.
 - B. **Minimum Lot Requirements.**
 - (1) **All Uses Permitted By Special Exception.**

- (a) Sewer and Water. Both public sewer and public water service shall be utilized if available to the site. If not available, on-lot and/or community systems, approved by the appropriate agencies, shall be required.
- (b) Minimum Lot Area, Depth and Width. None, except as based upon required minimum yard dimensions, minimum open area, minimum off-street parking requirements and other applicable standards contained within this Chapter. Notwithstanding any other provision, no lot without public sewer available to the lot shall be less than two acres in size.
- (c) Minimum Yard Dimensions.
 - 1) Front yard: 25 feet; provided, however, that if the lot is adjacent to a residential district, the front yard shall be 75 feet along the yard contiguous with the residential district.
 - 2) Side Yard. Each side: 10 feet, provided that the lot is adjacent to a residential district, the side yard shall be 75 feet along the side contiguous with the residential district.
 - a) No minimum side yard shall be required on either side of the common boundary of two or more separate, adjoining lots on which two or more buildings are adjoined side by side if: one the buildings are connected by passageways, corridors or common areas, and two the use of such passageways, corridors or common areas is provided by cross easements for the benefit of the owners of all such buildings or structures and their respective employees, clients and/or visitors.
 - b) In order to reduce the continuous appearance of the adjoining buildings or structures, each of the adjoining and connected buildings on the lots not subject to the specified minimum side yard dimensions shall have a visual break in the building facade at minimum distances of each 100 feet. Such visual breaks may consist of projections from the building, angles of deflection of the building's center

line, or variations in the color or texture of the facade.

- 3) Rear yard: 25 feet, provided that the lot is adjacent to a residential district, the rear yard shall be 75 feet along the side contiguous with the residential district.
 - a) No minimum rear yard shall be required on the common boundary of two or more separate, adjoining lots on which two or more buildings are adjoined to the rear of: one the buildings are connected by passageways, corridors or common areas, and two the use of such passageways, corridors or common areas is provided by cross easements for the benefit of the owners of all such buildings or structures and their respective employees, clients and/or visitors.
- 4) Interior Yards. Open space between separate principal buildings on the same lot.
 - a) When front to front, rear to rear or front to rear, parallel buildings shall have 50 feet between faces of the building. If the front or rear faces are obliquely aligned, the above distance may be decreased by as much as 10 feet at one end if increased by similar or greater distance at the other end.
 - b) An interior yard of 50 feet is required between end walls of buildings. If the buildings are at right angles to each other, the distance between the corners of the end walls of the building may be reduced to a minimum of 25 feet.
 - c) An interior yard of 50 feet is required between end walls and front or rear faces of buildings.
- 5) Buffer Area. All sides: 10 feet, provided that should off-street parking areas be shared between lot occupants and cross lot lines, no buffer area shall be required at such contiguous lot lines. If the lot is adjacent to a residential district, the

buffer area shall be 40 feet along the side contiguous with the residential district.

- (d) Minimum open area: 20%.

6. Site Design Standards.

A. Parking Requirements. In addition to off-street parking requirements contained within § 27-514 herein, the following provisions shall apply:

- (1) All or part of the off-street parking spaces required within the Planned Business Center or Regional Commercial Center Districts for two or more uses may be provided in common parking garages/decks or parking lots, provided that:
 - (a) The number of spaces is not less than the sum of the spaces required for each use individually.
 - (b) The parking garages/decks or parking lots are located on a separate lot or lots within 600 feet walking distance from the use for which the parking is required.
 - (c) The separate lot must be located within the respective district.
- (2) Cross-access easements for adjacent lots with interconnecting parking areas shall be required in a format suitable to the Township.
- (3) Common shared parking areas are preferred and encouraged. Two or more uses may provide for required parking in a common parking lot, if the total space provided is not less than the sum of the spaces required for each use individually. The number of spaces required in a common parking facility may be reduced below this total only as a special exception, if it can be demonstrated to the Zoning Hearing Board that the hours or days of peak parking needed for the uses are so different that a lower total will adequately provide for all uses served by the facility.
- (4) For parking lots adjacent to residential uses, the parking lot layout, landscaping, buffering and screening shall prevent direct views of parked vehicles from streets and shall be surrounded by a minimum four-foot-high screening. Such screening shall be a decorative wall, earthen berm or landscaping approved by the Township. **[Amended 11/14/2012 by Ord. 2012-2 , 11/14/2012]**
- (5) The interior of a parking lot over 10 parking spaces in size shall be landscaped to provide shade and visual relief. Choice of

plant materials, buffer width, type of screening, location and frequency of tree planting shall be flexible. Parking lots containing 10 or more parking spaces shall be planted with a minimum of one tree for every eight parking spaces. Each tree shall be surrounded by a planting island consisting of no less than 50 square feet of permeable and unpaved surface. Plantings may be placed individually or collectively. Planting islands shall be bounded by a concrete curb having a minimum height of six inches. All plantings shall be properly maintained with dead plantings replaced in spring and fall planting seasons as needed.

- (6) Parking lot layout shall take into consideration pedestrian circulation and provide crosswalks interconnected into the pedestrian circulation system. In parking lots over 10 parking spaces, separate pedestrian walkways shall be provided to allow safe movement within the lots. Such walkways shall provide safe access from buildings to parking areas, adjacent properties and sidewalks. These walkways shall be generally oriented perpendicular to and between parking bays. The following guidelines apply to the development of walkways:
 - (a) One walkway can serve as a collector for up to four bays of parked cars.
 - (b) The walkways shall be a minimum of four feet wide, allowing an additional 30 inches on each side for overhanging of automobiles.
 - (c) All walkways shall be raised to a standard sidewalk height and shall be constructed of different paving material than the parking lot.
 - (d) The walkways shall be integrated with existing sidewalks and paths.

B. Pedestrian Access.

- (1) Sidewalks and Paths.
 - (a) A sidewalk system shall be provided throughout the development adjacent to and interconnecting all businesses. Sidewalks shall promote pedestrian activity throughout the development, as well as neighboring developments, and may include gathering/sitting areas with benches, landscaping and other street furniture as appropriate.

- (b) Sidewalks shall be design to be four feet wide with six feet between curb and sidewalk and shall be constructed in accordance with Township specifications. Ramps for the physically challenged shall be provided at intersections and cross walks.
- (c) Walking and biking paths linking businesses and neighboring residential areas shall be provided where possible. Such paths shall be a minimum of six feet wide and may use asphalt paving.

C. Screening and Landscaping.

- (1) When required, loading docks, solid waste facilities, recycling facilities and other service areas shall be placed to the rear or side of buildings, in less visually obtrusive locations.
- (2) Screening and landscaping shall prevent direct views of such facilities, and associated loading areas and driveways, from adjacent properties or from the public right-of-way. Such screening shall be a minimum of four feet in height.
- (3) Lighting and signage shall be unobtrusive to residential areas located within the Planned Business Center and Regional Commercial Center Districts.

D. Signage. Subject to the other provisions of § 27-517, the following types of permanent signs are permitted in the Planned Business Center and Regional Commercial Center District. All signs permitted under this subsection shall be considered structures and shall require a building permit.

- (1) Business identification signs as listed in § 27-517G.
- (2) Freestanding Signs. The total surface area of any freestanding sign shall not exceed 80 square feet. The overall height shall not exceed 20 feet from the grade and the number shall be limited to one per property. The base of the sign shall be located at least 10 feet from any property line or right-of-way line, and in no case shall any portion of the sign project closer than six feet from any property line or right-of-way line. **[Amended 11/14/2012 by Ord. 2012-2 , 11/14/2012]**
- (3) Signs Attached to a Building. Each sign shall be placed either (a) parallel to building facade and projecting not more than 12 inches therefrom; (b) in alignment with outer facing of a covered passageway and at least eight feet above the finished floor thereof; or (c) at right angles to building facade and under covered passageway and at least eight feet above the finished

floor of such passageway. In any case, such sign shall not project above the roof line or top of parapet. The total surface area of signs on any building facade of any store or other commercial establishment or inside the building within five feet of any window shall not exceed a square foot total equal in amount to 10% of the square footage of such facade but not to exceed 300 square feet (including doors and windows).

- (4) Awning Signs. Signs on awnings may be permitted provided that the size of the letters on such awnings shall not exceed 12 inches in height and, together with other signs, shall not exceed 10% of the square feet of such facade to which the awning is attached.
- (5) Illumination. Signs shall not be illuminated when business is not open.
- (6) Where there is an established Planned Business Center or Regional Commercial Center with a minimum land area of 10 acres and containing multiple business establishments, there may be, in addition to all other signs permitted in the PBC and RC Districts, one center identification sign for each principal entrance, not exceeding two faces, neither of which shall exceed 80 square feet of surface area.

E. Placement of Utilities. All utility lines shall be placed underground.

§ 27-407. RC Regional Commercial District. [Ord. 1985-3, 6/12/1985, § 406; as amended by Ord. 1997-7, 10/13/1997, § 1]

- 1. Purpose. The purpose of this District is to provide for the orderly integrated development of regional commercial uses consisting of regional shopping centers and tourist oriented services, such as lodging and eating facilities. Warehousing and offices shall be provided for to a lesser degree.
- 2. Permitted Uses and Structures.
 - A. Regional shopping centers.
 - B. Community shopping centers.
 - C. Banks and similar financial institutions.
 - D. Eating establishments.
 - E. Retail establishments.
 - F. Lodging facilities and convention centers.
 - G. Pubic utility installations.

- H. Uses, buildings and structures customarily accessory and incidental to any permitted use including, but not limited to, recreational areas.
3. Uses by Special Exception. The following uses are permitted as a special exception when authorized by the Zoning Hearing Board. In granting any special exception, the Board may attach certain conditions to its approval which, in addition to the requirements listed within this Chapter, it feels are necessary requirements in order to preserve and protect the character of the district in which the proposed use would locate.
- A. Warehousing facilities as a principal use.
 - B. Offices as an accessory use to a permitted use or use by special exception.
4. Area and Bulk Regulations for Principal Buildings and Permitted Uses.
- A. Maximum building height: 50 feet, provided that if the lot is adjacent to a residential district, the minimum yard dimensions along the side contiguous with the residential district shall be increased by one foot for every foot of building height over 45 feet.
 - B. Minimum Lot Requirements for Permitted Uses, Excluding Public Utility Installations.
 - (1) Sewer and Water. Both public sewer and public water service shall be utilized if available to the site. If not available, on-lot and/or community systems, approved by the appropriate agencies, shall be required.
 - (2) Minimum Lot Area, Width and Depth. None, except as based upon required minimum yard dimensions, minimum open space area, minimum off-street parking requirements and other applicable standards contained within this Chapter.
 - (3) Minimum Yard Dimensions.
 - (a) Front yard: 25 feet.
 - (b) Side Yard. Each side: 10 feet, provided that if the lot is adjacent to a residential district, the side yard shall be 75 feet along the side contiguous with the residential district.
 - 1) No minimum side yard shall be required on either side of the common boundary of two or more separate, adjoining lots on which two or more buildings are adjoining side by side if; (a) the buildings are connected by a common wall, passageway, corridors or common areas, and (b)

the use of such passageways, corridors or common areas is provided by cross easements for the benefit of the owners of all such buildings or structures and their respective employees, clients and/or visitors.

- 2) In order to reduce the continuous appearance of the adjoining buildings or structures, each of the adjoining and connected buildings on the lots not subject to the specified minimum side yard dimensions shall have visual break in the building facade at minimum distances of each 100 feet. Such visual breaks may consist of projections from the building's center line or variations in the color or texture of the facade.
- (c) Rear yard: 25 feet, provided that if the lot is adjacent to a residential district, the rear yard shall be 75 feet along the side contiguous with the residential district.
- 1) No minimum rear yard shall be required on the common boundary of two or more separate, adjoining lots on which two or more buildings are adjoined to the rear if; (a) the buildings are connected by common walls, passageways, corridors or common areas, and (b) the use of such passageways, corridors or common areas is provided by cross easements for the benefit of the owners of all such buildings or structures and their respective employees, clients and/or visitors.
- (d) Interior Yards. Open space between separate principal buildings on the same lot.
- 1) When front to front, rear to rear or front to rear parallel buildings shall have 50 feet between faces of the building. If the front or rear faces are obliquely aligned, the above distance may be decreased by as much as 10 feet at one end if increased by similar or greater distance at the other end.
 - 2) An interior yard of 50 feet is required between end walls of buildings. If the buildings are at right angles to each other, the distance between the corners of the end walls of the building may be reduced to a minimum of 25 feet.

- 3) An interior yard of 50 feet is required between end walls and front or rear faces of buildings.
 - (e) Buffer Area. All sides: 10 feet, provided that should off-street parking areas be shared between lot occupants and cross lot lines, no buffer area shall be required at such contiguous lot lines. If the lot is adjacent to a residential district, the buffer area shall be 40 feet along the side contiguous with the residential district.
 - (4) Minimum open area: 20%.
- C. Minimum Lot Requirements for Public Utility Installations.
- (1) Minimum Lot Area, Width and Depth. None, except as based upon required minimum yard dimensions, minimum open area, minimum off-street parking requirements and other applicable standards contained within this Chapter.
 - (2) Minimum Yard Dimensions. To be measured from ground facilities or security fences, not including poles or transmission towers, whichever is closer to property lines.
 - (a) Front yard: 25 feet.
 - (b) Side Yard. Each side: 10 feet.
 - (c) Rear yard: 10 feet.
5. Area and Bulk Regulations for Principal Buildings and Special Exceptions.
- A. Maximum building height: 50 feet, provided that if the lot is adjacent to a residential district, the minimum yard dimensions along the side contiguous with the residential district shall be increased by one foot for every foot of building height over 45 feet.
- B. Minimum Lot Requirements.
- (1) All Uses Permitted by Special Exception.
 - (a) Sewer and Water. Both public sewer and public water service shall be utilized if available to the site. If not available, on-lot and/or community systems, approved by the appropriate agencies, shall be required.
 - (b) Minimum Lot Area, Width and Depth. None, except as based upon required minimum yard dimensions, minimum open area, minimum off-street parking requirements and other applicable standards contained within this Chapter.

(c) Minimum Yard Dimensions.

- 1) Front yard: 25 feet; provided, however, that if the lot is adjacent to a residential district, the front yard shall be 75 feet along the yard contiguous with the residential district.
- 2) Side Yard. Each side: 10 feet, provided that if the lot is adjacent to a residential district, the side yard shall be 75 feet along the side contiguous with the residential district.
 - a) No minimum side yard shall be required on either side of the common boundary of two or more separate, adjoining lots on which two or more buildings are adjoining side by side if; (1) the buildings are connected by a common wall, passageway, corridors or common areas, and (2) the use of such passageways, corridors or common areas is provided by cross easements for the benefit of the owners of all such buildings or structures and their respective employees, clients and/or visitors.
 - b) In order to reduce the continuous appearance of the adjoining buildings or structures, each of the adjoining and connected buildings on the lots not subject to the specified minimum side yard dimensions shall have visual break in the building facade at minimum distances of each 100 feet. Such visual breaks may consist of projections from the building's center line or variations in the color or texture of the facade.
- 3) Rear yard: 25 feet, provided that if the lot is adjacent to a residential district, the rear yard shall be 75 feet along the side contiguous with the residential district.
 - a) No minimum rear yard shall be required on the common boundary of two or more separate, adjoining lots on which two or more buildings are adjoined to the rear if; (1) the buildings are connected by common walls, passageways, corridors or common areas, and (2) the use of such passageways,

corridors or common areas is provided by cross easements for the benefit of the owners of all such buildings or structures and their respective employees, clients and/or visitors.

- 4) Interior Yards. Open space between separate principal buildings on the same lot.
 - a) When front to front, rear to rear or front to rear parallel buildings shall have 50 feet between faces of the building. If the front or rear faces are obliquely aligned, the above distance may be decreased by as much as 10 feet at one end if increased by similar or greater distance at the other end.
 - b) An interior yard of 50 feet is required between end walls of buildings. If the buildings are at right angles to each other, the distance between the corners of the end walls of the building may be reduced to a minimum of 25 feet.
 - c) An interior yard of 50 feet is required between end walls and front or rear faces of buildings.
- 5) Buffer Area. All sides: 10 feet, provided that should off-street parking areas be shared between lot occupants and cross lot lines, no buffer area shall be required at such contiguous lot lines. If the lot is adjacent to a residential district, the buffer area shall be 40 feet along the side contiguous with the residential district.

(d) Minimum open area: 20%.

6. Site Design Standards.

A. Parking Requirements. In addition to off-street parking requirements contained within § 27-514 herein, the following provisions shall apply:

- (1) All or part of the off-street parking spaces required within the Planned Business Center or Regional Commercial Center Districts for two or more uses may be provided in common parking garages/decks or parking lots; provided that:
 - (a) The number of spaces is not less than the sum of the spaces required for each use individually.

- (b) The parking garages/decks or parking lots are located on a separate lot or lots within 600 feet walking distance from the use for which the parking is required.
 - (c) The separate lot must be located within the respective district.
- (2) Cross-access easements for adjacent lots with interconnecting parking areas shall be required in a format suitable to the Township.
- (3) Common shared parking areas are preferred and encouraged. Two or more uses may provide for required parking in a common parking lot, if the total space provided is not less than the sum of the spaces required for each use individually. The number of spaces required in a common parking facility may be reduced below this total only as a special exception, if it can be demonstrated to the Zoning Hearing Board that the hours or days of peak parking needed for the uses are so different that a lower total will adequately provide for all uses served by the facility.
- (4) Parking lot layout, landscaping, buffering and screening shall prevent direct views of parked vehicles from street and shall be surrounded by a minimum of four-foot-high screening. Such screening shall be a decorative wall, earthen berm or landscaping approved by the Township.
- (5) The interior of a parking lot over 10 parking spaces in size shall be landscaped to provide shade and visual relief. Choice of plant materials, buffer width, type of screening, location and frequency of tree planting shall be flexible. Parking lots containing 10 or more parking spaces shall be planted with a minimum of one tree for every eight parking spaces. Each tree shall be surrounded by a planting island consisting of no less than 50 square feet of preambled and unpaved surface. Plantings may be placed individually or collectively. Planting islands shall be bounded by a concrete curb having a minimum height of six inches. All plantings shall be properly maintained with dead plants replaced in spring and fall plantings seasons as needed.
- (6) Parking lot layout shall take into consideration pedestrian circulation and provide crosswalks interconnected into the pedestrian circulation system. In parking lots over 10 parking spaces, separate pedestrian walkways shall be provided to allow safe movement within the lots. Such walkways shall be provide safe access from buildings to parking areas, adjacent properties and sidewalks. These walkways shall be generally

oriented perpendicular to and between parking bays. The following guidelines apply to the development of walkways:

- (a) One walkway can serve as a collector for up to four bays of parked cars.
- (b) The walkways shall be a minimum of four feet wide, allowing an additional 30 inches on each side for overhanging of automobiles.
- (c) All walkways shall be raised to a standard sidewalk height and shall be constructed of different paving material than the parking lot.
- (d) The walkways shall be integrated with existing sidewalks and paths.

B. Pedestrian Access.

(1) Sidewalks and Paths.

- (a) A sidewalk system shall be provided throughout the development adjacent to and interconnecting all businesses. Sidewalks shall promote pedestrian activity throughout the development, as well as neighboring developments, and may include gathering/sitting areas with benches, landscaping and other street furniture as appropriate.
- (b) Sidewalks shall be designed to be four feet wide with six feet between curb and sidewalk and shall be constructed in accordance with Township specifications. Ramps for the physically challenged shall be provided at intersections and cross walks.
- (c) Walking and biking paths linking businesses and neighboring residential areas shall be provided where possible. Such paths shall be a minimum of six feet wide and may use asphalt paving.

C. Screening and Landscaping.

- (1) When required, loading docks, solid waste facilities, recycling facilities and other service areas shall be placed to the rear of side of buildings, in less visually obtrusive locations.
- (2) Screening and landscaping shall prevent direct views of such facilities and associated loading areas and driveways from adjacent properties or from the public right-of-way. Such screening shall be a minimum of four feet in height.

- (3) Lighting and signage shall be unobtrusive to residential areas located within the Planned Business Center and Regional Commercial Center Districts.

Total Parking Spaces	Required Accessible Spaces
1-25	1
26-50	2
51-75	3
76-100	4
101-150	5
151-200	6
201-300	7
301-400	8
401-500	9
501-1,000	2% of total
over 1,000	20 plus 1 per 100

D. Design of accessible spaces shall be completed in accordance with the Americans with Disabilities Act Architectural Guidelines and include the following:

- (1) Accessible parking spaces serving a particular building shall be located on the shortest accessible route of travel from adjacent parking to an accessible structure. In parking facilities not serving a particular structure, accessible parking shall be located on the shortest accessible route of travel to an accessible pedestrian entrance of the parking facility.
- (2) Accessible parking spaces shall be at least eight feet wide.
- (3) One parking access aisle of no less than five feet in width shall be provided for each accessible parking space and shall be a part of the accessible route of no less than three feet in width to the building or facility entrance. A parking access aisle may be shared between two accessible parking spaces.
- (4) Parking spaces and access aisles shall be level with surface slopes not exceeding 2% in all directions.
- (5) Accessible parking spaces shall be designated as reserved by a sign showing the symbol of accessibility. Such signs shall be located so as not to be obscured by a vehicle parked in the space.

PART 5
SUPPLEMENTARY DISTRICT REGULATIONS

§ 27-501. Agriculture, Animals and Poultry. [Ord. 1985-3, 6/12/1985, § 500]

Irrespective of permitted and not permitted uses listed in any district enumerated herein, agricultural programs shall be permitted and encouraged as an interim use until such time as the property owner sells or otherwise transfers his property interest to persons, agents, corporations or others interested in developing a use in conformance with district regulations as set forth herein. After the effective date of this Chapter, all agricultural uses shall be subject to the following safeguards and regulations:

- A. Storage of manure or odor or dust-producing substance shall not be permitted within 150 feet of a lot line.
- B. Greenhouse heating plant, coal fired, shall not be operated within 100 feet of any non-farm district or non-farm residence. When natural gas or fuel oil are used, the distance may be reduced to 50 feet.
- C. Buildings in which animals and poultry are kept shall not hereafter be erected within 150 feet of a lot line.
- D. The selling of products raised, bred or grown on the premises shall be permitted, provided that all temporary stands or shelters not conforming to building code standards existing or hereafter enacted used for such sales shall be removed during that period when not in use of the display of or sale of products.

§ 27-502. Camps, Lodges and Vacation Homes. [Ord. 1985-3, 6/12/1985, § 501; as amended by Ord. 1999-1, 6/14/1999]

1. Camps shall be constructed to mean permanent structures for seasonal use. Such uses may include, shelter during hunting and fishing seasons; vacation uses to include weekends and holidays; and similar periodic visits at any time of the year.
2. Camp installation shall be subject to the following requirements:
 - A. Minimum lot area: 20,000 square feet.
 - B. Sanitary facilities (water supply and toilet installation) shall be subject to all rules and regulations of the Pennsylvania Department of Environmental Protection applicable thereto.
 - C. Electrical service shall be subject to any local ordinances and the regulations of the Public Utility Commission.

- D. A camp cannot be converted to a permanent dwelling unit unless it conforms to acceptable building, housing, electrical and plumbing codes. It must also meet all regulations set forth in § 27-506 hereof and applicable district regulations.
 - E. A camp shall not hereafter be erected within 1,000 feet of a residence.
 - F. A camp structure shall be set back at least 100 feet from a public right-of-way.
 - G. A bus or truck or similar vehicle shall not be permitted as a permanent camp structure. They may be used for temporary purposes but not to exceed 90 days.
3. Lodges, vacation homes and similar structures must conform to all building regulations, existing or hereafter enacted, that apply to residential structures within the Township. These structures could be converted to year-round dwelling purposes.

§ 27-503. Control of Traffic, Highway Access and Curb Cuts. [Ord. 1985-3, 6/12/1985, § 502]

- 1. The application for a permit for any and all uses shall be accompanied by a site plan showing building location, service and parking areas and access to highways. Where a driveway or access road gives access to a State road or highway, approval by the Pennsylvania Department of Transportation shall be required.
- 2. Whenever required and/or provided under the provisions of this Part, all access drives to or from public rights-of-way shall be designed according to the following standards:
 - A. Except in the case of single-family and two-family dwellings when served by a minor residential street:
 - (1) The general layout shall be such that there will be no need for motorists to back over public rights-of-way.
 - (2) Access drives shall be paved and shall not exceed 35 feet in width within 12 feet of the street right-of-way line, excepting as increased by the curb radii.
 - (3) The number of access drives shall not exceed two per lot on any one street frontage. The Zoning Hearing Board may grant permission for additional access drives where required to meet exceptional circumstances and where frontage of unusual length exists.
 - (4) Access drives shall not cross the street right-of-way line:

- (a) Within 40 feet of the right-of-way line of an intersecting street and in no case less than 10 feet from the point of tangency when the intersecting street lines are joined by a curve; notwithstanding the above and when deemed reasonably necessary for safety by the Zoning Hearing Board, this dimension shall be increased for access drives to shopping centers, other commercial, industrial, public or institutional uses. Such access drives shall be located on major streets where practical, in a manner to permit safe ingress and egress.
 - (b) Within 15 feet of a fire hydrant, catch basin or drain inlet.
 - (c) Within 40 feet of an access drive.
 - (d) Within three feet of a property line unless two adjoining owners mutually agree in writing to a common access drive.
- (5) Access to the public highway or street shall be controlled in the interest of public safety. The off-street parking, loading and service areas on all properties used for any purpose other than single-family residences, required by this Part shall be physically separated from the highway or street by a pipe rail or fence at least three feet high and/or a planting strip.
- (6) General Safety Requirement; Sight Distance. Driveways shall be located in safe relationship to vision and shall not exceed a slope of 10% within 12 feet of the street line. Where drives enter a bank through a cut, unless a retaining wall is used, the side slopes of the cut shall be graded to not more than 1/2 foot vertical to one foot horizontal within 10 feet of the point the drive intersects with the right-of-way line.
- (7) Submission of Plans. A scaled drawing of proposed off-street parking and loading areas, access drives and walks shall be submitted as part of the required plot plan. Any plan requiring access onto a State highway shall be approved by the Pennsylvania Department of Transportation and access to local roads shall be subject to the Township Supervisors approval.

§ 27-504. Courts. [Ord. 1985-3, 6/12/1985, § 503]

Where a court is provided for the purpose of furnishing adequate light and air, or where a court is otherwise provided, such court shall conform to the following requirements:

- A. An open space in the form of an inner court or outer court shall be provided in connection with any building in any residential or business district, wherever any room therein, in which a person or persons live, work, sleep or congregate, cannot be adequately lighted and ventilated from the street or yard. Such court shall be adjacent to such room, the windows of which shall open in such court. Court dimensions shall meet the minimum established or required by the Board of Health and/or Department of Labor and Industry.
- B. Any proposed building that will include approved air conditioning and artificial lighting may be erected irrespective of the provisions of courts as above.

§ 27-505. Drainage Regulations. (See also § 27-406.) [Ord. 1985-3, 6/12/1985, § 504; as amended by Ord. 1999-1, 6/14/1999]

All erosion and sedimentation controls set forth in the existing or hereafter enacted Subdivision and Land Development Ordinance [Chapter 22] and the following regulations shall apply to structures hereafter erected adjacent, or near, to streams and drainage channels. Should a conflict in regulations arise the Planning Commission shall determine which one shall apply.

- A. In all districts, no permanent structure shall be permitted within 15 feet of the edge of any stream or existing natural drainage channel or such additional space as may be required by the Zoning Hearing Board because of existing conditions.
- B. If normal agricultural operations require a fence to cross a stream or drainage channel, such fence shall be permitted only if it does not restrict the natural flow of water.
- C. All structures and lots must be adequately drained at all times.
- D. Fill materials may be placed along the outer lines of any stream or drainageway when approved as a special exception and authorized by the Zoning Hearing Board and when so approved shall be subject to the following conditions:
 - (1) Factual evidence shall be submitted to the Zoning Hearing Board indicating that the cross section area of the stream drainageway will not be reduced and will be sufficient to contain anticipated run off based on past frequency records.
 - (2) Evidence shall be submitted indicating the approval and permission for the proposed fill from the Pennsylvania Department of Environmental Protection.

- (3) All other regulations of the Commonwealth of Pennsylvania governing all activities within the adjacent to stream bed areas shall be in full force and effect.

§ 27-506. Floor Area, Habitable. [Ord. 1985-3, 6/12/1985, § 505]

1. The minimum habitable floor area of a single-family detached dwelling hereafter erected shall be 600 square feet and shall include only the living room, dining room, kitchen, one bedroom and bathroom. Closets, bedrooms in excess of one, utility rooms, basements, attics, hallways, stairways and unheated areas shall be floor area in excess of 600 square feet required.
2. In the case of apartment houses, the minimum habitable floor area shall be not less than 400 square feet per apartment; except those apartments designed for and occupied exclusively by one or two persons (efficiency apartments) shall contain not less than 250 square feet of habitable floor area, provided that these figures do not include hallways, stairways, closets, utility rooms, basements and unheated areas.

§ 27-507. Garages and Automotive Service Stations. [Ord. 1985-3, 6/12/1985, § 506]

1. No repair work requiring motor overhauling, (other than spark plug replacement, minor carburetor adjustments and similar minor adjustments), transmission repair, differential repair, brake bands and shoes and similar services, is performed out-of-doors.
2. Pumps, lubricating or other fuel dispensing devices are located at least 15 feet from any street line or highway right-of-way.
3. All fuel, oil or similar substances are stored at least 25 feet from any street or lot line.
4. All new or used automobile parts, dismantled vehicles and similar articles are stored within a building.
5. Buffer yards shall be required when the property abuts a residential district and are areas provided in addition to other yard requirements.
 - A. Buffer yard width: 15 feet.
 - (1) Planted with vegetative material including shrubs and evergreens, branched to the ground and capable of a growth to six feet in height, and further provided, that a sufficient number shall be planted to provide a visual screen to neighboring residential properties.
 - (2) When deemed necessary by the Board to protect property values and the neighborhood environment, a row of trees

planted not more than 40 feet on center shall be required to provide a visual screen to a greater height and in addition to the planting required in Subsection 1 above.

- (3) Trees that shall not be used in planting of buffer yards are:
 - (a) Poplars; all varieties.
 - (b) Willows; all varieties.
 - (c) White or silver maple (acer saccharunium).
 - (d) Aspen; all varieties.
 - (e) Common black locust.

§ 27-508. Height Regulations. [Ord. 1985-3, 6/12/1985, § 507]

1. The height of any building may exceed the maximum permitted height by one foot for each additional foot by which the width of each side yard exceeds the minimum yard regulations for the district in which the building is located, but not to exceed a height increase over 15% of the permitted height in the district.
2. Height regulations shall not apply to spires, belfries, cupolas, penthouses or domes not used for human occupancy, nor to chimneys, ventilators, skylights, water tanks, bulkheads, utility poles or towers, televisions antennae, silos and ornamental or necessary mechanical appurtenances.
3. In residential districts, accessory buildings shall not exceed 16 feet in height.
4. No structure shall be hereafter erected less than one story in height. (See definitions for basement and cellar.)

§ 27-509. Loading and Unloading Space. [Ord. 1985-3, 6/12/1985, § 508]

In addition to the off-street parking space required herein, any building erected, converted or enlarged in any district for commercial, office building, manufacturing, wholesale, hospital or similar uses, shall provide adequate off-street area for loading and unloading of vehicles. The minimum size loading space shall be 50 feet in depth, 12 feet in width, with an overhead clearance of 14 feet and shall be provided according to the following schedule:

Use	Gross Floor Area Square Feet	Minimum Number of Spaces
Stores, manufacturing, wholesale, commercial, hospitals, laundry, mortuary, dry cleaning and similar uses	Under 8,000	1

Use	Gross Floor Area Square Feet	Minimum Number of Spaces
	8,000 to 40,000	2
	40,000 to 250,000	3
	Each additional 200,000	1
Office Buildings, Hotels	Under 100,000	1
	100,000 to 300,000	2
	Over 300,000	3

In no case where a building is erected, converted or enlarged for commercial, manufacturing or business purposes shall the public rights-of-way be used for loading or unloading of materials.

§ 27-510. Lot Area And Dimensions. [Ord. 1985-3, 6/12/1985, § 509; as amended by Ord. 1999-1, 6/14/1999]

1. In a case where a lot is not connected to the public water and sanitary sewer system of the Township or such other water and sewer systems that may exist and be approved by the Township Supervisors, the lot area per family shall be not less than 20,000 square feet and in all such cases the lot area shall be of sufficient size to provide open area for the installation of a septic tank and the necessary field drain tile of a size, length and in the manner specified by the Township Supervisors and approved by the Pennsylvania Department of Environmental Protection.
2. No lot area shall be so reduced that the area of the lot or the dimensions of the open spaces shall be smaller than herein prescribed.
 - A. Lot of Record. In the case of a lot held in single and separate ownership at the effective date of this Chapter which does not fulfill the requirements for the minimum area for the district in which it is located, a building may be erected or altered thereon.
 - B. In the case of a lot held in single and separate ownership at the effective date of this Chapter which because of unusual conditions of depth or width has difficulty in providing the required open spaces of the district in which it is located, the required open spaces may be decreased.
3. Lot Width and Setbacks. By reason of odd shaped lots caused by curves in roads or culs-de-sac, may be adjusted by the Zoning Officer in order to eliminate unnecessary hardships inadvertently created.
4. In the case of Subsections 2 and 3, consideration should be given to the provision of front, side and rear yards in ratio to minimum requirements through careful placement of structures. In no event shall a structure be erected closer than 30 inches to a property line.

§ 27-511. Lots And Lot Access. [Ord. 1985-3, 6/12/1985, § 510]

1. Lot Access. No dwelling shall hereafter be erected or altered unless there is direct access to it through an open space on the same lot. Such open space shall be at least 20 feet wide and shall extend to the public street or highway or to a private street or highway having a cartway so constructed and maintained that vehicles of all kinds may readily pass over it at all seasons of the year. For the purpose of this Section, an alley shall be constitute a public street or highway.
2. Corner Lots. In the case of a corner lot, the front yard on the long dimension may be reduced by an amount not to exceed 30% of the required front yard depth for the district in which the lot lies. The remaining two yards shall constitute a side yard and a rear yard.

§ 27-512. Mobile Homes. [Ord. 1985-3, 6/12/1985, § 511; as amended by Ord. 1999-1, 6/14/1999]

1. Mobile homes shall not include, nor should they be confused with, sectional and/or prefabricated homes hauled on trucks or other vehicles.
 - A. Temporary Quarters. Mobile unites providing temporary quarters either residential or commercial shall not be permitted in any district except in an approved recreation vehicle park or when authorized by the Township Supervisors and for a limited period of time, and when so authorized, shall be subject to the approval of the Department of Environmental Protection and the following:
 - (1) A temporary permit shall be required, and said permit, if issued, shall indicate the period of time for which the exception was granted; and further, that no temporary permit shall be issued for any period exceeding one year.
 - (2) Any person, firm or corporation holding a legal temporary permit may apply for an extension of time, not to exceed 90 days. Such application shall set forth the reason or reasons necessitating the extension.
 - (3) The Township Supervisors shall grant an extension of the temporary permit time limit, if in their opinion the applicant encountered unforeseen circumstances, deemed to be no fault of his own, in carrying out the operations for which the original temporary permit was issued; or if the permit covered residential use, the refusal of an extension would result in an undue hardship to the applicant.
2. In districts where mobile homes are permitted as a permanent independent dwelling unit, the following regulations shall apply:

- A. Definitions. (See Part 1, "mobile home, permanent.")
- B. Controls on Development.
 - (1) The permitted mobile homes shall conform to the definition for a permanent mobile home and shall meet minimum standards of all local building, housing, electrical, plumbing and other codes in force or hereafter enacted.
 - (2) A mobile home shall be subject to all controls set forth herein governing other dwelling units permitted in the applicable districts.
 - (3) A permit for permanent installation of a mobile home as a dwelling unit must be accompanied by a written guarantee that the unit will not be removed prior to the expiration of a twelve-month period. A mobile home shall not be removed from a lot until a permit has been issued by the Tax Collector and such permit shall not be issued until factual evidence is available indicating that taxes levied have been paid and the Zoning Officer has been so informed.
 - (4) Within five days after removal of the mobile home, the foundation shall be removed and the site backfilled by the owner to an approved grade as established by the Zoning Officer. In lieu of this, the owner may sell or otherwise legally transfer the lot to house another mobile home on the same foundation, provided that such transaction takes place before the mobile home is moved from the site.
 - (5) All mobile homes, except mobile homes in approved mobile home parks, must be placed on a permanent foundation.
- 3. Mobile home parks (see Township Subdivision and Land Development Ordinance [Chapter 22]).

§ 27-513. Natural Production Uses. [Ord. 1985-3, 6/12/1985, § 512]

There may be permitted, subject to special exception approval by the Zoning Hearing Board, the excavation and sale of sand, gravel, clay, shale or other natural mineral deposits, or the quarry of any kind of rock formation, subject to the following conditions:

- A. In the case of any open excavation, there shall be a substantial fence completely separating the portion of the property in which excavation is located from a residential lot or residential district line when either of said lines are within 200 feet of the place of excavation.
- B. No top of the slope or quarry wall shall be nearer than 100 feet to any property line or street line.

- C. No rock crusher, cement plant or other crushing, grinding, polishing or cutting machinery or other physical or chemical process for treating such products shall be permitted in residence districts; and when in other districts such operations shall be subject to such conditions and safeguards as deemed necessary by the Zoning Hearing Board to protect the public health, safety and welfare.

§ 27-514. Off-Street Parking. (See also § 526.) [Ord. 1985-3, 6/12/1985, § 513; as amended by Ord. 2005-5, 11/14/2005]

1. General Regulations.
 - A. Off-street parking facilities shall be provided to lessen congestion in the streets. The facilities required herein shall be available throughout the hours of operation of the particular business or use for which such facilities are provided. As used herein, the term "parking space" includes either covered garage space or uncovered parking lot space located off the public right-of-way.
 - B. Each parking space shall consist of not less than an average of 270 square feet of usable area for each motor vehicle including interior driveways connecting the garage or parking space with street or alley. Notwithstanding the above, all parking spaces shall be ample in size for the vehicles for which use is intended. The net parking space per vehicle shall be not less than nine feet wide and 20 feet long. Outdoor parking spaces, and the approaches thereto, shall be paved or covered with gravel or cinders. Such outdoor parking space shall be deemed to be part of the open space of the lot on which it is located. In commercial districts, all parking lots shall be surfaced with a permanent material.
 - C. A garage may be located wholly or partly inside the walls of the principal building or attached to the outer walls. If separated from the principal building, the garage shall conform to all accessory building requirements. The garage may be constructed under a yard or court. The space above an underground garage shall be deemed to be part of the open space of the lot on which it is located.
 - D. Parking spaces may be located on a lot other than that containing the principal use with the approval of the Planning Commission.
 - E. Surfacing. Any off-street area shall be graded for proper drainage and shall be surfaced so as to provide a durable and dustless surface, and shall be so arranged as to provide for orderly and safe parking and storage of self-propelled vehicles.
 - F. Lighting. Any lighting used to illuminate and off-street parking area shall be so arranged as to reflect the light away from adjoining premises in any residential district.

2. Access. There shall be adequate provision for ingress and egress to all parking and loading spaces for use by the public and for commercial, business and industrial purposes. Where a parking or loading area does not abut on a public right-of-way or private alley or easement of access, there shall be provided an access not less than 12 feet in width when the majority use is private automobile, and not less than 18 feet in width in all other cases, leading to the parking or storage areas or loading or unloading spaces required hereunder.
3. Parking Facilities Required.
 - A. Any structure or building hereafter erected, converted or enlarged for any of the following uses, or any open area hereafter used shall be provided with not less than minimum parking spaces, as set forth hereafter, which spaces shall be readily accessible to the uses served thereby. Fractional numbers of parking spaces shall be increased to the next whole number.
 - (1) Residential Parking.
 - (a) Dwelling. One-family, two parking spaces for each family unit.
 - (b) Dwelling. Two-family, 1 1/2 parking spaces for each family unit.
 - B. For the purpose of this Chapter, in residential districts when one or two parking spaces are required for dwellings, an attached or unattached garage or carport on the premises and that portion of the driveway off the public right-of-way may be considered as parking space.
 - (1) Multiple-dwellings, apartment houses and conversion apartment. The total number of parking or garage spaces shall not be less than 1 1/2 the times the number of dwelling units in the building. A garage accessory to an apartment house shall provide for the storage of vehicles of the owner, tenants and employees. No parking space shall be provided nor parking permitted in front yard areas of apartment houses, unless approved by the Planning Commission. (See Subsection 4 hereof.)
 - (2) Boarding or rooming houses, hotels, motels and tourist homes. At least one parking space for each guest room. If a restaurant in connection with the above is open to the public, the off-street parking facilities shall not be less than those required for restaurants, in addition to those required for guest rooms.

- (3) Fraternities. At least two parking spaces for each three student accommodations provided.
 - (4) Apartments designed and erected to house elderly citizens shall have parking spaces provided equal to at least 20% of the number of dwelling units.
- C. Commercial Parking. The following requirements shall be applied to new facilities included within and/or comprising shopping centers, plazas and neighborhood centers hereafter erected. The requirements herein may be modified and in some cases removed by the Zoning Hearing Board when it is determined by the Board that public parking lots and facilities are available in sufficient number to negate the need for customer parking on the premises.
- (1) Theaters, auditoriums, churches, schools, stadiums or any other place of public or private assembly. At least one parking space for each four seats provided for public or private assembly.
 - (2) Retail stores and other places for trade or business. One vehicle space for each 200 square feet of floor area for public use.
 - (3) Restaurant, tearooms and cafeteria including taprooms, taverns and nightclubs. One vehicle space for each 50 square feet of floor area for public uses.
 - (4) Bowling alley. Five vehicle spaces for each alley.
 - (5) Office building. At least one parking space for each 300 square feet of floor area or fraction thereof.
 - (6) Public garages, automobile and gasoline service stations. At least one parking space for each 200 square feet of floor or ground area, or fraction thereof, devoted to repair or service facilities, which shall be in addition to the space allocated for the normal storage of motor vehicles. In no event shall parking be permitted on the public rights-of-way.
 - (7) Parking garage. No parking space shall be required in yard areas; however, no parking shall be permitted in the public rights-of-way.
 - (8) Hospitals, sanitariums and nursing homes. At least one parking space for each three patients for which accommodations are provided; such spaces shall be in addition to those necessary for doctors, administrative personnel and other regular employees.

- (9) Other commercial buildings. At least one parking space for each 400 square feet of floor area, or fraction thereof, or one parking space for each four employees, whichever requirement is the lesser.
 - (10) Drive-in dairy and restaurants. Provisions for parking for drive-in facilities must meet with the approval of the Zoning Hearing Board and under no conditions will parking on the public rights-of-way be permitted.
 - (11) Dance halls, roller rinks, clubs, lodges and other similar places. At least one parking space for each 200 square feet of floor area.
 - (12) Swimming pool. At least one parking space for each 20 persons for whom facilities for dressing are provided; or at least one parking space for every 240 square feet of water surface, including areas for swimming, wading and diving, whichever requirement is the greater. At the discretion of the Planning Commission, the parking space requirements may be reduced when it is determined that a large portion of the citizens are within walking distance of the pool locale.
 - (13) Undertaking establishments. At least one parking space for each 100 square feet of floor area for public use. Such space shall be in addition to: (a) employee parking needs; (b) a service area for mobile equipment such as hearses and ambulances.
- D. Home Occupations. (Note the following guides are for spaces in addition to the ones required for the residence.)
- (1) Legal office. One space for each employee person; (the resident attorney, an associate, etc.) two additional spaces for clients and occasional sales persons or consultants.
 - (2) Architects and landscape architects. One space of the resident architect and one additional space for an employee. Two additional spaces for clients and/or other visitors.
 - (3) Engineers and accountants. One space for the resident and one additional space for an employee. Two additional spaces for clients and occasional visitors.
 - (4) Physicians and dentists. One space for the resident and one additional space for the employee, associate or other affiliated person; three additional spaces for patients.
 - (5) Realtors, insurance agents, offices of elected officials. Three spaces.

- (6) Barber shops and beauty parlors. Four spaces. If there is only one customer facility provided, (one barber chair — one dryer, etc.) three spaces may be approved.
- (7) Dressmakers, milliners and others. Three spaces.

E. Industrial Parking. These regulations shall apply to industrial expansion and industrial installations erected after the effective date of this Chapter. Off-street parking shall be provided in accordance with the following schedule:

- (1) Industrial and manufacturing establishments. One and one-half vehicle parking spaces for each two employees on the largest shift.
- (2) Truck terminals and wholesale warehouses. One and one-half parking spaces for each two employees on the largest shift.
- (3) Visitors. Space shall be provided in addition to the above parking requirements according to the specific needs as determined by the Planning Commission. For the purpose of this Chapter, salesman and out-of-town personnel are visitors.

4. Design Standards.

A. The minimum dimensions of parking facilities to be provided shall be as follows:

- (1) In all districts parking spaces per vehicle shall be not less than nine feet wide and 18 feet long.
- (2) Parking space dimensions shall be not less than those listed in the following table.

Angle of Parking (degrees)	Parking	Parking	Aisle	Aisle
	Stall Width (feet)	Stall Depth (feet)	Width One-Way (feet)	Width Two-way (feet)
90	9	18	24	24
60	10	22	18	20
45	10	21	15	20
30	10	19	12	20
Parallel	8	22	12	20

Notes: Depth of stall is the perpendicular measurement from curb or edge of the parking lot toward the interior portion of the lot to be occupied by the parking vehicles and not including any part of the drive.

- (3) All dead-end parking lots shall be designed to provide sufficient backup area for the end stalls of the parking area.
- (4) Parking areas shall be designed so that each motor vehicle may proceed to and from the parking space provided for it without requiring the moving of any other motor vehicle.
- (5) Where more than 10 parking spaces are required, a maximum of 40% of the parking spaces may be provided for compact vehicles. Each such compact parking space shall be not less than eight feet wide by 17 feet long. All compact parking spaces shall be located in the same area and be marked to indicate spaces designated for compact parking.

B. Setback for parking areas shall be provided as follows:

- (1) All parking spaces and access drives shall be located at least five feet from any multiple dwelling building, office, commercial, institutional, industrial and other similar nonresidential buildings located on the lot. The five-foot corridor thus established between the parking area and building shall be for the purpose of providing a pedestrian access walkway.
- (2) All parking spaces and access drives shall be at least five feet from any side or rear lot line, except where buffer yards or screen planting are required in which case the standards set forth in § 27-2008F, herein, shall apply.
- (3) No off-street parking area shall be located within a public right-of-way.

5. Curbing. All parking areas and access drives to parking areas shall be bounded by concrete curbing.

§ 27-515. Planned Residential Development (PRD). [Ord. 1985-3, 6/12/1985, § 514]

See Appendix I attached hereto.

§ 27-516. Recreation Vehicles and Recreation Vehicle Parks, etc. [Ord. 1985-3, 6/12/1985, § 515; as amended by Ord. 1999-1, 6/14/1999]

Recreation vehicles shall not include nor should they be confused with sectional and/or prefabricated homes hauled on trucks or other vehicles.

- A. Recreation vehicle parks, in districts where permitted, shall be subject to the following safeguards and regulations:
- (1) The driveways, exits, entrances and walks shall be lighted and paved in accordance with municipal standards. One-way traffic driveways shall be not less than 12 feet wide and two-way traffic driveways shall be not less than 22 feet wide.
 - (2) An area of not less than 1,500 square feet shall be provided for each vehicle.
 - (3) The minimum width of each vehicle space shall be 25 feet.
 - (4) The minimum depth of each vehicle space shall be not less than 60 feet; or 30% longer than the length of the vehicle, whichever requirement is greater.
 - (5) Each vehicle shall be located not less than 25 feet from any building and not less than 30 feet from lines bounding adjacent property.
 - (6) Separate provision shall be made for the parking of tow equipment on or adjacent to the vehicle space, or at a location removed from the vehicle space. There shall be one such off-street parking space not less than 10 feet wide and 20 feet long for each vehicle space in the park.
 - (7) In addition to the off-street parking as required in Subsection 6 above, there shall be additional off-street parking space required equal to 1/2 of the number of vehicle spaces provided in the park.
 - (8) The plan of any proposed recreation vehicle park development shall be presented to the Planning Commission for approval before any construction and any vehicle shall be permitted on the site.
 - (9) Sewers.
 - (a) Each vehicle park shall be provided with sewage disposal facilities. The proposed provisions for sewage shall be presented to the Zoning Hearing Board and the Township Engineer for approval before any vehicle shall be permitted on the site. Approval shall be required from the Pennsylvania Department of Environmental Protection.
 - (b) A recreation vehicle park may be approved by the Planning Commission without individual sewerage connection, provided that the park is serviced by approved central toilet facilities

and central shower facilities. Approvals shall be required from the Township Supervisors and the Pennsylvania Department of Environmental Protection.

§ 27-517. Signs. [Ord. 1985-3, 6/12/1985, § 516; as amended by Ord. 1999-1, 6/14/1999]

Signs may be erected and maintained only when in compliance with the provisions of this Part and any and all other ordinances and regulations relating to the erection, alteration or maintenance of signs and similar devices.¹

- A. Signs in Residence Districts. The following types of signs and no other shall be permitted in residence districts:
- (1) Signs advertising the sale or rental of the premises upon which they are erected, when erected by the owner or broker or any other person interested in the sale or rental of such premises, may be erected and maintained, provided: (a) the size of any such sign is not in excess of six square feet; and (b) not more than two signs are placed upon any property in single and separate ownership, unless such property fronts upon more than one street, in which event two such signs may be erected on each frontage.
 - (2) Signs advertising the sale or development of the premises upon which they are erected, when erected in connection with the development of the premises by a builder, contractor, developer or other person interested in such sale or development, may be erected and maintained, provided: (a) the size of any sign is not in excess of 20 square feet; and (b) not more than two signs are placed upon any property in single and separate ownership, unless such property fronts upon more than one street, in which event two such signs may be erected on each frontage.
 - (3) Signs indicating the location and direction of premises available for or in process of development, but not erected upon such premises, and having inscribed thereon the name of the owner, developer, builder or agent, may be erected and maintained, provided: (a) the size of any such sign is not in excess of six square feet and not in excess of four feet in length; and (b) not more than one such sign is erected on each 500 feet of street frontage.
 - (4) Signs bearing the word "sold" or the word "rented" with the name of the persons effecting the sale or rental may be erected and maintained, provided the conditions in Subsection A(1) hereof are complied with.
 - (5) Signs of mechanics, painters and other artisans may be erected and maintained during the period such persons are performing work on

¹Editor's Note: See also Chapter 19, Signs.

the premises on which such signs are erected, provided: (a) the size thereof is not in excess of 12 square feet; and (b) such signs are removed promptly upon completion of the work.

- (6) Trespassing sign or sign indicating the private nature of a driveway or property, provided that the size of any sign shall not exceed two square feet.
 - (7) Signs of schools, colleges, churches, hospitals, sanitariums or other institutions of a similar nature may be erected and maintained, provided: (a) the size of any such sign is not in excess of 20 square feet; and (b) not more than two signs are placed on a property in single and separate ownership, unless such property fronts upon more than one street, in which event two such signs may be erected on each frontage.
 - (8) Signs advertising the sale of farm products when permitted by this Part, provided: (a) the size of any such sign is not in excess of six square feet; (b) not more than two signs are used; and (c) the signs shall be displayed only when such products are on sale.
 - (9) Signs advertising home occupations shall be not larger than eight inches by 24 inches, bearing the name and occupation (words only) of the practitioner.
- B. Billboards and Signboards. Billboards and signboards shall be permitted only in the CH Commercial Highway District and the I Industrial District of the Township. All of the additional requirements shall be met: **[Amended by Ord. No. 2014-1, 12/9/2014, effective 1/1/2015]**
- (1) Billboards and signboards shall not be erected within 500 feet of any public or private school, church or cemetery, said 500 feet being measured along the radius of a circle from the centermost point of the billboard structure extending in all directions.
 - (2) The minimum side and rear yard requirements applying to a principal structure as set forth within the zoning district in which the billboard or signboard is to be located shall apply to each billboard or Signboard structure.
 - (3) No billboard or signboard shall be erected in such a manner as to block the view from the road or street of any existing business identification sign or residential or nonresidential structure or to limit or reduce the light and ventilation requirements.
 - (4) No billboard or signboard shall be constructed within the clear sight triangle of the public street or road on which it is situated, and it shall not in any case obstruct or impede traffic safety. The "clear sight triangle" shall be defined as the triangular area at a street

intersection or driveway or highway entrance in which nothing is erected, placed, planted, or allowed to grow in such a manner as to limit or obstruct the sight of motorists from observing traffic to the maximum distance from the intersection along the opposing street. The sight triangle shall be calculated using the current standards of the Pennsylvania Department of Transportation.

- (5) No billboard or signboard shall be erected over any sidewalk or public right-of-way.
- (6) Billboards and signboards shall be freestanding signs and self-supporting signs and shall not be part of a roof or wall, nor shall they be mounted on the roof, wall or other part of a building or any other structure.
- (7) Size and Height. The following shall apply to a billboard and a signboard:
 - (a) Sign Area. The sign area of a billboard or signboard shall not exceed 30 feet in width from side to side and 10 feet tall as measured from the lowest point on the sign face to the highest point on the sign.
 - (b) Sign Face. A billboard or signboard shall have no more than two sign faces.
 - (c) Distance from Ground. The distance between the average ground level and the lowest point on the sign face of a billboard or signboard shall be no less than 12 feet.
 - (d) Spacing. A billboard or signboard shall not be closer than 500 feet to another billboard or signboard. Required space shall be measured along both sides of the same roadway frontage from the centermost point of the billboard or signboard structure along a line extending from the centermost point of the billboard or signboard which is parallel to the center line of the right-of-way to which the billboard or signboard is oriented.
 - (e) Setback. No billboard or signboard shall be located in or closer than three feet to any public right-of-way.
 - (f) Total Height Restriction. Under no circumstances shall the total height of the billboard or signboard be greater than 40 feet from the ground to the top of the billboard or signboard.
- (8) Construction Methods. Billboards and signboards shall be constructed in accordance with applicable provisions of the Uniform Construction Code, Appendix H, as now or hereafter adopted, and shall meet all of the following additional requirements:

- (a) The billboard or signboard sign face shall be independently supported and have vertical supports of metal that are galvanized or constructed of approved corrosive-resistant, noncombustible materials. Structures constructed with galvanized metal shall be painted or otherwise coated.
 - (b) Vertical supports shall be capable of enabling the entire sign face to be able to withstand a minimum one-hundred-mile-per-hour wind load. Structural design computations shall be made and certified by a registered engineer and shall be submitted to the Township with the application for a permit.
 - (c) The base shall be installed using a foundation and footings approved by the Township Engineer for the type of construction proposed.
 - (d) No bare cuts shall be permitted on a hillside.
 - (e) All cuts or fills shall be permanently seeded or planted.
 - (f) A billboard or signboard with display lighting shall be constructed so that it does not produce glare upon adjoining properties and shall utilize down lighting that is directed to the billboard or signboard.
 - (g) No display or lighting shall cause distraction, confusion, nuisance, or hazard to traffic or other properties. Digital billboards or signboards shall conform to all other Township ordinance requirements.
- (9) Every five years, the owner of the billboard or signboard which was erected following issuance of a building permit shall have a structural inspection made of the billboard or signboard by a qualified Pennsylvania registered engineer and shall provide to the Township a certificate from the engineer certifying that the billboard or signboard is structurally sound.
- (10) Billboards or signboards using removable paper or other materials shall be maintained in such condition as to eliminate loose or frayed material protruding or hanging from the structure. All paper and other waste materials shall be removed from the site and disposed of properly whenever any sign face is changed.
- (11) Billboards or signboards found to be in violation of this section shall be brought into compliance or removed within 30 days upon proper notification by the Township. All abandoned billboards or signboards shall be removed by the owner within 45 days of written notice from the Township. An "abandoned billboard or signboard" shall be defined

as a sign erected on and/or related to the use of a property which became vacant and unoccupied for a period of six months or more, or any sign which no longer advertises a bona fide business conducted or product sold on a premises, or which related to a time, event or purpose which has passed.

- (12) **Liability Insurance.** The applicant for a sign permit to erect a billboard or signboard shall provide a certificate of insurance for public liability and property damage which indemnifies and holds the Township harmless. The amount of insurance to be maintained shall be determined and adjusted from time to time by the Township. The insurance certificate shall contain a clause stating that the insurance shall not be canceled or reduced without first giving 10 days' notice to the Township.
- (13) The issuance of a sign permit for a billboard or signboard which has been granted approval shall be conditioned upon the approval of the Pennsylvania Department of Transportation (PennDOT) for billboards along state and federal highways. If the applicant fails to submit evidence of the required approval by PennDOT within 30 days of the issuance of the sign permit, the sign permit shall be revoked by the Township Zoning Officer, who shall provide written notice to the applicant and PennDOT. The applicant may reapply for the required sign permit, upon submission of evidence of PennDOT approval, without payment of any additional sign permit fee, provided the application is refiled within six months.
- (14) As required by § 19-101 of the Smithfield Township Code of Ordinances, application for a sign permit shall be required and shall be accompanied by an application fee as is established from time to time by a resolution of the Board of Supervisors of the Township. Thereafter, a license fee shall be payable on an annual basis. This license fee shall be as established from time to time by a resolution of the Board of Supervisors. The term of the license shall extend from January 1 to December 31 of the following year. If application is made mid- year, a pro rata fee shall be calculated using the proportion of the number of days remaining from the date of application to the end of a three-hundred-sixty-five-day year. The amount of the license fee shall reflect the cost to the Township for all inspection and administrative costs incurred during that year in the enforcement of the provisions of this section.
- (15) **Destruction.** Any billboard or signboard which is damaged or destroyed by more than 51% of its replacement value, at the time of damage or destruction, shall be reconstructed only in compliance with all provisions of this section.
- (16) Written documentation shall be provided showing the consent of the owner of the property where any billboard or signboard is located,

with such written documentation being updated as is required from time to time at the request of the Township.

C. **Business Identification Signs. [Amended by Ord. No. 2014-1, 12/9/2014, effective 1/1/2015]**

- (1) Business identification signs may be installed on premises located in the commercial and industrial districts as identified in the Smithfield Township Zoning Ordinance.
 - (a) The sign area of any business identification sign shall not exceed 200 square feet.
 - (b) Sign Face. A business identification sign shall have no more than two sign faces.
 - (c) Distance from Ground. The distance between the average ground level and the lowest point on the sign face of a business identification sign shall be no less than 10 feet and no greater than 14 feet.
 - (d) No business identification sign shall be located in or closer than three feet to any public right-of-way.
 - (e) The minimum side and rear yard requirements applying to a principal structure as set forth within the zoning district in which the business identification sign is to be located shall apply to each business identification sign.
 - (f) No business identification sign shall be erected in such a manner as to block the view from the road or street of any other existing business identification sign or residential or nonresidential structure or to limit or reduce the light and ventilation requirements.
 - (g) No business identification sign shall be constructed within the clear sight triangle of the public street or road on which it is situated, and it shall not in any case obstruct or impede traffic safety. The "clear sight triangle" shall be defined as the triangular area at a street intersection or driveway or highway entrance in which nothing is erected, placed, planted, or allowed to grow in such a manner as to limit or obstruct the sight of motorists from observing traffic to the maximum distance from the intersection along the opposing street. The sight triangle shall be calculated using the current standards of the Pennsylvania Department of Transportation.
 - (h) No business identification sign shall be erected over any sidewalk or public right-of-way.

- (i) Construction Methods. Business identification signs shall be constructed in accordance with applicable provisions of the Uniform Construction Code, Appendix H, as now or hereafter adopted. In addition, thereto, the business identification sign face shall be independently supported and have vertical supports of metal that are galvanized or constructed of approved corrosive-resistant, noncombustible materials. Structures constructed with galvanized metal shall be painted or otherwise coated.
- (j) Vertical supports shall be capable of enabling the entire sign face to be able to withstand a minimum one-hundred-mile-per-hour wind load. Structural design computations shall be made and certified by a registered engineer and shall be submitted to the Township with the application for a permit.
- (k) The base shall be installed using a foundation and footings approved by the Township Engineer for the type of construction proposed.
- (l) No bare cuts shall be permitted on a hillside.
- (m) All cuts or fills shall be permanently seeded or planted.
- (n) A business identification sign with display lighting shall be constructed so that it does not produce glare upon adjoining properties and shall utilize down lighting that is directed to the business identification sign.
- (o) No display or lighting shall cause distraction, confusion, nuisance, or hazard to traffic or other properties. Digital business identification signs shall conform to all other Township ordinance requirements.
- (p) Business identification signs found to be in violation of this section shall be brought into compliance or removed within 30 days upon proper notification by the Township.
- (q) The issuance of a sign permit for a business identification sign which has been granted approval shall be conditioned upon the approval of the Pennsylvania Department of Transportation (PennDOT) for billboards along state and federal highways. If the applicant fails to submit evidence of the required approval by PennDOT within 30 days of the issuance of the sign permit, the sign permit shall be revoked by the Township Zoning Officer, who shall provide written notice to the applicant and PennDOT. The applicant may reapply for the required sign permit, upon submission of evidence of PennDOT approval,

without payment of any additional sign permit fee, provided the application is refiled within six months.

- (r) As required by § 19-101 of the Smithfield Township Code of Ordinances, application for a sign permit shall be required and shall be accompanied by an application fee as is established from time to time by a resolution of the Board of Supervisors of the Township.
- (s) Destruction. Any business identification sign which is damaged or destroyed by more than 51% of its replacement value, at the time of damage or destruction, shall be reconstructed only in compliance with all provisions of this section.

(2) Business Identification Signs in Other Districts.

- (a) Business identification signs may be erected in other zoning districts of the Township. The sign area of the signs in these situations shall not exceed 25 square feet, and they shall comply with the general standards set forth in § 27-517D. As required by § 19-101 of the Smithfield Township Code of Ordinances, application for a sign permit for a sign shall be required and shall be accompanied by an application fee as is established from time to time by a resolution of the Board of Supervisors of the Township.

D. General Regulations for All Signs.

- (1) Signs shall be permitted in the Planned Business Center and Regional Commercial Center Districts as is specifically set forth in § 27-406, Subsection 6D(1) through (6), inclusive.
- (2) The following general regulations shall apply to all permitted sign uses:
 - (a) Unless otherwise designated, all signs shall be constructed of durable material, maintained in good condition and not allowed to become dilapidated.
 - (b) No sign shall be placed in such a position that it will cause danger to traffic on a street due to the sign obstructing the view.
 - (c) No sign, other than official traffic signs, shall be erected within the right-of-way lines of any street, unless authorized by the Township for a special purpose.
 - (d) No sign shall project over a public sidewalk, unless otherwise permitted under any other part of the Smithfield Township Zoning Ordinance.

- (e) No permit or permit fee shall be required for the erection, alteration or maintenance of any signs as permitted in § 27-517A.
 - (f) Any sign, sign poster or bulletin shall be removed when the circumstances leading to its erection no longer apply.
 - (g) No moving signs shall be permitted. Any sign, by reason of its intensity, color, location or movement, that may interfere with traffic lights, signals or other controls shall not be permitted. All signs are prohibited which display an image or images more frequently than once every one minute, including signs which display video images or streaming displays. This prohibition shall not apply to signs displaying solely the time and temperature.
 - (h) No portable signs shall be allowed in any zoning district.
 - (i) An application for a sign permit for a temporary sign shall be required, and it shall be accompanied by an application fee as is established from time to time by a resolution of the Board of Supervisors of the Township. A permit for a temporary sign shall be good for six months. The permit application must identify the duration of the event or occurrence being advertised by the temporary sign and must state the exact location where the temporary sign shall be located. The temporary sign must be removed within 72 hours after the event or occurrence has concluded.
 - (j) To the extent applicable, all signs shall be constructed in accordance with the provisions of the Uniform Construction Code, Appendix H (Signs), as now or hereafter adopted.
- E. Lights. No flashing or oscillating light shall be permitted. Any light, by reason of intensity, color, location or movement or direction of its beam, that may interfere with or abrogate public safety shall not be permitted in any district.

§ 27-518. Special Uses. [Ord. 1985-3, 6/12/1985, § 517]

1. Municipal Buildings and Uses. This Chapter shall not apply to any building of the Township if the Township Supervisors shall, after public hearing, decide that such building or extension thereof, or such use of any premises, is reasonably necessary for the convenience or welfare of the public, provided that any municipal recreational building or use may be established by the Township Supervisors at any location in the Township without holding such public hearing.

2. Public Utility Building and Uses. This Part shall not apply to any existing or proposed building or extension thereof, used or to be used by a public utility corporation, if upon petition of such corporation, the Pennsylvania Public Utility Commission shall, after a public hearing, decide that the present or proposed situation of the building in question is reasonably necessary for the convenience or welfare of the public.
 - A. Essential Services. The erection, construction, alteration, use and maintenance by municipal or governmental agencies and public utilities or public service corporations, of such facilities as are necessary for the furnishing of adequate service by such agencies, utilities or public service corporations, or for public health, safety or general welfare, including underground or overhead electrical, gas, steam or water transposal systems, including poles, wires, lines, mains, drains, sewers, conduits, hydrants, gas regulator and measuring devices, including the structures in which they are housed, and other similar equipment shall conform to the general character as to appearance and structural material of the other structures within the district; and, provided, that such structure shall not include the storage of vehicles or equipment necessary to the normal maintenance, repair or installation for any utility. Structures shall not

be permitted for the housing of transformers, pumps and similar equipment that cause any noise, odor, smoke or other hazardous effect. The installation of these "essential services" shall be permitted without the requirements of the public hearing by the Public Utility Commission, the Township Supervisors, or the Zoning Hearing Board.

3. Uses Not Provided For. Whenever in any district established under this Chapter a use is neither specifically permitted or denied and an application is made by a property owner to the Zoning Officer for such use, the Zoning Officer shall refer the application to the Zoning Hearing Board which shall have the authority to permit the use or deny the use. The use may be permitted if it is similar and compatible with permitted uses in the district and in no way is in conflict with the general purpose and intent of this Chapter.

§ 27-519. Strip and Deep Mining. [Ord. 1985-3, 6/12/1985, § 518]

1. Strip mining shall not be permitted.
2. Deep mining shall not be permitted except by specific permission by the Township Supervisors, after a public hearing thereon, and subject to restriction and controls as deemed necessary; and, further provided, that a permit is authorized as a special exception by the Zoning Hearing Board in accord with all requirements established by the Township Supervisors.

§ 27-520. Structures in Yard Areas. [Ord. 1985-3, 6/12/1985, § 519]

1. Rear Dwelling. In a residence district, no building to the rear of and on the same lot with a main building shall be erected or used for residence purposes.
2. Accessory Building.
 - A. Accessory buildings shall not be constructed in any front yard.
 - B. Accessory buildings shall not be constructed in that portion of the side yards that is the minimum open space required for side yards as set forth under the applicable district regulations.
 - C. An accessory building may be erected within a rear yard, provided that:
 - (1) It shall be at least 10 feet from the rear property line.
 - (2) It shall be at least 10 feet from the nearest wall of the main building; or this may be reduced to five feet if no windows or other openings in either building are involved; or the accessory buildings may be integrated with the main building by contiguous walls, breezeway or other connection.

3. Projections. No principal building and not part of a principal building shall be erected within, or shall project into the front, side or rear yard of a lot, except cornices, eaves and gutters, steps or chimneys such other appurtenances which may project into yard areas, provided that the projection is not more than 18 inches. However, that covered porches, stoops and patios and attached carports, whether enclosed or unenclosed, shall be considered as part of the principal building and shall not project into a required yard area.

§ 27-521. Storage of Unlicensed Vehicles in Residential Districts. [Ord. 1985-3, 6/12/1985, § 520]

Unless otherwise controlled or prohibited by district regulations, the following regulations shall apply:

- A. Any unlicensed vehicle or vehicles which in any manner is in the process of being dismantled for any reason shall be housed within a structure. No part of such vehicle shall be stored or otherwise maintained outside of the structure.
- B. Any unlicensed vehicle or vehicle not requiring a license not in the process of being dismantled shall be stored and maintained either 40 feet from any neighboring property line; within a structure; or behind a screen or planting approved by the Planning Commission which provides visual protection to adjoining properties.

§ 27-522. Vision Obstruction; Visibility at Intersections. [Ord. 1985-3, 6/12/1985, § 521]

On any corner lot, nothing shall be erected, placed or allowed to grow in such a manner as materially to impede vision between a height of 2 1/2 feet and 10 feet above the center line grades of the intersecting streets in the area bounded by the right-of-way lines of such corner lots and a line joining points along said center lines 75 feet from the point of intersection.

§ 27-523. Walls and Fences. [Ord. 1985-3, 6/12/1985, § 522; as amended by Ord. 1992-5, 7/6/1992]

1. No fence or wall (except a retaining wall or a wall of a building permitted under the terms of this Chapter) over six feet in height shall be erected closer to any wall of a residence (on the subject property or a neighboring property) than the required side yard width of the applicable district, unless that portion of the fence or wall exceeding six feet in height shall containing openings therein equal to 50% or more of the area of said portion of the fence or wall, provided that the required openings shall be deemed to include any openings that occur in that portion of the fence or wall that is within the first six feet of height of the fence measured from the ground.

2. Notwithstanding other provisions of this Chapter, walls and fences may be permitted in any required yard or along the edge of any yard, provided that no wall or fence along the sides or front edge of any front yard shall be over 2 1/2 feet in height. The regulation shall not apply to rail fences that do not impede vision or cause danger to public safety.

§ 27-524. Yards. [Ord. 1985-3, 6/12/1985, § 523]

1. Front Yard Exception.
 - A. When the setback of existing buildings is greater than the minimum provided, the required setback of a building hereafter erected shall be the same as or greater than the average setback of existing buildings in the same block on the same side of the street.
 - B. The front yard of a proposed building may be decreased in depth to the average formed by the alignment of existing buildings within 100 feet on each side of the proposed building and within the same block, if such alignment of existing buildings is less than the front yard requirement for the district.
2. Rear Yard Exception. When a rear yard abuts an alley, a structure shall not be erected closer than 25 feet from the center line of said alley.

§ 27-525. Buffer Yards Required in Addition to Other Spaces. [Ord. 1985-3, 6/12/1985, § 524]

1. Where an industrial district abuts a residential district, a buffer yard of not less than 30 feet shall be required. The buffer yard shall be a part of the industrial installation and shall be maintained by the industry.
2. Where an industrial district abuts a street that abuts a residential district, a buffer yard of not less than 15 feet shall be required.
3. Where an industrial district abuts a stream or drainage channel, a buffer yard of not less than 15 feet shall be required, and the yard shall be measured from the nearest edge of the stream or channel. Planting other than grass may be omitted along streams when approved by the Zoning Hearing Board.
4. Except as otherwise set forth in Part 4 of this Chapter, buffer yards required for other than industrial districts shall be at least 15 feet. **[Amended 11/14/2012 by Ord. 2012-2 , 11/14/2012]**
5. All buffer yards shall be planted and maintained with a vegetative material to include a row of trees planting not more than 40 feet on center, and trunk size at least two inches in caliber measured one foot above normal soil level. Buffer yards may be planted in such manner as to provide desired screening or filtering of noise and dust. (See § 27-507.5A hereof.)

6. Buffer yards other than interior side or rear buffer yards may be crossed by access roads and service drives not more than 35 feet in width, provided that the angle of the center line of the road or drive crosses the lot line and buffer yard at not less than 60°.
7. No storage of materials or parking of cars shall be permitted in buffer yards.
8. See § 27-507.5A(3).

§ 27-526. Service Areas (Parking, Drives and Loading). [Ord. 1985-3, 6/12/1985, § 525]

Unless more restrictive regulations are set forth elsewhere herein, the following shall apply.

- A. Residential Oriented Districts.
 - (1) Service areas may be placed in required yard areas but not closer than two feet to any property line.
 - (2) Where the extremities of a service area are closer than four feet to any property line, curbs and/or wheel stops must be provided at a line which, when the wheels (front or rear) of a vehicle are in contact, will not permit any portion of the vehicle to overhang any part of adjacent property.
 - (3) Joint drives serving contiguous lots are not recommended. They may be approved as a special exception by the Zoning Hearing Board when no alternative is available. The use of a joint drive must be made a part of the deed for each property.
 - (4) Off-street service areas must have an all-weather paving capable of providing a solid, dust free surface at all times.
- B. Commercial Oriented Districts.
 - (1) Off-street service areas shall be provided for every commercial enterprise hereafter erected or substantially altered.
 - (2) Off-street service areas where permitted may be placed on the premises, provided that:
 - (a) No part of any vehicle on the premises shall overhang any adjacent property.
 - (b) Storage of material shall not be permitted unless within a structure or behind a screen providing visual protection to adjacent properties.

- (3) All off-street service areas shall be paved so as to provide an all-weather surface, firm and dust free at all times. Paving shall be as specified by the Township Engineer.

C. Industrial Oriented Districts.

- (1) Off-street service areas may be placed anywhere on the premises except where specifically prohibited. (Buffer yards and yards adjacent to public right-of-way lines.)
- (2) No parking or loading area shall be established within five feet of any property line or within 10 feet of a public right-of-way line.

§ 27-527. Junkyards. [Ord. 1985-3, 6/12/1985, § 526]

All junkyards existing at the effective date of this Part, within one year thereafter, and all new junkyards, where permitted, shall comply with the following provisions:

- A. Such uses shall be conducted within a building or entirely enclosed within a fence or wall of not less than eight feet in height and said fence or wall shall be constructed of a permanent material; or in lieu of a fence, a screen planting and buffer yard as set forth under § 27-507.5.
- B. No junk material, appurtenant structure, related activity or other enclosure shall be stored, placed or conducted within 25 feet of any adjoining property or public right-of-way and such setback area shall be kept free of weeds and scrub-growth.
- C. All junk shall be stored or arranged so as to permit access by fire fighting equipment and to prevent the accumulation of water, and no junk shall be piled to a height of more than eight feet.
- D. No oil, grease, tires, gasoline or other similar material shall be burned at any time and all other burning shall be attended and controlled at all times.
- E. Any junkyard shall be maintained in such a manner as to cause no public or private nuisance, not to cause any offensive or noxious sounds or odors that would be hazardous to public health, nor to cause the breeding or harboring of rats, flies or other vectors.

PART 6
ADMINISTRATION AND ENFORCEMENT

§ 27-601. Enforcement Officer. [Ord. 1985-3, 6/12/1985, § 600]

It shall be the duty of the Zoning Officer or other such duly authorized representative of the Board of Supervisors, hereinafter referred to as the "agent," and he is hereby given the power and authority to enforce the provisions of this Chapter. The agent shall examine all applications for permits, issue permits for constructions and uses which are in accordance with the requirements of this Chapter, record and file all such reports as the Board of Supervisors may require. Permits for construction and uses which are a special exception or a variance to requirements of this Chapter shall be issued only upon written order of the Zoning Hearing Board.

§ 27-602. Permits. [Ord. 1985-3, 6/12/1985, § 601]

1. Requirements of Permits. A building and/or zoning permit shall be required; prior to erection, addition or alteration of any building or portion thereof; prior to the use or change in use of a building or land; and prior to the change or extension of a nonconforming use. It shall be unlawful for any person to commence work for the erection or alteration of any building, or for a change in land use, until a building and/or zoning permit has been duly issued therefor.
2. Application for Permits. All applications for building and/or zoning permits shall be accompanied by plans in duplicate, drawn to scale, showing the actual shape and dimensions of the lot to be built upon, the exact size and location of any building existing on the lot, the lines within which the proposed building or structure shall be erected or altered, the existing and intended use of each building or part of a building, the number of families or dwelling units the building is designed to accommodate and such information as may be necessary to determine compliance with this Chapter and all other pertinent ordinances. One copy of such plans shall be returned to the owner when such plans shall be approved by the Township Engineer. All applications with accompanying plans and documents shall become a public record after a permit is issued or denied.
3. Issuance of Permits. No building, zoning or use permit shall be issued until the Zoning Officer has certified that the proposed building, addition, use or alteration complies with all the provisions of this Chapter, as well as with all of the provisions of an existing or hereafter enacted Building Permit Code. A permit issued hereunder shall become void six months after the issuance date.
4. Temporary Permits. A temporary permit may be authorized by the Zoning Hearing Board for a nonconforming structure or use which it deems beneficial to the public health or general welfare, or which it deems

necessary to promote the proper development of the community, provided that such nonconforming structure or use shall be completely removed upon expiration of the permit without cost to the Township. Such permits shall be issued for a specified period of time not to exceed one year and may be renewed annually for an aggregate period not exceeding three years.

§ 27-603. Appeal or Application for a Special Exception or Variance. [Ord. 1985-3, 6/12/1985, § 602]

An appeal or application for a special exception or variance from the terms of this Chapter may be filed with the Zoning Officer and shall state:

- A. The name and address of the applicant.
- B. The name and address of the owner of the real estate to be affected by the proposed exception or variance.
- C. A brief description and location of the real estate to be affected by such proposed change.
- D. A statement of the present zoning classification of the real estate in question, the improvements thereon and reasons why it should be granted.
- E. A statement of the Section of this Chapter under which the variance or exception requested may be allowed and reasons why it should be granted.
- F. A reasonably accurate description of the present improvements and the additions intended to be made under this application, indicating the size of such proposed improvements, material and general construction thereof. In addition, there shall be attached a plot plan of the real estate to be affected, as provided in § 27-602B, indicating the location and size of the lot and size of improvements now erected and proposed to be erected thereon.
- G. Action on special exceptions and variances shall be as set forth in Article IX of Act 247 as amended.

§ 27-604. Zoning Hearing Board Certificate. [Ord. 1985-3, 6/12/1985, § 603]

It shall be the duty of the Secretary of the Zoning Hearing Board to issue a Zoning Hearing Board certificate which shall indicate the action of the Board on applications for a special exception or variance or opinion on review. The Board may cancel or revoke a Zoning Hearing Board certificate for any violation of this Chapter or of conditions imposed.

§ 27-605. Nonconformance Listing. [Ord. 1985-3, 6/12/1985, § 604]

1. The Zoning Officer or "agent" shall list and register and record to the satisfaction of the Township Supervisors all nonconforming uses and structures. Such list shall be available for public inspection upon request.

2. The owner and/or occupant of property listed as nonconforming may request a certificate of nonconformance and the certificate must be issued by the Zoning Officer. This certificate shall be for the purpose of insuring to such owner the right to continue a nonconforming use and a copy of the certificate on nonconformance shall be retained by the Zoning Officer.

§ 27-606. Violations, Penalties and Remedies. [Ord. 1985-3, 6/12/1985, § 605; as amended by Ord. 1999-1, 6/14/1999]

Failure to comply with any provision of this Chapter, failure to secure a permit or Zoning Hearing Board certificate, when required, previous to the erection, construction, extension or addition to a building; or failure to secure a certificate of use permit shall be violations of this Chapter.

- A. Notice of Violation. When written notice of a violation of any provisions of this Chapter has been served by the Agent on the owner, agent or occupant, contractor or builder, such violation shall be discontinued immediately.
- B. Penalties. Any person, partnership or corporation who or which shall violate the provisions of any Zoning Ordinance enacted under this act or prior enabling laws shall, upon conviction thereof in a summary proceeding, be sentenced to pay a fine of not more than \$500. In default of payment of the fine, such person, the members of such partnership, or the officers of such corporation shall be liable to imprisonment for not more than 60 days. Each day that a violation is continued shall constitute a separate offense. All fines collected for the violation of zoning ordinances shall be paid over to the Township whose ordinance has been violated.
- C. Remedies. In case any building, structure or land is or is proposed to be erected, construed, reconstructed, altered, converted, maintained or used in violation of any ordinance enacted under this act or prior enabling laws, the Board of Supervisors, or with the approval of the Board of Supervisors, an officer of the Township, in addition to other remedies, may institute in the name of the Township any appropriate action or proceeding to prevent, restrain, correct or abate such building, structure or land, or to prevent, in or about such premises, any act, conduct, business or use constituting a violation.
- D. Causes of Action. In case any building, structure, landscaping or land is, or is proposed to be, erected, constructed, reconstructed, altered, converted, maintained or used in violation of this Chapter, the Board of Supervisors or, with the approval of the Board of Supervisors, an officer of the Township, or any aggrieved owner or tenant of real property who shows that his property or person will be substantially affected by the alleged violation, in addition to other remedies, may institute any appropriate action or proceeding to prevent, restrain, correct or abate such building, structure, landscaping or land, or to prevent, in or about such premises, any act, conduct, business or use constituting a violation. When any such action is instituted by a landowner or tenant, notice of that action shall be served upon the Township

at least 30 days prior to the time the action is begun by serving a copy of the complaint on the Board of Supervisors. No such action may be maintained until such notice has been given.

E. Enforcement Notice.

- (1) If it appears to the Township that a violation of this Chapter has occurred, the Township shall initiate enforcement proceedings by sending an enforcement notice as provided in this Section.
- (2) The enforcement notice shall be sent to the owner of record of the parcel on which the violation has occurred, to any person who has filed a written request to receive enforcement notices regarding that parcel and to any other person requested in writing by the owner of record.
- (3) An enforcement notice shall state at least the following:
 - (a) The name of the owner of record and any other person against whom the Township intends to take action.
 - (b) The location of the property in violation.
 - (c) The specific violation with a description of the requirements which have not been met, citing in each instance the applicable provisions of this Chapter.
 - (d) The date before which the steps for compliance must be commenced and the date before which the steps must be completed.
 - (e) That the recipient of the notice has the right to appeal to the Zoning Hearing Board within a period of 10 days.
 - (f) That failure to comply with the notice within the time specified, unless extended by appeal to the Zoning Hearing Board, constitutes a violation, with possible sanctions clearly described.

F. Enforcement Remedies.

- (1) Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this Chapter shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than \$500 plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment

pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating this Chapter to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation.

- (2) The court of common pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem fine pending a final adjudication of the violation and judgment.
- (3) Nothing contained in this Section shall be construed or interpreted to grant to any person or entity other than the Township the right to commence any action for enforcement pursuant to this Section.
- (4) District justices shall have initial jurisdiction over proceedings brought under this Section.

§ 27-607. Zoning Hearing Board. [Ord. 1985-3, 6/12/1985, § 606]

The Township Supervisors shall appoint a Zoning Hearing Board. In the event that a Zoning Board of Adjustment existed on or before January 1, 1969, such Board automatically becomes the Zoning Hearing Board. This shall be in accord with Article IX of Act 247, the Pennsylvania Municipalities Planning Code.

§ 27-608. Amendments. [Ord. 1985-3, 6/12/1985, § 607]

The Township Supervisors may amend and repeal Zoning Ordinances to implement comprehensive plans and to accomplish any of the purposes of Act 247, the Pennsylvania Municipalities Planning Code, by complying with Article VI, §§ 608-611, and other relevant parts of said Act and Article.

PART 7**VALIDITY, INTERPRETATION AND REPEALER****§ 27-701. Interpretation. [Ord. 1985-3, 6/12/1985, § 700]**

In interpreting and applying the provisions of this Chapter, they shall be held to be the minimum requirements for the promotion of the health, safety, morals and general welfare of the Township. It is not intended to interfere with or abrogate or annul other rules, regulations or ordinances of the Township, provided that where this Chapter imposes a greater restriction upon the use of buildings or premises, or upon the height of a building, or requires larger open spaces than are imposed by such other rules, regulations or ordinances, the provisions of the Chapter shall control.

§ 27-702. Validity. [Ord. 1985-3, 6/12/1985, § 701]

Should any Section or provision of this Chapter be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Chapter as a whole, or of any other part thereof.

§ 27-703. Repealer. [Ord. 1985-3, 6/12/1985, § 702]

All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

§ 27-704. Fees. [Ord. 1985-3, 6/12/1985, § 704; as amended by Ord. 1987-1, 8/12/1987, § 1; and by Ord. 1999-1, 6/14/1999]

1. A fee in an amount as established from time to time by resolution of the Board of Supervisors, payable in advance, shall be made for each appeal or application to the Zoning Hearing Board for a special exception or variance, to cover advertising costs and mailing notices. Charges of the stenographer for taking notices of testimony are additional costs for which the appellant or applicant shall reimburse the Township.
2. The fee in an amount as established from time to time by resolution of the Board of Supervisors, payable in advance, shall be made for each application to the Township Supervisors for a change or amendment in the Zoning Map and the applicant shall assume all costs of advertising and such other costs as are incurred through public hearings and the keeping of the records thereof.
3. A fee in an amount as established from time to time by resolution of the Board of Supervisors, payable in advance, shall be made for each certified statement of district classification of any property and/or compliance of any property with the provisions of this Chapter.

4. A fee in an amount as established from time to time by resolution of the Board of Supervisors, payable in advance, shall be charged for a certificate of nonconformance.

PART 8
PLANNED RESIDENTIAL DEVELOPMENT

§ 27-801. General Regulations. [Ord. 1985-3, 6/12/1985, § 801]

1. The Board of Supervisors may enact, amend and repeal ordinances fixing standards and conditions for a planned residential development. The enacting procedures shall be the same as those required for enactment of a subdivision and land development ordinance in accordance with Act 247. The purpose of such ordinances is to assure that the provisions of zoning (Article VI of Act 247) which are covered in part with uniform treatment within each zoning district shall not be applied to the improvement of land other than lot by lot development.
2. The grant of power for planned residential development is pursuant to Article VII of Act 247 and includes the right to approve, modify or disapprove any development plan within the Township.
3. Every ordinance and all amendments thereto shall be based on and interpreted in relation to the Comprehensive Plan for the development of the Township.
4. Planned residential development may include, but not necessarily be limited to, single dwelling units, two-family units, multifamily units including multistory structures or any combination thereof. It may also include nonresidential uses deemed appropriate for incorporation in the design of the planned residential development. Standards governing the density or intensity of land use, the amount and location of open spaces and the basis for incorporation of nonresidential uses shall be set forth as an ordinance applied to specific land area or areas within the Township.
5. Application procedures, tentative and final approvals, public hearings and construction of planned residential developments shall be in full accordance with Article VII, §§ 701-712, inclusive of Act 247, the Pennsylvania Municipalities Planning Code.
6. The Subdivision and Land Development Ordinance [Chapter 22] of the Township shall be the guide to follow for preliminary and final plans and for minimum physical improvement to the site.
7. All regulations set forth under this Chapter for signs, parking, loading, drainage and other applicable controls shall apply. Notwithstanding, where this Chapter sets forth more stringent regulations and controls, such shall prevail.

§ 27-802. Performance Standards. [Ord. 1985-3, 6/12/1985, § 802; as amended by Ord. 1999-1, 6/14/1999]

1. The purpose is to establish minimum environmental standards with which all proposed land uses and structures must comply. Evidence of ability to comply shall be required prior to the issuance of a building permit or a certificate of occupancy and continued compliance shall be required during the operation of such land uses and structures.
2. Where, in the opinion of the Zoning Hearing Board and Board of Supervisors, there is a probable violation of any performance standard, they are empowered to have a qualified technician perform such investigations, measurements and analysis as may be necessary to determine whether or not there is, in fact, a violation; the offender shall bear the cost incurred by the Township in retaining the qualified technician. If no offense is found, costs shall be borne by the Township.
 - A. Residential Densities. (Units per gross acre of land to be developed for each purpose.)
 - (1) Single-family residential structures shall not exceed five families per acre.
 - (2) Duplex (two-family structures) shall not exceed nine families per acre.
 - (3) Multiple dwellings (more than two per structure).
 - (a) Structures housing less than seven families shall not exceed 16 families per acre.
 - (b) Structures housing less than 17 families shall not exceed 21 families per acre.
 - (c) Structures housing over 17 families shall not exceed 62 families per acre.
 - (d) Structures housing over 17 units all designed for couples without children (elderly and others) shall not exceed 100 units per acre.
 - B. Coverage (Residential).
 - (1) Single-family and two-family structures — not over 25%.
 - (2) Multifamily structures including townhouses — not over 35%.
 - C. Yards and Setbacks.
 - (1) A setback of not less than 30 feet from a public right-of-way for single and two-family structures.

- (2) A setback of not less than 25 feet from an adjacent property line shall be required.
 - (3) For other circumstances requiring a setback, the distance shall be recommended by the developer and shall be reviewed by the Planning Commission. Following the review they may be approved and/or adjusted as deemed necessary.
 - (4) Yard area minimum shall be recommended by the developer and submitted for review by the Planning Commission. Following review they may be approved and/or adjusted as deemed necessary for the health, safety and welfare of the citizens.
- D. Heights of Structures. No regulation; however, the height suggested by the developer must be in conformance to good construction practices and be ample to provide space for proper use of the premises and to provide light and air for the health and welfare of the occupant.
- E. Privacy. All new and developments and structures shall, by site planning, location and orientation of structures, provide visual and acoustical privacy between themselves and adjoining lots and structures. The conditions of existing adjacent lots and structures shall govern the design of new lot developments and structures in the question of privacy.
- F. Commercial and Industrial Standards.
- (1) Area.
 - (a) No minimum. The developer must submit a proposal for site development including the basis upon which the need for the commercial and/or industrial enterprise was determined.
 - (b) The developer must demonstrate that the area proposed is sufficient to provide for all structures, service and parking areas and open spaces necessary to the proper functioning of the proposed use.
 - (2) Nuisance and Hazard Abatement.
 - (a) Noise. At no point on or beyond the boundary of any lot shall the sound pressure level resulting from any use of activity, whether open or enclosed, (except noise not directly under control of the property user, noise resulting from the construction and maintenance of buildings and facilities including site preparation, and the noises of safety signals, warning devices and automobile traffic) exceed the maximum permitted

decibel levels for the designated octave band as set forth in the table below:

Octave Band, Frequency in Cycles per Second	Sound Pressure Level in Decibels
0-74	73
75-149	68
150-299	60
300-599	53
600-1, 199	47
1,200-2,399	41
2,400-4,799	35
4,800 and over	33

- (b) Odors. No continuous, frequent or repetitive emission of odors or odor causing substances which would be offensive at or beyond any property line will be permitted. The existence of an odor shall be presumed when the concentration for the odor causing substance or substances in the air at any point at or beyond the property line of the source exceeds the lowest concentration listed as the odor threshold for such substance or substances in Table III, (Odor Thresholds) appearing in Chapter 5 of the Air Pollution Abatement Manual, copyright 1952, by the Manufacturing Chemists Association, or as subsequently amended. Substances not cited in said table shall be deemed odorous when analysis by a competent technician demonstrates that a discernible odor is being emitted.
- (c) Offensive Area. All areas for parking, recreation, service, utility equipment, waste receptacles and/or other elements which because of their appearance, odor and/or noise would be offensive to those occupying the lot or adjoining lots or those on the street shall be screened, landscaped or otherwise treated to eliminate the offensive condition.
- (d) Lighting. Lighting of all types shall be directed so as to reflect away from adjacent lots and public rights-of-way.
- (e) Landscaping. Natural landscaping elements, trees, shrubs, rocks, streams, contours are a valuable asset in the urban environment. All site developments shall retain as much of the natural landscaping to a quality comparable to that of the surrounding properties.

- (f) Fire. No structure nor activity on a site or within a structure shall pose a hazard of fire for adjacent lots and/or structures. Access for firefighting men and equipment shall be provided for every structure on the site.
- (g) Smoke. It shall be unlawful for any person to permit the emission of any smoke from any source whatever of a density equal to or greater than that density described as No. 2 on the Ringlemann Chart, published by the U.S. Bureau of Mines (Powers Micro-Ringlemann Chart, McGraw-Hill Publishing Company, 1954, may be used.)
- (h) Toxic and Noxious Matters. No emission which would be demonstrably injurious to human health, animals or plant life at or beyond the boundaries of any lot will be permitted. Where such an emission could result from an accident or equipment malfunction, adequate safeguards considered standard for such utilization of the toxic and noxious matters involved shall be taken.
- (i) Radiation Hazards. The handling of radioactive materials, the discharge of such materials into air and water, and the disposal of radioactive wastes shall be in conformance with the applicable regulations of the Atomic Energy Commission.
- (j) Fire and Explosive Hazards. The storage, utilization or manufacture of solid material or products ranging from free or active burning to intense burning is permitted, but only if said materials or products are stored, utilized or manufactured within completely enclosed building having incombustible exterior and protected throughout by an automatic fire extinguishing system. All activities involving the use and/or storage and/or disposal of flammable or explosive material shall be provided with adequate safety and protective devices against hazards of fire and explosion, as well as with adequate firefighting and suppression equipment and devices standard to the industry involved.
- (k) Glare and Heat. Any operation producing intense glare or heat shall be performed within an enclosure so as to completely obscure such operation from view from any point along the property line, except during the period of construction of the facilities to be used and occupied.
- (l) Electromagnetic Radiation. In the interest of maintaining an atmosphere fruitful to research, there

shall be no electromagnetic interference that adversely affects at any point the operation of any equipment other than that belonging to the creator of such interference, or that is not in conformance with the regulations of the Federal Communications Commission.

- (m) Fly Ash, Dust, Fumes, Vapors, Gases and Other Forms of Air Pollution. No emission which can cause any damage to health, to animals or vegetation, or their forms of property, or which can cause any excessive soiling at any point, and in no event any emission, from any chimney or otherwise, of any solid or liquid particles in concentrations exceeding 0.3 grain per cubic foot of the conveying gas or air at any point shall be permitted. This shall be measured at the point of emission.
- (n) Water. No emission of pollutants (as defined by the Pennsylvania Department of Environmental Protection) into a waterway or sewage system extending beyond the property line shall be permitted.

G. Open Space.

- (1) Open space shall be required within every area developed as a planned residential development. The open space shall provide among others, recreation areas, slope preservation, stream protection areas, public use areas, areas where public uses may be permitted to include educational facilities, churches, utilities, transmission service, municipal uses, etc.
- (2) The developer shall submit a proposed method for identifying the open space and preserving it for public use; for its development and maintenance; and the organization and/or agency proposed to police the area and its maintenance, all in accord with the Planning Commission.

H. Plan Presentation, Approvals, Hearings. All procedures involving the review, approval, tentative approval, rejections and hearings on planned residential development shall be carried out as set forth in Article VII of Act 247 of the Commonwealth of Pennsylvania cite as the "Pennsylvania Municipalities Planning Code."

PART 9
ZONING MAP

§ 27-901. Zoning Map Amendments.

Ordinance	Date	Subject
1990-1	1/22/1990	Amending the zoning classification map by providing for an additional industrial district and an additional highway commercial district.
1992-2	1/6/1992	Amending the zoning classification map by eliminating an industrial area on the south side of Legislative Route #31034 west of its intersection with U.S. Route 22 and creating on the south side of Legislative Route #31034 a commercial highway district west of Legislative Route #31034's intersection with U.S. 22.
1997-7	10/13/1997	Amending the zoning classification map to add the RC Regional Commercial District and the PBC Planned Business Center District.
2007-4	5/22/2007	Adopting the new official Zoning Map.

