



Susquehanna
TOWNSHIP

SUSQUEHANNA TOWNSHIP ZONING ORDINANCE

Chapter 27
of the Susquehanna Township
Municipal Code

DRAFT

January 21, 2022

Enacted:

Effective:



SUSQUEHANNA TOWNSHIP ZONING ORDINANCE

SUSQUEHANNA TOWNSHIP, PENNSYLVANIA

CHAPTER 27 OF THE SUSQUEHANNA TOWNSHIP MUNICIPAL CODE

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PART 1 GENERAL ZONING PROVISIONS

§27-101 Short Title

This Chapter shall be known and may be cited as the "Susquehanna Township Zoning Chapter".

ENACTED: [SPECIFY DATE OF ENACTMENT]
EFFECTIVE: [SPECIFY EFFECTIVE DATE OF ORDINANCE]

§27-102 Purpose

This Chapter is intended to guide future growth and development by regulating land uses within Susquehanna Township for the improvement of the health, safety, comfort, morals, and general welfare of its citizens.

This Chapter has been enacted consistent with the community development objectives specified in the Township's Comprehensive Plan titled, *Sustainable Susquehanna 2030*, as adopted and amended.

In addition to the stated community development objectives, the following items were duly considered in drafting and enacting this Chapter:

- (A) To promote, protect, and facilitate any or all of the following:
 - 1. The public health, safety, morals, and general welfare;
 - 2. The provisions of adequate light and air, access to incidental solar energy,
 - 3. The provision of public services and facilities, including police protection, vehicle parking, and loading space, transportation, water, sewerage, schools, recreational facilities, public grounds, the provision of a safe, reliable, and adequate water supply for domestic, commercial, and other public requirements; and
 - 4. The preservation of the natural, scenic, and historic values in the environment and preservation of forests, wetlands, aquifers, and floodplains.
- (B) To provide for the use of land within the Township for residential housing of various dwelling types encompassing all basic forms of housing, including single-family and two-family dwellings, and a reasonable range of multifamily dwellings in various arrangements, mobile homes, and mobile home parks, provided, however, that this Chapter shall not be deemed invalid for the failure to provide for any other specific dwelling type;
- (C) To accommodate reasonable overall community growth, including population and employment growth, and opportunities for the development of a variety of residential dwelling types and nonresidential Uses; and
- (D) To help guide the future growth and development of the Township in accordance with the Township's adopted comprehensive plan that provides for beneficial and convenient relationships among the various Uses within the Township.

§27-103 Authority

This Chapter is enacted and ordained under the grant of powers by the General Assembly of the Commonwealth of Pennsylvania, Act 247, "The Pennsylvania Municipalities Planning Code," July 31, 1968, as amended, hereinafter referred to as "MPC".

§27-104 Jurisdiction

This Chapter shall apply to all properties and uses located within the corporate limits of the Susquehanna Township, Pennsylvania, hereinafter referred to as the "Township."

§27-105 Applicability

- (A) The terms of this Chapter shall be applied to support the intent set forth in the *Sustainable Susquehanna 2030* Comprehensive Plan.
- (B) The Township's Subdivision and Land Development Ordinance (Chapter 22 of the Susquehanna Township Municipal Code) shall provide design standards and other regulations pertaining to the development of land, whereas, the Zoning Chapter provides parameters on the use of land. Both documents correlate with each other to provide the overall regulations administered by the Township Board of Commissioners, Zoning Officer, Subdivision Administrator, and/or Zoning Hearing Board, as specified in said Ordinances.
- (C) Except as hereinafter specified, no land shall hereafter be used, or developed, and no Building or part thereof or other Structure shall be used, located, erected, constructed, reconstructed, extended, enlarged, converted, or altered, except in conformity with the regulations herein specified for the zoning district in which it is located. Furthermore, any changes created by a subdivision of land shall also be in conformity with the regulations herein specified for the zoning district in which it is located, as reviewed and determined by the Zoning Officer, as defined in Part 1.08.
- (D) Nothing in this Chapter shall be deemed or construed to void, nullify, abrogate, modify, limit or otherwise adversely affect any right vested under applicable law at the time of enactment of this Chapter, whether such right arose under a subdivision or land development plan or development agreement proposed by a person and accepted or approved by the Township. This Chapter is not intended to interfere with or abrogate or annul any more restrictive Easements, Covenants, Building Restrictions, or other agreements between parties relating to Use or development of land.

§27-106 Interpretation

- (A) The regulations specified within this Chapter shall be considered minimum regulations and shall be applied uniformly to all individuals and businesses within the Jurisdiction of the Township.
- (B) When this Chapter places a greater restriction than is imposed or required by other provisions of law, or by other rules, regulations, Ordinances, or by private restrictions, covenants, or declarations, the provisions set forth in this Chapter shall prevail, except where otherwise specifically stated herein. Without limitations of the foregoing, in the event of a conflict between or among the provision of this Chapter, the Township's Subdivision and Land Development Ordinance, and/or any other duly enacted Chapter of the Township, the conflicting provisions shall be given precedence in the following order:
 - 1. The provisions of this Chapter;
 - 2. The provisions of Chapter 22 of the Township Municipal Code; and
 - 3. The provisions of the Township's other duly enacted Ordinances with precedence among them given to the provision bearing the latest date of passage.
- (C) If there is a conflict between or among the provisions of this Chapter, the stricter regulation shall apply.

- (D) Private covenants contained in any Deed or Declaration are not enforceable by the Township; however, such covenants may, as a factor, be considered in the exercise of its sound discretion by the Township Zoning Hearing Board when called upon to consider applications for Special Exceptions, Appeals, and Variance requests and neighborhood compatibility factors related thereto.

§27-107 Severability

Should a court of competent Jurisdiction declare any Part, subsection, or provision of this Chapter invalid or unconstitutional, this decision shall not affect the validity or constitutionality of this Chapter as a whole, or any part thereof, other than the particular part so declared to be invalid or unconstitutional.

§27-108 Zoning Officer Duties and Powers

- (A) The provisions of this Chapter shall be administered by the Township's Zoning Officer.
- (B) The Zoning Officer, who shall not hold any elective office in the Township, shall be appointed by the Township Board of Commissioners. The Zoning Officer shall meet qualifications established by the Board and shall be able to demonstrate to the satisfaction of the Board a working knowledge of municipal zoning. The Zoning Officer shall administer this Chapter in accordance with its literal terms and shall not have the power to permit any construction or any Use or change of Use which does not conform to this Chapter and other applicable Township codes and ordinances. The Zoning Officer shall ensure compliance with and issuance of all permits required by this Chapter. The Zoning Officer may be authorized to institute civil enforcement proceedings as a means of enforcement when acting within the scope of his employment by the Township.
- (C) The administration and enforcement duties and powers of the Zoning Officer shall be as follows:
1. To enforce the provisions of this Chapter and all rules, conditions, and requirements adopted or specified pursuant thereto.
 2. Maintain files, open to the public, of all applications for Zoning Permits along with plans submitted therewith as well as final certificates and permits.
 3. Maintain records, open to the public, of every complaint of a violation of the provisions of this Chapter as well as action taken as a result of such complaints.
 4. Submit to the Board of Commissioners for insertion in the Board's minutes a written report summarizing for the month all Zoning Permits and Certificates of Use issued as well as complaints of violations and action.

§27-109 Zoning Permits

- (A) General.
1. A Zoning Permit shall be required prior to the following activities:
 - a. The erection, addition, or alteration of any Structure or portion thereof, including decks less than thirty (30) inches above grade.
 - b. The addition of new impervious area that is greater than twenty-five (25) square feet in area, or the cumulative addition of one hundred (100) square feet in area.
 - c. The erection or alteration of any Signs as specified in Part 6 of this Chapter as requiring a Zoning Permit.

- d. The erection of a fence greater than twelve (12) feet in length and/or three (3) feet in Height.
 - e. The erection or alteration of retaining walls, as defined by the Pennsylvania Construction Code Act (PCC) and the regulations promulgated thereunder, as amended from time to time, up to four (4) feet in Height.
 - f. The installation of permanent outdoor residential firepits and associated impervious seating areas, provided that such Structures shall require review and approval by the Township Fire Department.
 - g. The installation of driveways for new construction, widening, paving, and overlaying. Liquid sealing does not require a permit.
2. No Zoning Permit shall be required for repairs or maintenance of any Structure or land, provided such repairs do not change the Use or the exterior dimensions of the Structure or otherwise violate the provisions of this Chapter.
3. It shall be unlawful for any person to commence work for the erection or alteration of any Structure or a change in land Use, until a Zoning Permit has been duly issued.
- a. Where a permit is required, but the work is commenced or the Use is commenced or changed prior to obtaining such permit, the fees set by ordinance or resolution of the Township Board of Commissioners for such permit shall be doubled.
 - b. The doubling of the permit fee shall be required to reflect the additional expense incurred by the Township resulting from the need to inspect the property, respond to any complaints, issue any enforcement notices and/or process the application as soon as it is received.
 - c. The payment of such increased permit fee shall not relieve any person from complying with all requirements of this Chapter or any other applicable Township ordinances or from any penalties or enforcement actions authorized by this Chapter or the Act.

(B) Application.

1. Every application for a Zoning Permit shall contain, in addition to other applicable requirements that may be specified in this Chapter, the following information:
- a. The application shall be made by the owner or lessee of any Building or Structure, or the agent of either; provided, however, that if the application is made by a person other than the owner or lessee, it shall be accompanied by a written authorization of the owner or the qualified person making an application, that the proposed work is authorized by this owner. The full names and addresses of the owner, lessee, Applicant, and of the responsible officers, if the owner or lessee is a corporate body, shall be stated in the application.
 - b. The Property Identification Number as it appears on the latest tax records.
 - c. The required fee.

- d. A plot plan drawn to scale and signed by the person responsible for such drawing. If no such plot plan is available, a survey is required. The plot plan shall include the following:
 - (1) The actual shape, dimensions, radii, angles, and area of the Lot on which the Structure is proposed to be erected, or the Lot in which it is situated if in an existing Building.
 - (2) The exact size and locations of the proposed Structure or Structures on the Lot, or alteration of an existing Structure, and of other existing Structure on the same Lot.
 - (3) The dimensions of all yards in relation to the subject Structures and the distances between such Structure and any other existing Structures on the same Lot.
 - (4) The existing and intended use of all Structures, existing or proposed, the use of land, and the number of families or dwelling units the Structure is designed to accommodate.
 - (5) Such topographic or other information about the Structure, the Lot, or neighborhood Lot as may be necessary to determine that the proposed construction will conform to the provisions of this Chapter.
 - (6) Other information as may be necessary to determine compliance with this Chapter and all other ordinances.
- e. Proof of workers' compensation coverage if the application is submitted by a contractor.
- f. Proof of a Highway Occupancy or Minimum Use Driveway Permit is required for access off State-owned Streets.

2. Additional Requirements for all Commercial and Industrial Uses.

- a. A location map showing the tract to be developed, zone boundaries, adjoining tracts, significant natural features, and Streets for a distance of two hundred (200) feet from all tract boundaries.
- b. A plot plan of the Lot, showing the location of all existing and proposed Buildings, driveways, parking lots showing access drives, circulation patterns, curb cut accesses, parking stalls, access from Streets, screening fences and walls, waste disposal fields or other methods of sewage disposal, other construction features on the Lot, and the location of all topographical features.
- c. A description of the operations proposed in sufficient detail to indicate the effects of those operations in producing traffic congestion, noise, glare, air pollution, water pollution, vibration, fire hazards, safety hazards or the emission of any potentially harmful or obnoxious matter or radiation.
- d. Evidence that the disposal of materials and wastes will be accomplished in a manner that complies with state and federal regulations. Should the nature of the Use change in the future such that the materials used or wastes generated change significantly, either in type or amount, the owner shall so inform the Zoning Officer

and shall provide additional evidence demonstrating continued compliance with the requirements of this Part.

- e. Designation of how sanitary sewage and stormwater shall be disposed and water supply obtained.
 - f. The proposed number of shifts to be worked and the maximum number of employees on each shift.
 - g. Where Use by more than one firm is anticipated, a list of firms which are likely to be located in the center, their floor area, and estimated number of employees.
3. The Zoning Permit application and all supporting documentation shall be made in duplicate. On the issuance of a Zoning Permit, the Township shall return one (1) copy of all filed documents to the Applicant.

(C) Review and Issuance.

- 1. The Township shall, within fifteen (15) business days after the filing of a complete and properly prepared application, either issue or deny a Zoning Permit. If a Zoning Permit is denied, the Township shall state in writing to the Applicant the reasons for such denial, and the Applicant shall be informed of his right to appeal to the Zoning Hearing Board.
- 2. The Zoning Officer may call upon other Township staff and/or Township-appointed consultants in the review of submitted materials for applications.
- 3. No Zoning Permit shall be issued unless the proposed activity is in full conformity with all the provisions of this Chapter, and the following:
 - a. Any conditions imposed upon the site or upon the Use by the Zoning Hearing Board or Board of Commissioners;
 - b. Any recorded subdivision or land development plan; and
 - c. The requirements of other applicable Township ordinances and codes.
- 4. No Zoning Permit shall be issued for the construction or alteration of any Structure upon a Lot without access to a Street or Highway.
- 5. Any Zoning Permit issued in violation of the provisions of this Chapter shall be null and void and of no effect, without the necessity for any proceedings or revocations of nullification thereof; and any work undertaken, or Use established pursuant to any such permit shall be unlawful.
- 6. In all instances in which the Zoning Officer expresses a reasonable doubt as to the ability of a proposed Use to meet all of the above-described requirements, the Applicant shall furnish adequate evidence in support of their application. If such evidence is not present, the Zoning Permit will be denied.
- 7. An application for a Zoning Permit for any proposed work shall be deemed to have been abandoned six months after the date of filing, unless during that six-month period, a Zoning Permit shall have been issued, provided that reasonable extensions of time for additional periods not exceeding ninety calendar (90) days each may be granted at the discretion of the Zoning Officer.

8. Conditions of Permit.
 - a. No Zoning Permit shall be issued until the fees prescribed by the Board of Commissioners pursuant to resolution shall be paid to the Township. The payment of fees under this Part shall not relieve the Applicant or holder of said Zoning Permit from payment of other fees that may be required by this Chapter or by any other ordinances or law.
 - b. The Zoning Permit shall be a license to proceed with the work and shall not be construed as authority to violate, cancel, or set aside any of the provisions of this Chapter, except as stipulated by the Zoning Hearing Board.
 - c. All work or uses shall conform to the approved application and plans for which the Zoning Permit has been issued, as well as the approved Site Plan or Land Development Plan.
9. Every Zoning Permit shall expire after one (1) year from the date of issuance. If no zoning amendments or other codes or regulations affecting subject property have been enacted in the interim, the Township may authorize in writing the extension of either above periods of an additional six (6) months, following which no further work is to be undertaken without a new Zoning Permit. Such request shall be made in writing to the Zoning Officer.
10. The Applicant shall prominently display all approved Zoning Permits on the subject property during construction, renovation, reconstruction, repair, remodeling, or the conduct of other site improvements. The Applicant shall display the Zoning Permit within five (5) days of permit issuance or prior to the commencement of actual work on the site, whichever occurs first. The Applicant shall continuously display the Zoning Permit until the site receives its Certificate of Use.
11. Changes to Application Following Issuance. After the issuance of a Zoning Permit by the Zoning Officer, no changes of any kind shall be made to the application, permit or any of the plans, specifications or other documents submitted with the application without the written consent or approval of the Zoning Officer.
12. Revocation of Permit. A Zoning Permit or Occupancy Permit for any Structure or Use shall be revoked by the Zoning Officer or authorized representative if the holder of such permit has failed to comply with the requirements of this Chapter or with any conditions attached to the issuance of the permit. Upon revocation of a permit, the holder may also be subject to the enforcement remedies and penalties provided by this Chapter, by the other provisions of the Township Municipal Code, and by State and Federal law.

(D) Temporary Use Permits.

1. The Township recognizes that there are certain uses, of a temporary nature, which are generally beneficial to the Township and its residents, such as:
 - a. Special Events such as auctions, carnivals, and similar fund-raising activities conducted by volunteer fire companies, emergency medical service providers, schools, and similar institutional uses.
 - b. The erection of a seasonal tent from which flowers, plants, produce, Christmas trees or fireworks are sold prior to observed holidays.
 - c. Temporary Signs per Part 5 of this Chapter.

- d. Dumpsters or storage pods.
- e. Construction trailers.
2. It is the intention of the Township to allow such temporary uses in accordance with the requirements of this Part.
3. Where the proposed temporary Use is permitted within the zone, the Applicant shall apply to the Zoning Officer for a Zoning Permit. Any Zoning Permit shall specify the dates upon which the temporary Use may be operated, the temporary Structures which may be erected, and the Temporary Signs which may be erected.
4. The Zoning Hearing Board, by Special Exception, may authorize a temporary Use in a district where such Use is not authorized if the Applicant meets the general requirements for a Special Exception and demonstrates evidence of the temporary Use requirements. If the Applicant demonstrates to the satisfaction Zoning Hearing Board that its application meets all five (5) of the below criteria, the Zoning Hearing Board may, by Special Exception, authorize each such temporary Use. The decision of the Zoning Hearing Board shall identify the specific dates upon which the Use may be conducted and the specific tract or portion of the tract upon which the temporary Use may be conducted. Temporary uses may not exceed fifteen (15) days at any single time or thirty (30) days in any calendar year.
5. The Applicant for a temporary Use, must present evidence of the following:
 - a. Adequate off-street parking is provided. Off-Street parking for the temporary Use may be shared with off-street parking for an existing permanent Use.
 - b. Any signs are temporary in nature and do not exceed the number or area which would be permitted for a permanent Use.
 - c. Other facilities, including but not limited to sewage disposal facilities and trash disposal are available for persons reasonably anticipated to attend the temporary Use.
 - d. A plan for addressing traffic to be generated by the temporary Use. If necessary, the Applicant shall arrange for the provision of fire police or other persons to direct traffic to the temporary off-street parking facilities.
 - e. The Use shall contribute to the welfare of the Township and its residents, and will not adversely affect the health, safety or welfare of adjoining residents or the uses permitted within the zone in which the temporary Use is proposed.
6. Failure to cease operation on the date specified in the temporary Zoning Permit or failure to remove all temporary Structures and Temporary Signs shall constitute a violation of this Chapter.

§27-110 Zoning Certification Letter

- (A) A zoning certification letter shall be issued upon a request to certify:
1. Correct zoning classification;
 2. Compatibility of existing land uses;

3. Compatibility of proposed land uses; and
 4. Legal status of a nonconforming Use, Structure or Lot.
- (B) Requests for a zoning certification letter shall be accompanied by a development plan, as defined by this Chapter, when, in the opinion of the Zoning Officer, such information is required to accurately certify the requested documentation.
- (C) Payment of Fees. No zoning certification letter shall be issued until the fees prescribed by the Board of Commissioners pursuant to resolution shall be paid to the Township.

§27-111 Use Certificates

- (A) A Use Certificate, certifying compliance with this Chapter, must be obtained from the Zoning Officer for any change of use of a Structure or Land as set forth below before such new Structure or Use or change of Use is occupied or established:
1. use of vacant land except for agricultural purposes;
 2. Any change in a conforming use of a Structure or land;
 3. Any change from a nonconforming use of a Structure or land to a conforming Use;
 4. Any change in the use of a Structure or land from that permitted by any variance of the Zoning Hearing Board; or
 5. New business activity or change in business, permitted by Special Exception, variance or Use by right.
- (B) The application for a Use certificate must include a statement of the intended Use and any existing use of the Structure or land. The certificate continues in effect as long as the use of the Structure or land for which it is granted conforms to this Chapter.
- (C) Prior to final approval of a zoning Use certificate by the Zoning Officer, the property shall be in compliance with the current International Property Maintenance standards.

§27-112 Fees

- (A) The Applicant for a Zoning Permit, and/or applications to the Zoning Hearing Board pertaining to Special Exceptions, Appeals, Variances, Validity Challenges, and Additional Hearing requests shall at the time of making said application, pay the Zoning Officer a fee in accordance with a fee schedule regularly established by the Board of Commissioners.
- (B) Such fees shall be payable to the Township. Until all applicable fees, charges and expenses have been paid in full, the applications shall be considered incomplete, and no action shall be taken on any application or appeal.

§27-113 Violations and Penalties

- (A) Any person, partnership or corporation who or which has violated the provisions of this Chapter or of the MPC, as amended, upon being found liable thereof in a civil enforcement proceeding commenced by the Township, shall pay a judgment of not less than one hundred dollars (\$100.00) but no more than five hundred dollars (\$500.00) plus 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 the District Justice determines that there was good faith basis for the person, partnership, or corporation violating this Chapter who believed that there was no such violation until the fifth (5th) day following the date of the Determination of a violation by the District Justice and each day thereafter that a violation continues shall constitute a separate violation. All judgments, costs, and reasonable attorney fees collected for the violation of this Zoning Chapter shall be paid over to Township.

- (B) The Court of Common Pleas, upon petition, may grant an order to stay, upon cause shown, tolling the per diem fine, pending a final adjudication of the violation and agreement.
- (C) Nothing contained in this Chapter shall be construed or interpreted to grant any person or entity other than the Township the right to commence any action for enforcement to this Chapter.

§27-114 Appeals and Applications

- (A) An appeal or application for an amendment or variance from the terms of this Chapter shall be filed with the Zoning Officer and shall contain the following information:
 - 1. The name, address, and contact information of the Applicant.
 - 2. The name, address, and contact information of the owner of the real estate to be affected by such proposal.
 - 3. A brief description and location of the real estate to be affected by such proposal, including the Property Identification Number
 - 4. A statement of the present zoning classification of the real estate in question, the improvements thereon, and the present Use.
 - 5. A statement of the Part of this Chapter under which the appeal or application is filed and reasons why it should be granted or a statement of the Part of this Chapter governing the situation in which the alleged erroneous ruling is being appealed and reasons for the appeal.
 - 6. An accurate description of the present improvements and the additions intended to be made under this application, indicating the size and use of such proposed improvements and general construction thereof. In addition, there shall be attached a plot plan of the real estate to be affected, as required to accompany applications for permits as outlined in §27-109.

§27-115 Zoning Hearing Board

- (A) Creation and Appointment.
 - 1. Members. Pursuant to Article IX of the MPC, the Board of Commissioners does hereby create a Zoning Hearing Board and appoint three (3) members who shall be residents of the Township. Members of the Zoning Hearing Board shall be appointed by resolution of the Board of Commissioners. Their terms of office shall be three (3) years and shall be so fixed that the term of office of one (1) member shall expire each year. Members of the Zoning Hearing Board shall hold no other office, elected, or appointed, in the Township.

2. Alternates. Pursuant to Article 903(b) of the MPC, the Township may appoint by resolution at least one (1) but no more than three (3) residents of the Township to serve as alternate members of the Zoning Hearing Board. The term of office of an alternate member shall be three (3) years. Alternates shall hold no other office, elected, or appointed, in the Township.

- (B) Removal of Members. Any Zoning Hearing Board member may be removed for malfeasance, misfeasance, or nonfeasance in office or for other just cause by a majority vote of the Board of Commissioners which appointed the member, taken after the member has received fifteen (15) days advance notice of the intent to take such a vote. A hearing shall be held in connection with the vote if the member shall request it in writing.

- (C) Organization of Zoning Hearing Board. The Zoning Hearing Board shall elect from its own membership its officers who shall serve annual terms as such and may succeed themselves. For the conduct of any hearing and the taking of any action, a quorum shall be not less than a majority of all the members of the Zoning Hearing Board, but where two (2) members are disqualified from acting in a particular matter, the remaining member may act for the Zoning Hearing Board. The Zoning Hearing Board may appoint a hearing officer from its own membership to conduct any hearing on its behalf, and the parties may waive further action by the Zoning Hearing Board as provided in §27-114 (E). The Zoning Hearing Board may make, alter, and rescind rules and forms for its procedure, consistent with ordinances of the Township and laws of the Commonwealth of Pennsylvania. The Zoning Hearing Board shall keep full public records of its business and shall submit a report of its activities to the Board of Commissioners as requested.

- (D) Expenditures for Services. Within the limits of funds appropriated by the Board of Commissioners, the Zoning Hearing Board may employ or contract for secretaries, clerks, legal counsel, consultants, and other technical and clerical services. Members of the Zoning Hearing Board may receive compensation for the performance of their duties, as may be fixed by the Board of Commissioners, but in no case shall it exceed the rate of compensation authorized to be paid to members of the Board of Commissioners.

- (E) Hearings. A hearing conducted by the Zoning Hearing Board shall be held within sixty (60) days from the date of the Applicant's request unless the Applicant has agreed in writing to an extension of time. The Zoning Hearing Board shall conduct hearings and make decisions in accordance with the following requirements.

1. Notice. Public Notice shall be given, and written notice shall be given to, the Applicant, the Township Secretary, the Township Planning Commission, and to any person who has made timely request for the same. Written notices shall be given at such time and in such a manner as shall be prescribed by the Zoning Hearing Board and the requirements of the MPC. 53 P.S. §10101 et seq., provided that the notices conform to the following:
 - a. Written notices shall state the time, date, and location of the proposed hearing.
 - b. Written notice shall be conspicuously posted on the affected tract of land at least seven (7) calendar days prior to the hearing. Such written notice must be printed on a sign with a minimum dimension of eleven (11) inches by seventeen (17) inches.
 - c. At least seven (7) business days prior to the hearing, the Applicant shall provide written notice, by U.S. Mail, to all Landowners within two hundred (200) feet of the affected tract of land. Landowners are determined by the then-current Dauphin County tax records. Provided, however, that failure to give the notice as required by this Part shall not invalidate any action taken by the Zoning Hearing Board.

2. Conduct of Hearing. The hearings shall be conducted by the Zoning Hearing Board or the Zoning Hearing Board may appoint any member as a hearing officer. The decision, or, where no decision is called for, the findings shall be made by the Zoning Hearing Board, but the parties may waive decision or findings by the Zoning Hearing Board and accept the decision or findings of the hearing officer as final.
 - a. The parties to the hearing shall be any person affected by the application who has made timely appearance of record before the Zoning Hearing Board, and any other person including civic or community organizations permitted to appear by the Zoning Hearing Board. The Zoning Hearing Board shall have the power to require that all persons who wish to be considered parties enter appearances in writing.
 - b. The chairperson of the Zoning Hearing Board or the hearing officer presiding shall have the power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant documents and papers, including witnesses and documents requested by the parties.
 - c. The parties shall have the right to be represented by counsel and shall be afforded the opportunity to respond and present evidence and argument and cross-examine adverse witnesses on all relevant issues.
 - d. Formal rules of evidence shall not apply, but irrelevant, immaterial, or unduly repetitious evidence may be excluded.
 - e. The Zoning Hearing Board or the hearing officer shall keep a stenographic record of the proceedings. The appearance fee for a stenographer shall be shared equally by the Applicant and the Zoning Hearing Board. The cost of the original transcript shall be paid by the Zoning Hearing Board if the transcript is ordered by the Zoning Hearing Board or hearing officer. It shall be paid by the person appealing from the decision of the Zoning Hearing Board if such appeal is made, and in either event, the cost of additional copies shall be paid by the person requesting such copy or copies. In other cases, the party requesting the original transcript shall bear the cost thereof.
 - f. The Zoning Hearing Board or the hearing officer shall not communicate, directly or indirectly, with any party or his representatives in connection with any issue involved except upon notice and opportunity for all parties to participate, shall not take notice of any communication, reports, staff memoranda, or other materials unless the parties are afforded an opportunity to contest the material so noticed and shall not inspect the site or its surroundings after commencement of hearings with any party or his representative unless all parties are given an opportunity to be present.

3. Decision.
 - a. The Zoning Hearing Board or the hearing officer shall render a written decision or, when no decision is called for, make written findings on the application within forty-five (45) calendar days after the last hearing before the Zoning Hearing Board or hearing officer.
 - b. Each decision shall be accompanied by findings of fact and conclusions based thereon together with the reasons, therefore. Conclusions based on any provisions of this act or of any ordinance, rule, or regulation shall contain a reference to the provision relied on and the reasons why the conclusion is deemed appropriate in the light of the facts found.

- c. If the hearing is conducted by a hearing officer, and there has been no stipulation that the officer's decision or findings are final, the Zoning Hearing Board shall make its report and recommendations available to the parties within forty-five (45) calendar days, and the parties shall be entitled to make written findings to the Zoning Hearing Board prior to final decision or entry of findings, and the Zoning Hearing Board's decision shall be entered no later than thirty (30) calendar days after the decision of the hearing officer.
- d. Where the Zoning Hearing Board has power to render a report and the Zoning Hearing Board or the hearing officer as the case may be, fails to render the same within the period required by this subsection, or fails to hold the required hearing within sixty (60) calendar days from the date of the Applicant's request for a hearing, the decision shall be deemed to have been rendered in favor of the Applicant unless the Applicant has agreed in writing to an extension of time.
- e. When a decision has been rendered in favor of the Applicant because of the failure of the Zoning Hearing Board to meet or render a decision, the Zoning Hearing Board shall give Public Notice of the said decision within ten (10) days from the last day it could have met to render a decision in the same manner as provided in §27-114(E)1. If the Zoning Hearing Board fails to provide such notice, the Applicant may do so. Nothing in this subsection shall prejudice the right of any party opposing the application to urge that such a decision is erroneous.
- f. A copy of the final decision, or where no decision is called for, of the findings shall be delivered to the Applicant personally or mailed to them not later than the next business day following its date. To all other persons who have filed their name and address with the Zoning Hearing Board not later than the last day of the hearing, the Zoning Hearing Board shall provide by mail or otherwise, brief notice of the decision or findings and a statement of the place at which the full decision or findings may be examined.

(F) Jurisdiction. The Zoning Hearing Board shall have exclusive Jurisdiction to hear and render final adjudications in the following matters:

- 1. Substantive challenges to the validity of any land Use ordinance, except those brought before the Board of Commissioners pursuant to Sections 609.1 and 916.1 of the MPC.
- 2. Challenges to the validity of a land Use ordinance raising procedural questions or alleged defects in the process of enactment or adoption which challenges shall be raised by an appeal taken within thirty (30) days after the effective date of said ordinance. Where the ordinance appealed from is the initial Zoning Chapter of the Township and a Zoning Hearing Board has not been previously established, the appeal raising procedural questions shall be taken directly to court.
- 3. Appeals from the Determination of the zoning officer, including, but not limited to, the granting or denial of any permit, or failure to act on the application therefore, the issuance of any cease and desist order or the registration or refusal to register any Nonconforming Use, Structure or Lot.
- 4. Appeals from a Determination by the Township Engineer or the Zoning Officer with reference to the administration of any floodplain or flood hazard ordinance or such provisions within a land Use ordinance.

5. Applications for variances from the terms of this Chapter pursuant to Article 910.2 of the MPC.
6. Applications for Special Exceptions under this Chapter pursuant to Article 912.1 of the MPC.
7. Appeals from the Zoning Officer's Determination under Article 916.2 of the MPC.
8. Appeals from the Determination of the Zoning Officer or Township Engineer in the administration of any land Use ordinance or provision thereof with reference to sedimentation and erosion control and stormwater management insofar as the same relate to development not involving applications under Article V or VII of the MPC.

(G) Board of Commissioners. The Board of Commissioners shall have exclusive Jurisdiction to and render final adjudications in the following matters:

1. All applications pursuant to Article 508 of the MPC, for approval of subdivisions or land developments under Article V of the MPC.
2. Applications for a curative amendment to this Chapter or pursuant to Sections 609.1 and 916.1(a) of the MPC.
3. All petitions for amendments to land Use ordinances, pursuant to the procedures set forth in Article 609 of the MPC.
4. Appeals from the Determination of the Zoning Officer or the Township Engineer in the administration of any land Use ordinance or provisions thereof with reference to sedimentation and erosion control and stormwater management insofar as the same relate to applications for land development under Articles V and VII of the MPC. Where such Determination relates only to development not involving a Part V or VII application, the appeal from such Determination of the Zoning Officer or the Township Engineer shall be to the Zoning Hearing Board pursuant to this Part. Where the applicable land Use ordinance vests jurisdiction for final administration of subdivision and land development applications in the Planning Commission, all appeals from determinations under this subsection shall be to the Planning Commission, and all appeals from the decision of the Planning Commission shall be to court.

(H) Zoning Hearing Board Functions.

1. Variances. The Zoning Hearing Board shall hear requests for variances where it is alleged that the provisions of this Chapter inflict unnecessary hardship upon the Applicant. The Zoning Hearing Board may grant a variance provided the following findings are made where relevant in each case.
 - a. That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of Lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary hardship is due to such conditions, and not the circumstances or conditions generally created by the provisions of this Chapter in the zoning district in which the property is located.
 - b. That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of this Chapter and that the authorization of a variance is, therefore, necessary to enable the reasonable use of the property.

- c. That such necessary hardship has not been created by the appellant.
 - d. That the variance, if authorized, will not alter the essential character of the zoning district in which the property is located, nor substantially or permanently impair the appropriate Use or development of an adjacent property, nor be detrimental to the public welfare.
 - e. That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.
 - f. In granting any variance, the Zoning Hearing Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of this act and this Chapter.
2. Special Exceptions. Where the Board of Commissioners has stated Special Exceptions to be granted or denied by the Zoning Hearing Board pursuant to the standards and criteria specified below, the Zoning Hearing Board shall hear and decide requests for such Special Exceptions in accordance with such standards and criteria. In granting a Special Exception, the Zoning Hearing Board may attach such reasonable conditions and safeguards, in addition to those expressed in this Chapter, as it may deem necessary to implement the purposes of this Chapter.
- a. Standards and Criteria. In any instance where the Zoning Hearing Board is required to consider a Special Exception to this Chapter in accordance with the provisions of this Chapter, the Zoning Hearing Board shall, among other things:
 - (1) Consider the suitability of the property for the Use desired and assure itself that the proposed change is consistent with the spirit, purpose, and intent of this Chapter;
 - (2) Determine that the proposed change will not substantially injure or detract from the use of neighboring property or the character of the neighborhood and that the use of the property adjacent to the area included in the proposed change or plan is adequately safeguarded;
 - (3) Determine that the proposed change will serve the best interests of the Township, the convenience of the community (where applicable), and the public welfare;
 - (4) Consider the effect of the proposed change upon the logical, efficient, and economical extension of public services and facilities such as public water, sewers, police, and fire protection, and public schools;
 - (5) Consider the suitability of the proposed location of an industrial or commercial Use with respect to probable effects upon roadway traffic and assure adequate access arrangements to protect all Streets from undue congestion and hazard;
 - (6) Be guided in its study, review, and recommendation by sound standards of subdivision practice where applicable; and
 - (7) Impose such conditions, in addition to those required, as are necessary to assure that the intent of this Chapter is complied with, which conditions may

include, but are not limited to, harmonious design of Buildings, planting and its maintenance as a sight or sound screen, the minimizing of noxious, offensive or hazardous elements, adequate standards of parking and sanitation.

- (I) Parties Appellant Before Zoning Hearing Board. Appeals under §27-113 may be filed with the Zoning Hearing Board in writing by the landowner affected or any officer or agency of the Township, or any person aggrieved. Requests for a variance under §27-114, (H)1 and for Special Exceptions under §27-114, (H)2 may be filed with the Zoning Hearing Board by any landowner or any tenant with the permission of such landowner.

- (J) Time Limitations. The time limitations for raising certain issues and filing certain proceedings with the Zoning Hearing Board shall be the following:
 - 1. No person shall be allowed to file any proceeding with the Zoning Hearing Board later than thirty (30) days after any application for development, preliminary or final, has been approved by an appropriate Township officer, agency, or body if such proceeding is designed to secure reversal or to limit the approval in any manner unless such person alleges and proves that he had no notice, knowledge, or reason to believe that such approval had been given. If such person has succeeded to his interest after such approval he shall be bound by the knowledge of his predecessor in interest.

 - 2. The failure of anyone other than the landowner to appeal from an adverse decision on a tentative plan, or from an adverse decision by a Zoning Officer on a challenge to the validity of this Chapter or Zoning Map shall preclude an appeal from a final approval except in the case where the final submission substantially deviates from the approved tentative approval.

- (K) Stay of Proceedings. Upon filing of any proceeding with the Zoning Hearing Board and during its pendency before the Zoning Hearing Board all land development pursuant to any challenged ordinance, order or approval of the Zoning Officer or of any agency or body, and all official action thereunder shall be stayed unless the Zoning Officer or any other appropriate agency or body certifies to the Zoning Hearing Board facts indicating that such stay would cause imminent peril to life or property, in which case the development or official action shall not be stayed otherwise than by a restraining order, which may be granted by the Zoning Hearing Board or by the court having jurisdiction of zoning appeals on petition after notice to the Zoning Officer or other appropriate agency or body. When an application for development, preliminary or final, has been duly approved and proceedings designed to reverse or limit the approval are filed with the Zoning Hearing Board by persons other than the Applicant, the Applicant may petition the court having jurisdiction of zoning appeals to order such persons to post a bond as a condition to continuing the proceedings before the Zoning Hearing Board. The question of whether such petition should be granted, and the amount of the bond shall be within the sound discretion of the court.

§27-116 Enforcement Notification

- (A) Whenever the Zoning Officer or other authorized Township representative determines that there are reasonable grounds to believe that there has been a violation of any provision of this Chapter, or of any regulation adopted pursuant thereto, the Zoning Officer shall initiate enforcement proceedings by sending an enforcement notice as provided in this Part.

- (B) 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.

- (C) An enforcement notice shall state at least the following:
1. The name of the owner of record and any other person against whom the Township intends to take action.
 2. The location of the property in violation.
 3. The specific violation with a description of the requirements which have not been met, citing in each instance the applicable provisions of this Chapter.
 4. The date before which the steps for compliance must be commenced, not to exceed thirty (30) days from receipt of notice, and the date before which the steps must be completed.
 5. An outline of remedial action which, if taken, will affect compliance with the provisions of this Chapter, or any part thereof, and with any regulations adopted pursuant thereto.
 6. A statement indicating that the recipient of the notice has the right to appeal to the Zoning Hearing Board within a prescribed period of time, in accordance with procedures set forth elsewhere in this Chapter.
 7. A statement indicating 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.
- (D) In any appeal of an enforcement notice to the Zoning Hearing Board, the Township shall have the responsibility of presenting its evidence first.
- (E) Any filing fees paid by a party to appeal an enforcement notice to the Zoning Hearing Board shall be returned to the appealing party by the Township if the Zoning Hearing Board, or any court in a subsequent appeal, rules in the appealing party's favor.
- (F) 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 any ordinance enacted by the Township or prior enabling laws, the Board of Commissioners or, with the approval of the Board of Commissioners, 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 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 thirty (30) days prior to the time the action is begun by serving a copy of the complaint to the Board of Commissioners. No such action may be maintained until such notice has been given.
- (G) Supplementary Provisions. No Zoning Permit, Certificate of Use, or any other permit referenced in this Chapter shall be issued with respect to a property unless the owner(s) of that property is/are in compliance with all other ordinances, laws, and regulations of federal and state government, and the Township, and Capital Region Water. Additionally, no such permit shall be issued where a charge for drinking water, wastewater, and stormwater Use, real estate taxes, or other municipal charges associated with the Use or ownership of the property have not been paid and are past due.

§27-117 Amendments

(A) General.

1. Board of Commissioners Action.

- a. The Board of Commissioners may, from time to time, amend, supplement, or repeal any of the regulations and provisions of this Chapter.
- b. Before voting on the enactment of an amendment, the Board of Commissioners shall hold a Public Hearing thereon, pursuant to Public Notice. In addition, if the proposed amendment involves a Zoning Map change, notice of said Public Hearing shall be conspicuously posted by the Township at points deemed sufficient by the Township along the perimeter of the tract to notify potentially interested citizens. The affected tract or area shall be posted at least one (1) week prior to the date of the hearing.
- c. In the case of an amendment other than that prepared by the Planning Commission, the Board of Commissioners shall submit each such amendment to the Planning Commission at least thirty (30) days prior to the hearing on such proposed amendment to provide the Planning Commission an opportunity to submit recommendations.

2. Report of the Planning Commission. In making such report on a proposed amendment, the Planning Commission shall make inquiry and recommendation concerning the items specified below:

- a. Concerning a proposed amendment to or change in the text of this Chapter:
 - (1) Whether such change is consistent with the aims and principles embodied in this Chapter as to the particular zoning district(s) concerned.
 - (2) Which areas, land uses, Structures and establishments in the Township will be directly affected by such change, and in what way they will be affected.
 - (3) The indirect implications of such change in its effect on other regulations.
 - (4) Whether such proposed amendment is consistent with the aims of the Township Comprehensive Plan.
- b. Concerning a proposed amendment involving a change in the Zoning Map:
 - (1) Whether the uses permitted by the proposed change would be appropriate in the area concerned.
 - (2) Whether adequate public school facilities and other public services exist or can be created to serve the needs of any additional residences likely to be constructed because of such change.
 - (3) Whether the proposed change is in accord with any existing or proposed plans in the vicinity.
 - (4) The effect of the proposed amendment upon the growth of the Township is envisaged by the Township's Comprehensive Plan.

- (5) Whether the proposed amendment is likely to result in an increase or decrease in the total zoned residential capacity of the Township and the probable effect thereof.
 3. Referral to County Planning Commission. The Board of Commissioners shall at least thirty (30) days prior to the Public Hearing, refer the proposed amendment to the Dauphin County Planning Commission for recommendations.
 4. Board of Commissioner's Public Hearing. By resolution adopted at a meeting of the Board of Commissioners, the Board of Commissioners shall fix the time and place of a Public Hearing on the proposed amendment to Public Notice.
 5. If, after any Public Hearing held upon an amendment, the proposed amendment is changed substantially, or is revised, to include land previously not affected by it, the Board of Commissioner's shall hold another Public Hearing, pursuant to Public Notice, before proceeding to vote on the amendment.
 6. Within thirty (30) days after enactment, a copy of the amendment to this Chapter shall be forwarded to the county planning agency.
- (B) Procedure for Landowner Curative Amendments.
1. A landowner who desires to challenge on substantive grounds the validity of this Chapter or the Zoning Map or any provision thereof, which prohibits or restricts the Use or development of land in which he has an interest may submit a curative amendment to the Board of Commissioners with a written request that his challenge and proposed amendment be heard and decided as provided in Article 916.1 of the MPC. The curative amendment and challenge shall be referred to the Planning Commission, and the Dauphin County Planning Commission provided in MPC Article 609 and notice of the hearing thereon shall be given as provided in Sections 610 and 916.1 of the MPC.
 2. The hearing shall be conducted in accordance with Article 908 of the MPC and all references therein to the Zoning Hearing Board shall, for purposes of this Part, be references to the Board of Commissioners. If the Township does not accept a landowner's curative amendment brought in accordance with this subsection and a court subsequently rules that the challenge has merit, the court's decision shall not result in a declaration of invalidity of this Chapter and Zoning Map, but only for those provisions which specifically relate to the landowner's curative amendment and challenge.
 3. The Board of Commissioners, if it determines that a validity challenge has merit, may accept a landowner's curative amendment, with or without revision, or may adopt an alternative amendment that will cure the challenged defects. The Board of Commissioners shall consider the curative amendments, plans, and explanatory material submitted by the landowner and shall consider:
 - a. The impact of the proposal upon roads, sewer facilities, water supplies, schools, and other public service facilities.
 - b. If the proposal is for residential Use, the impact of the proposal upon regional housing needs and the effectiveness of the proposal in providing housing units of a type available to and affordable by classes of persons otherwise unlawfully excluded by the challenged provisions of this Chapter or Zoning Map.

- c. The suitability of the site for the intensity of Use proposed by the site's soils, slopes, woodlands, wetlands, floodplains, aquifers, natural resources, and other natural features.
- d. The impact of the proposed Use on the site's soils, slopes, woodlands, wetlands, floodplains, natural resources, and natural features, the degree to which these are protected or destroyed, the tolerance of the resources to development, and any adverse environmental impacts.
- e. The impact of the proposal on the preservation of agriculture and other land uses, which are essential to public health and welfare.

(C) Procedure for Municipal Curative Amendments.

1. If the Township determines that this Chapter, or any portion hereof, is substantially invalid, it shall take the following actions:
 - a. The Township shall declare by formal action, this Chapter or portions hereof substantially invalid, and propose to prepare a curative amendment to overcome such invalidity. Within thirty (30) days of such declaration and proposal, the Board of Commissioners shall:
 - (1) By resolution, make specific findings setting forth the declared invalidity of this Chapter which may include:
 - (a) References to specific uses which are either not permitted or not permitted in sufficient quantity;
 - (b) Reference to a class of Use or uses which requires revision; or,
 - (c) Reference to this Chapter which requires revisions.
 - (2) Begin to prepare and consider a curative amendment to this Chapter to correct the declared invalidity.
2. Within one hundred eighty (180) days from the date of the declaration and proposal, the Township shall enact a curative amendment to validate or reaffirm the validity of this Chapter pursuant to the provisions of Article 609 of the MPC, in order to cure the declared invalidity of this Chapter.
3. Upon the initiation of the procedures, as set forth in §27-116 (C)1, the Board of Commissioners shall not be required to entertain or consider any landowner's curative amendment filed under Article 609.1 of the MPC, nor shall the Zoning Hearing Board be required to give a report requested under Article 909.1 or 916.1 of the MPC subsequent to the declaration and proposal based upon the grounds identical to or substantially similar to those specified in the resolution required by §27-116 (C)1a(1). Upon completion of the procedures as set forth in §27-116 (C)1 and §27-116 (C)2, no rights to a cure pursuant to the provisions of Sections 609.1 and 916.1 of the MPC shall, from the date of the declaration and proposal, accrue to any landowner on the basis of the substantive invalidity of the unamended Zoning Chapter for which there has been a curative amendment pursuant to this Part.
4. The Township, having utilized the procedures set forth in this Subchapter, may not again utilize said procedure for a period of thirty-six (36) months following the date of enactment

of a curative amendment or reaffirmation of the validity of this Chapter. Provided, however, if after the date of declaration and proposal there is a substantially new duty imposed upon the Township by virtue of a change in statute or a Pennsylvania Appellate Court decision to propose a curative amendment to this Chapter to fulfill said duty or obligation.

PART 2 ZONING DISTRICTS

§27-201 Establishment of Zoning Districts

The zoning districts and transect subdistricts specified in Table 2-1 are hereby established in the Township. Certain districts are divided into distinct subdistricts, or transect districts, which further define the Building density and dimensional standards applicable to each transect type.

Table 2.01. Zoning Districts and Transect Subdistricts

ZONING DISTRICTS	RURAL-TO-URBAN TRANSECT SUBDISTRICTS				
	T-1	T-2	T-3	T-4	T-5
CONSERVATION					
CV – Conservation	CV-1				
RESIDENTIAL					
RN – Rural Neighborhood		RN-2			
SN – Suburban Neighborhood		SN-2	SN-3		
MIXED USE					
UN – Urban Neighborhood			UN-3	UN-4	
CTR – Center			CTR-3	CTR-4	CTR-5
COMMERCIAL					
CB – Commercial Business			CB-3		
INDUSTRIAL					
IN – Industrial					
SPECIAL DISTRICTS					
LCO – Linglestown Road Corridor Overlay					
FCO – Front Street Corridor Overlay					
WCO – Walnut Street Corridor Overlay					
PCO – Progress Avenue Corridor Overlay					
UCO – Union Deposit Road Corridor Overlay					
ECO – Elmerton Avenue Corridor Overlay					
FPO – Floodplain Overlay					
TNO – Traditional Neighborhood Overlay					

§27-202 Zoning Map

The zoning districts established under §27-201 are shown on the Township’s official Zoning Map, which is adopted, and incorporated herein in its entirety, as part of this Chapter.

- (A) Promptly following enactment of this Chapter, the Zoning Officer shall place the following legend on the official Zoning Map adopted as part of this Chapter, the Board President shall execute the same on behalf of Township Board of Commissioners, and the Township Secretary shall attest to the same: “On <DATE>, by official action of the Susquehanna Township Board of Commissioners, this map was adopted as the official Zoning Map of the Township by enactment of Chapter 27 Zoning Ordinance of the Susquehanna Township Municipal Code.”

- (B) No changes of any nature shall be made in the official Zoning Map except in conformity with the procedures set forth in this Chapter. Any unauthorized change of whatever kind by any Person or Persons shall be considered a violation of this Chapter.
- (C) A certified Zoning Map shall be filed with the Township Secretary, Township Planning Commission, and the Dauphin County Planning Commission.

§27-203 Rules for Interpretation of District Boundaries

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

- (A) Boundaries indicated as approximately following the centerlines of Streets, roadways, highways, or Alleys shall be construed to follow such centerlines;
- (B) Boundaries indicated as approximately following property lines or platted Lot lines, shall be construed as following such lines;
- (C) Boundaries indicated as approximately following Township limits shall be construed as following Township limits;
- (D) Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks; and
- (E) Boundaries that are in un-subdivided property or where a zoning district boundary divides a Lot shall be determined by the use of the map scale as shown thereon.

§27-204 Conservation (CV) District

The following regulations govern land Use within the Conservation District:

- (A) Purpose. To achieve the preservation of open spaces, water supply sources, woodland, marshland, wildlife, scenic areas, areas of steep slope, and other natural resources; to conserve vegetative cover particularly trees, shrubs, and ground cover on sloping ground, stream banks, floodplains and storm water drainage channels and swales; and to discourage the scattering of residential, commercial, industrial and other urban type uses throughout predominantly forested areas and areas of steep slope.
- (B) Building Form Regulations. Figure 2-1 specify the CV district's Building form regulations.

FIGURE 2-1

CV-1



A. USE (See Table 3.01, Table of Permissible Uses)

B. BUILDING CONFIGURATION

Principal Building Height	1-2 stories 35' height max
Accessory Building	1.5 stories
Impervious Coverage	30% max
Lot Width	100' min
Lot Area	1 acre min.
Lot Density	0.5 unit/acre max.

C. SETBACKS - PRINCIPAL BUILDING

(c.1) Front Setback Principal	50' min
(c.2) Corner Lot Secondary Street Front Setback	40' min
(c.3) Side Setback	40' min
(c.4) Rear Setback	50' min

D. SETBACKS - ACCESSORY BUILDING

(d.1) Front Setback	55' min
(d.2) Side Setback	40' min.
(d.3) Rear Setback	50' min.

E. PRIVATE FRONTAGES

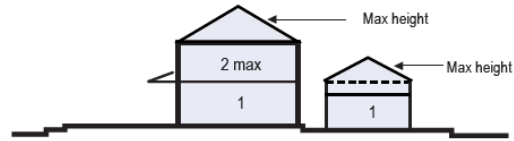
Front Porch	Permitted within (c.1) min/max Front Setback
Side Porch	Not permitted
Fence	Permitted
Terrace or Forecourt	Not permitted
Stoop	Not permitted
Shopfront & Awning	Not permitted
Arcade	Not permitted

F. PARKING PLACEMENT

(f.1) 1st Layer: To 30' from Lot front	Driveways may not exceed 12' in width.
(f.2) 2nd Layer: To accessory building setback (d.1)	Parking permitted on driveway only
3rd Layer: Min. 5' behind Principal Building Front Facade	Parking permitted. Garages are only permitted in Layer 3.

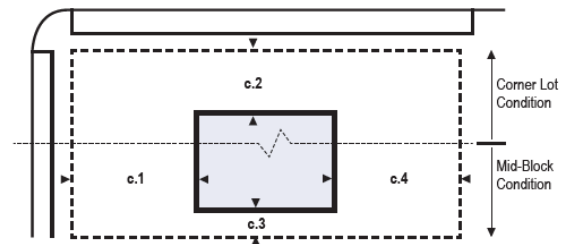
BUILDING CONFIGURATION

- Ground floor stories may be a maximum height of 14'.



SETBACKS - PRINCIPAL BLDG

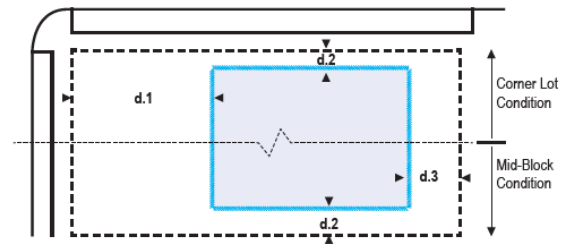
- The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as specified width in the table (C)



SETBACKS - ACCESSORY BUILDING

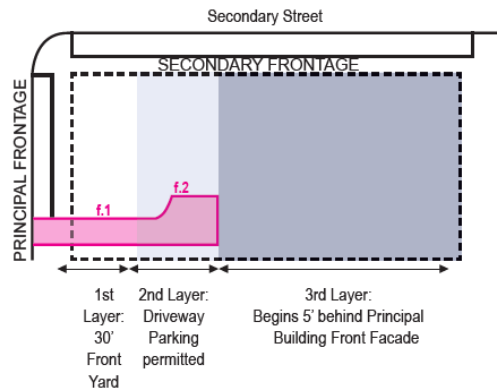
- The Elevations of the Accessory building shall be distanced from the Lot lines as specified width in the table (D) and shown as:

MINIMUM



PARKING PLACEMENT

- Trash containers shall be stored within the third Layer.
- Attached garages shall be recessed min. 5' behind the Front Facade.



§27-205 Rural Neighborhood (RN) District

The following regulations govern land Use within the Rural Neighborhood District:

- (A) Purpose. To maintain and protect the rural areas of the Township where low density, single family residential development and agricultural uses occur on relatively large lots.
- (B) Building Form Regulations. Figure 2-2 specify the RN District's Building form regulations.

FIGURE 2-2

RN-2



A. USE (See Table 3.01, Table of Permissible Uses)

B. BUILDING CONFIGURATION

Principal Building Height	1-2 stories 35' height max
Outbuilding	1.5 stories
Impervious Coverage	30% max
Lot Width	150' min
Lot Area	1 acre min.
Lot Density	1 unit/acre max.

C. SETBACKS - PRINCIPAL BUILDING

(c.1) Front Setback Principal	50'-80'
(c.2) Corner Lot Secondary Street Front Setback	30'-50'
(c.3) Side Setback	20' min
(c.4) Rear Setback	50' min

D. SETBACKS - OUTBUILDING

(d.1) Front Setback	Front Facade + 5' min.
(d.2) Side Setback	20' min.
(d.3) Rear Setback	5' min.

E. PRIVATE FRONTAGES

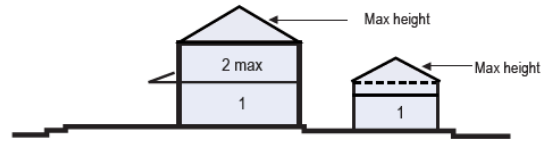
Front Porch	Permitted within (c.1) min/max Front Setback
Side Porch	Not permitted
Fence	Permitted
Terrace or Forecourt	Permitted
Stoop	Not permitted
Shopfront & Awning	Not permitted
Arcade	Not permitted

F. PARKING PLACEMENT

(f.1) 1st Layer: To 30' from Lot front	Driveways may not exceed 12' in width.
(f.2) 2nd Layer: To outbuilding setback (d.1)	Parking permitted on driveway only
3rd Layer: Min. 5' behind Principal Building Front Facade	Parking permitted. Garages are only permitted in Layer 3.

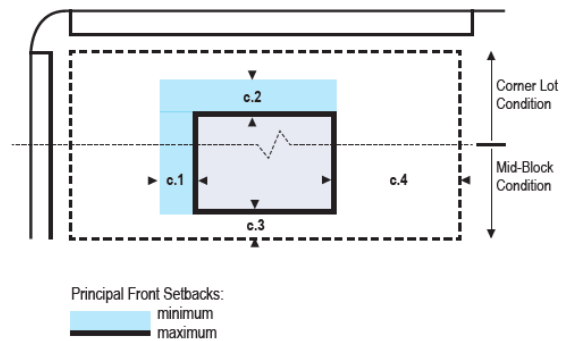
BUILDING CONFIGURATION

- Ground floor stories may be a maximum height of 14'.



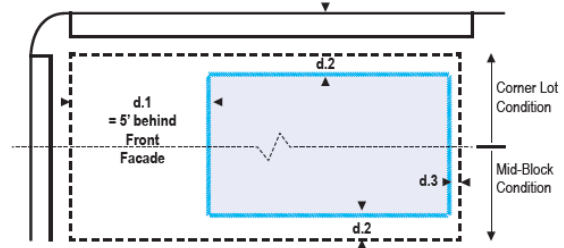
SETBACKS - PRINCIPAL BLDG

- The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as specified width in the table (C)



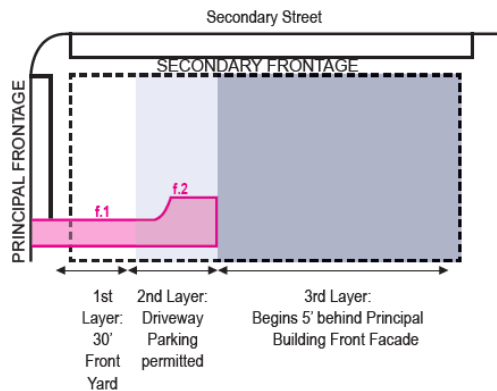
SETBACKS - OUTBUILDING

- The Elevations of the Outbuilding shall be distanced from the Lot lines as specified width in the table (D) and shown as:



PARKING PLACEMENT

- Trash containers shall be stored within the third Layer.
- Attached garages shall be recessed min. 5' behind the Front Facade.



§27-206 Suburban Neighborhood (SN) District

The following regulations govern land Use within the Suburban Neighborhood District:

- (A) Purpose. To preserve and maintain the Township's existing and traditional low and medium density residential subdivision neighborhoods that are serviced by public sewer and water systems. A range of options is provided to encourage single family residential communities of various styles and densities, to promote greenways, and to protect natural resources. The district includes two transect variants (SN-2 and SN-3) based on scale and intensity of development.

- (B) Building Form Regulations. Figures 2-3 and 2-4 specify the SN District's Building form regulations.

FIGURE 2-3

SN-2



A. USE (See Table 3.01, Table of Permissible Uses)

B. BUILDING CONFIGURATION

Principal Building Height	1-2 stories 35' height max
Outbuilding	1.5 stories
Impervious Coverage	40% max
Lot Width	100' min
Lot Area	20,000 SF min
Lot Density	2 units/acre

C. SETBACKS - PRINCIPAL BUILDING

(c.1) Front Setback Principal	30'-50'
(c.2) Corner Lot Secondary Street Front Setback	20'-40'
(c.3) Side Setback	15' min
(c.4) Rear Setback	30' min

D. SETBACKS - OUTBUILDING

(d.1) Front Setback	Front Facade + 5' min.
(d.2) Side Setback	10' min.
(d.3) Rear Setback	5' min.

E. PRIVATE FRONTAGES

Front Porch	Permitted within (c.1) min/max Front Setback
Side Porch	Not permitted
Fence	Permitted
Terrace or Forecourt	Permitted
Scoop	Not permitted
Shopfront & Awning	Not permitted
Arcade	Not permitted

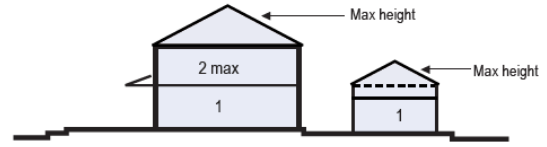
F. PARKING PLACEMENT

(f.1) Parking shall be accessed from the secondary street where possible.

1st Layer: To 20' from Lot front	Parking permitted.
2nd Layer: To outbuilding setback (d.1)	Parking permitted on driveway only
3rd Layer: Min. 5' behind Principal Building Front Facade	Parking permitted. Garages are only permitted in Layer 3.

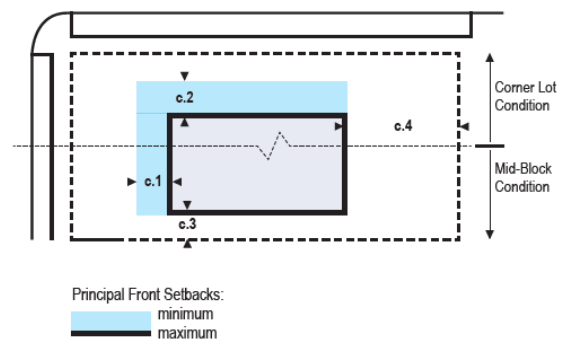
BUILDING CONFIGURATION

- Ground floor stories may be a maximum height of 14'.



SETBACKS - PRINCIPAL BLDG

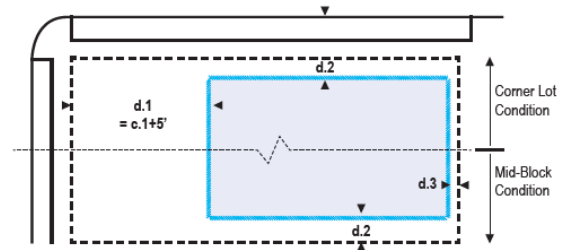
- The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as specified width in the table (C)



SETBACKS - OUTBUILDING

- The Elevations of the Outbuilding shall be distanced from the Lot lines as specified width in the table (D) and shown as:

MINIMUM



PARKING PLACEMENT

- Parking spaces may be provided within the third Layer as shown in the diagram.
- Trash containers shall be stored within the third Layer.
- Attached garages shall be recessed min. 5' behind the Front Facade.

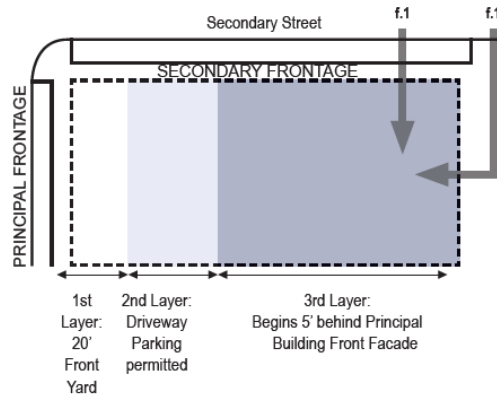


FIGURE 2-4

SN-3



A. USE (See Table 3.01, Table of Permissible Uses)

B. BUILDING CONFIGURATION

Principal Building Height	2 stories 35' height max 3rd story permitted as Attic above eave.
Outbuilding	1.5 stories
Impervious Coverage	40% max
Lot Width	75'
Lot Area	10,000 SF min
Lot Density	4 units/acre max

C. SETBACKS - PRINCIPAL BUILDING

(c.1) Front Setback Principal	30'-45'
(c.2) Corner Lot Secondary Street Front Setback	15'-30'
(c.3) Side Setback	8' min
(c.4) Rear Setback	30' min

D. SETBACKS - OUTBUILDING

(d.1) Front Setback	50' min.
(d.2) Side Setback	10' min.
(d.3) Rear Setback	5' min.

E. PRIVATE FRONTAGES

Front Porch	Permitted within (c.1) min.-max. Front Setback
Side Porch	Not permitted
Fence	Permitted
Terrace or Forecourt	Not permitted
Stoop	Not permitted
Shopfront & Awning	Not permitted
Arcade	Not permitted

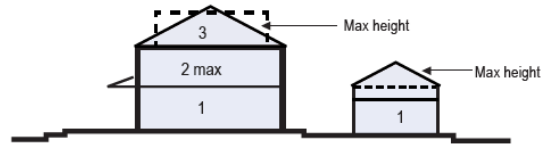
F. PARKING PLACEMENT

(f.1) Parking shall be accessed from the secondary street where possible.

1st Layer: To minimum front setback (c.1)	Parking not permitted. Driveways may not exceed 12' in width.
2nd Layer: To outbuilding setback (d.1)	Parking permitted on driveway, not to exceed 24' in width.
3rd Layer: Behind Principal Building	Parking permitted.

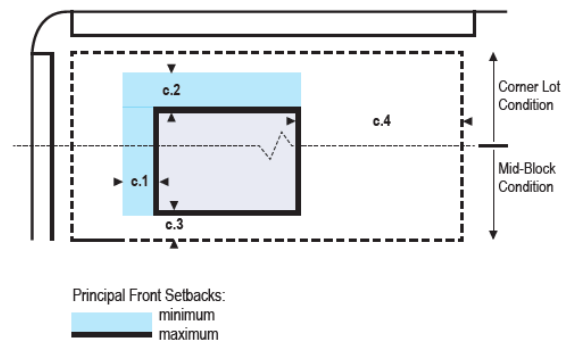
BUILDING CONFIGURATION

- Ground floor stories may be a maximum height of 14'.
- Raised basements are not permitted.



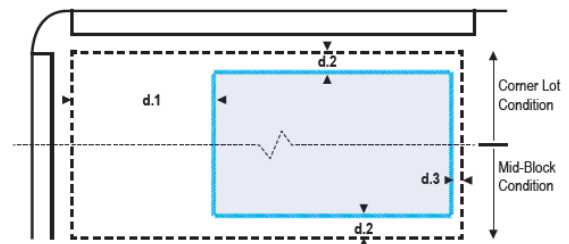
SETBACKS - PRINCIPAL BLDG

- The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as specified width in the table (C)



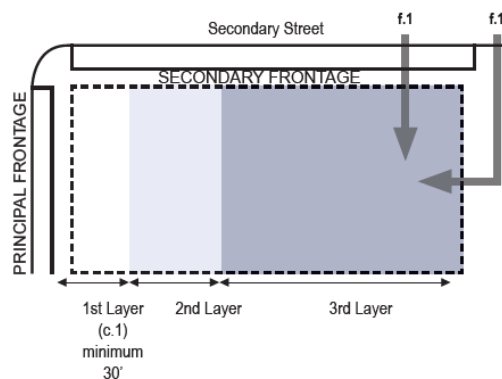
SETBACKS - OUTBUILDING

- The Elevations of the Outbuilding shall be distanced from the Lot lines as specified width in the table (D) and shown as:



PARKING PLACEMENT

- Parking spaces may be provided within the third Layer as shown in the diagram.
- Trash containers shall be stored within the third Layer.



§27-207 Urban Neighborhood (UN) District

The following regulations govern land Use within the Urban Neighborhood District:

- (A) Purpose. To accommodate high-density development and a range of housing types and compatible non-residential uses. Area suitability is based on direct access to a collector roadway with carrying capacity to handle existing and future traffic, availability of public water and sewer, existing development patterns, and growth potential. A range of options are provided to develop residential communities of various styles and densities, to promote greenways, and to protect natural resources. The district includes two transect variants (UN-3 and UN-4) based on scale and intensity of development.

- (B) Building Form Regulations. Figures 2-5 and 2-6 specify the UN District's Building form regulations.

FIGURE 2-5

UN-3



A. USE (See Table 3.01, Table of Permissible Uses)

B. BUILDING CONFIGURATION

Principal Building Height	2 stories. 35' height max 3rd story permitted as Attic above eave.
Outbuilding	1.5 stories
Impervious Coverage	50% max
Lot Width	30' min
Lot Area	3,000 SF min
Lot Density	14 units/acre max for single lots. Common density for multifamily is 28 units/acre but may be higher provided that the form regulations are met.

C. SETBACKS - PRINCIPAL BUILDING

(c.1) Front Setback Principal	15'-25'
(c.2) Corner Lot Secondary Street Front Setback	10'-25'
(c.3) Side Setback	8' min; attached units permitted
(c.4) Rear Setback	40' min
(c.5) Frontage Buildout	80%

D. SETBACKS - OUTBUILDING

(d.1) Front Setback	50'
(d.2) Side Setback	10' min.
(d.3) Rear Setback	5' min.

E. PRIVATE FRONTAGES

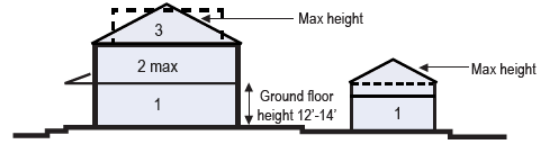
Front Porch	Permitted within (c.1) and (c.2) front setbacks.
Side Porch	Permitted; may extend 3' max. into (c.3) side setback
Fence	Permitted; max 3' height within 1st and 2nd Layers
Terrace or Forecourt	Not permitted
Stoop	Permitted
Shopfront & Awning	Not permitted
Arcade	Not permitted

F. PARKING PLACEMENT

(f.1) Parking shall be accessed from the secondary street where possible.	
1st Layer: To building facade	Parking not permitted. Driveways may not exceed 8' in width.
2nd Layer: To rear of Principal building	Parking not permitted.
3rd Layer	Parking permitted.

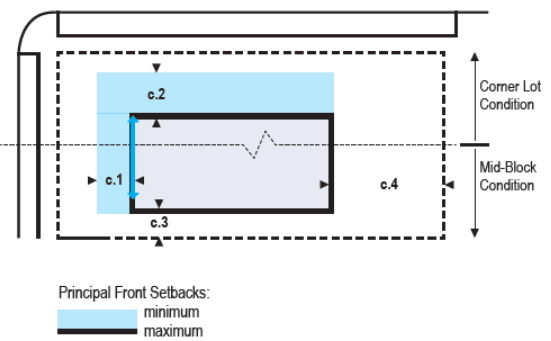
BUILDING CONFIGURATION

- Ground floor stories must be a minimum height of 12' and maximum height of 14'.
- Raised basements are permitted.



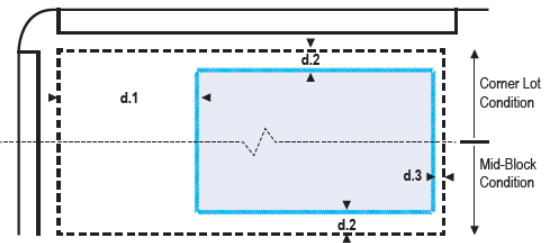
SETBACKS - PRINCIPAL BLDG

- The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as specified width in the table (C)
- Facades shall be built along the Principal Frontage and must occupy the percentage of the Lot width specified in (c.5) and shown as:



SETBACKS - OUTBUILDING

- The Elevations of the Outbuilding shall be distanced from the Lot lines as specified width in the table (D) and shown as:



PARKING PLACEMENT

- Parking spaces may be provided within the third Layer as shown in the diagram.
- Trash containers shall be stored within the third Layer.

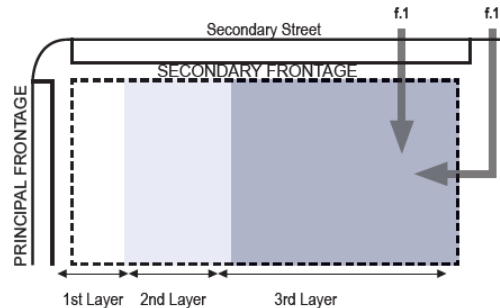
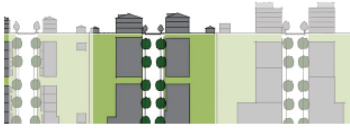


FIGURE 2-6

UN-4



A. USE (See Table 3.01, Table of Permissible Uses)

B. BUILDING CONFIGURATION

Principal Building Height	2-3 stories 45' height max 4th story permitted as Attic above eave.
Outbuilding	1-2 stories
Impervious Coverage	60% max
Lot Width	22' min
Lot Depth	100' min
Lot Area	2,200 SF min
Lot Density	20 units/acre max for single lots; Common density for multifamily is 60 units/acre but may be higher provided that the form regulations are met.

C. SETBACKS - PRINCIPAL BUILDING

(c.1) Front Setback Principal	10'-20'
(c.2) Corner Lot Secondary Street Front Setback	10'-20'
(c.3) Side Setback	8'; attached units permitted
(c.4) Rear Setback	40' min
(c.5) Frontage Buildout	100%

D. SETBACKS - OUTBUILDING

(d.1) Front Setback	50'
(d.2) Side Setback	10' min.
(d.3) Rear Setback	5' min.

E. PRIVATE FRONTAGES

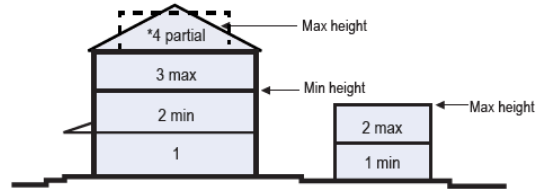
Front Porch	Permitted within (c.1) and (c.2) front setbacks.
Side Porch	Permitted; may extend 3' max. into (c.3) side setback
Fence	Permitted; max 3' height within 1st and 2nd Layers
Terrace or Forecourt	Permitted
Stoop	Permitted
Shopfront & Awning	Permitted on corridor lots only
Arcade	Not permitted

F. PARKING PLACEMENT

(f.1) Parking shall be accessed from the secondary street where possible.	
1st Layer: From primary street to building facade	Parking not permitted. Driveway width is 8' max.
2nd Layer: To rear of Principal building	Parking not permitted. Individual driveway width is 8' max; 20' max if shared by 4 or more units.
3rd Layer: Behind Principal building (d.1)	Parking permitted.

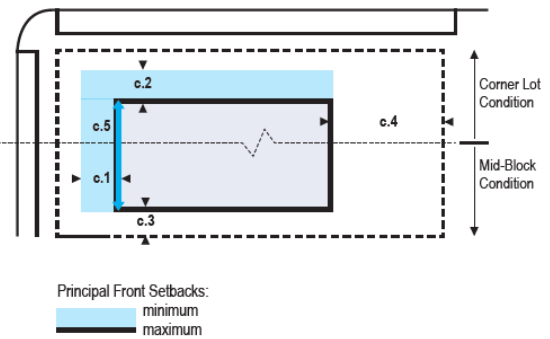
BUILDING CONFIGURATION

- Ground floor stories must be a maximum height of 16 ft. Upper floors may be a maximum height of 14'
- Raised basements are not permitted.



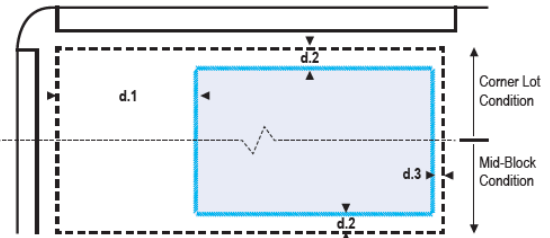
SETBACKS - PRINCIPAL BLDG

- The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as specified width in the table (C)
- Facades shall be built along the Principal Frontage and must occupy the percentage of the Lot width specified in (c.5) and shown as:



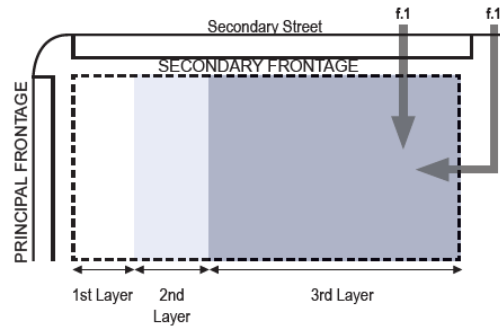
SETBACKS - OUTBUILDING

- The Elevations of the Outbuilding shall be distanced from the Lot lines as specified width in the table (D) and shown as:



PARKING PLACEMENT

- Parking spaces may be provided within the third Layer as shown in the diagram.
- Trash containers shall be stored within the third Layer.



§27-208 Center (CTR) District

The following regulations govern land Use within the Center District:

- (A) Purpose. To encourage urban redevelopment and renewal opportunities by permitting a mix of commercial retail, service, employment, entertainment, residential, and civic uses in a walkable setting. Apartments, townhomes, attached dwellings, live-work units, and offices are suitable within the parameters of the lot requirements. The district includes three transect variants (CTR-3, CTR-4, and CTR-5) based on scale and intensity of development the mixed Use by allowing smaller setbacks, lot coverage, and Building form amenable to ground floor retail.

- (B) Building Form Regulations.
 - 1. Figures 2-7 – 2-12 specify the CTR District’s Building form regulations.

- (C) Master Plan Requirement.
 - 1. All CTR District projects shall be depicted on a master plan prepared and submitted pursuant to the Subdivision and Land Development Application & Approval Requirements specified under Chapter 22 (Subdivision and Land Development) Part 2 of the Susquehanna Township Municipal Code. However, the §22-202 Preapplication Meeting requirements specified thereunder shall be required for CTR District proposals given that the Sketch Plan is essential to the master plan proposal. In addition, all proposed public rights-of-way and easements identified on the Susquehanna Township Official Map shall be improvements shall be incorporated into the master plan.

 - 2. Modifications. The Township Board of Commissioners may upon the recommendation of the Township Planning Commission and Township Engineer may approve an applicant’s written request to modify the design standards when such modifications clearly demonstrate the support and strengthening of the CTR’s development objectives and overall objectives of this Ordinance. For the purposes of this section, Modifications are referred to as Waivers. Procedures for Waivers shall be in accordance with the standards and procedures specified under §22-112 Modifications and Waiver of Requirements Chapter 22 (Subdivision and Land Development) Part 2 of the Susquehanna Township Municipal Code.

FIGURE 2-7

CTR-3



A. USE (See Table 3.01, Table of Permissible Uses)

B. BUILDING CONFIGURATION

Principal Building	1.5-3 stories 45' height max
Outbuilding	1-2 stories
Impervious Coverage	80%
Lot Width	22' min - 150' max
Lot Depth	80' min
Lot Area	1760 SF min
Lot Density	Common density is 28 units/acre but may be higher provided that the form regulations are met.

C. SETBACKS - PRINCIPAL BUILDING

(c.1) Front Setback Principal	0-20'
(c.2) Corner Lot Secondary Street Front Setback	0-15'
(c.3) Side Setback	5' min.
(c.4) Rear Setback	40' min
(c.5) Frontage Buildout	80%

D. SETBACKS - OUTBUILDING

(d.1) Front Setback	50'
(d.2) Side Setback	5' min.
(d.3) Rear Setback	5 min.

E. PRIVATE FRONTAGES

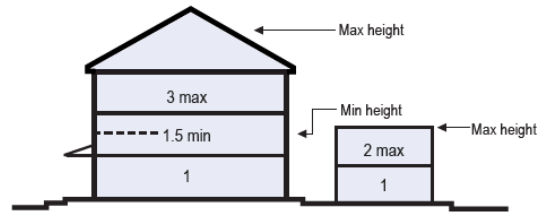
Porch	Permitted
Side Porch	Not permitted
Fence	Not permitted
Terrace or Forecourt	Permitted
Scoop	Permitted
Shopfront & Awning	Permitted
Arcade	Not permitted

F. PARKING PLACEMENT

(f.1) Parking shall be accessed from the secondary street.	
1st Layer: To building facade	Parking not permitted.
2nd Layer: To rear of Principal building	Parking not permitted.
3rd Layer	Parking permitted.

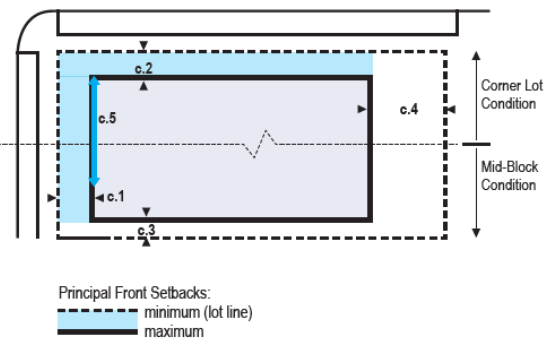
BUILDING CONFIGURATION

- Ground floor stories must be a minimum height of 16 ft with a maximum of 20'. Upper floors may be a maximum height of 14'.
- Raised basements are not permitted.



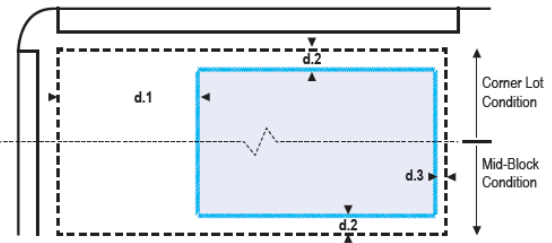
SETBACKS - PRINCIPAL BLDG

- The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as specified width in the table (C)
- Facades shall be built along the Principal Frontage and must occupy the percentage of the Lot width specified in (c.5) and shown as:



SETBACKS - OUTBUILDING

- The Elevations of the Outbuilding shall be distanced from the Lot lines as specified width in the table (D) and shown as:



PARKING PLACEMENT

- Parking spaces may be provided within the third Layer as shown in the diagram.
- Trash containers shall be stored within the third Layer.

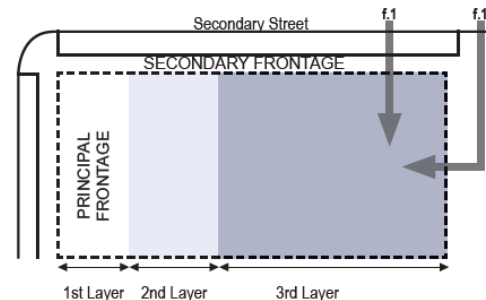


FIGURE 2-8

CTR-3



G. BUILDING TYPOLOGIES

Mixed Use Typology	Permitted uses may be present as single uses or a mix of uses on any given lot.
--------------------	---------------------------------------------------------------------------------

H. VERTICAL FORM

Principal facade	Building frontage that faces a public street and meets setback requirement
Minimum height to setback	Minimum height (1.5 stories) must fall within (c.1) FrontSetbackPrincipal
Optional height to setback	Up to 3 stories may fall within (c.1) FrontSetbackPrincipal
Additional height	Attics are permitted.

I. MASSING

Principal facade width	Maximum 50'
Required height variation	50% building facade height variation is required if building is more than 30' wide.
Additional building width	Buildings must visually articulate the facade at maximum 30' intervals. At a minimum: vary color and/or material.
Vertical articulation	Principal Facade must be articulated to appear with a base, middle, and top. (example: coursing, materials, or other design characteristics)
Roof form	Roofs may be flat or pitched.
Roof terrace	Permitted
Storefront Articulation Area	Corresponds to the ground floor of all Principal Facades

J. FACADE TRANSPARENCY

Ground floor transparency area	70% minimum transparency area
Upper floors	30% minimum transparency
Horizontal spacing	Openings must be spaced a maximum 15' apart (no blank walls more than 15' wide)

K. ENTRANCE AND ACCESS

Primary Entrance orientation	Must face public street
Porch	40% min. transparency is permitted for facades located behind a porch
Stoop	70% min. transparency continues to apply across ground floor facades that include stoops.
Visibility	Include minimum 1 lighting feature per entry within 5' of entry
At grade entrance	Doors must be min. 80% transparent
Raised entrance	No transparency required for entrances accessed via raised platforms (i.e. stoop or porch)
Loading access	Side or rear only

VERTICAL FORM

- The Principal Facade shall refer to all facades oriented towards a public street and located within permitted Front Setback.
- Upper floors that recede behind the maximum Front Setback are not considered Principal Facades.



MASSING

- Vertical articulation and massing must delineate a base, middle, and top level.
- Articulation may use changes in plane, material, or color; horizontal banding; or other design features.



- Storefront Articulation Area requires signage and wall-mounted lighting, and is shown as:



TRANSPARENCY

- Transparency refers to proportion of transparent windows and door across Primary Facades.

ENTRY

- All uses must have an entrance located on a Primary Facade.

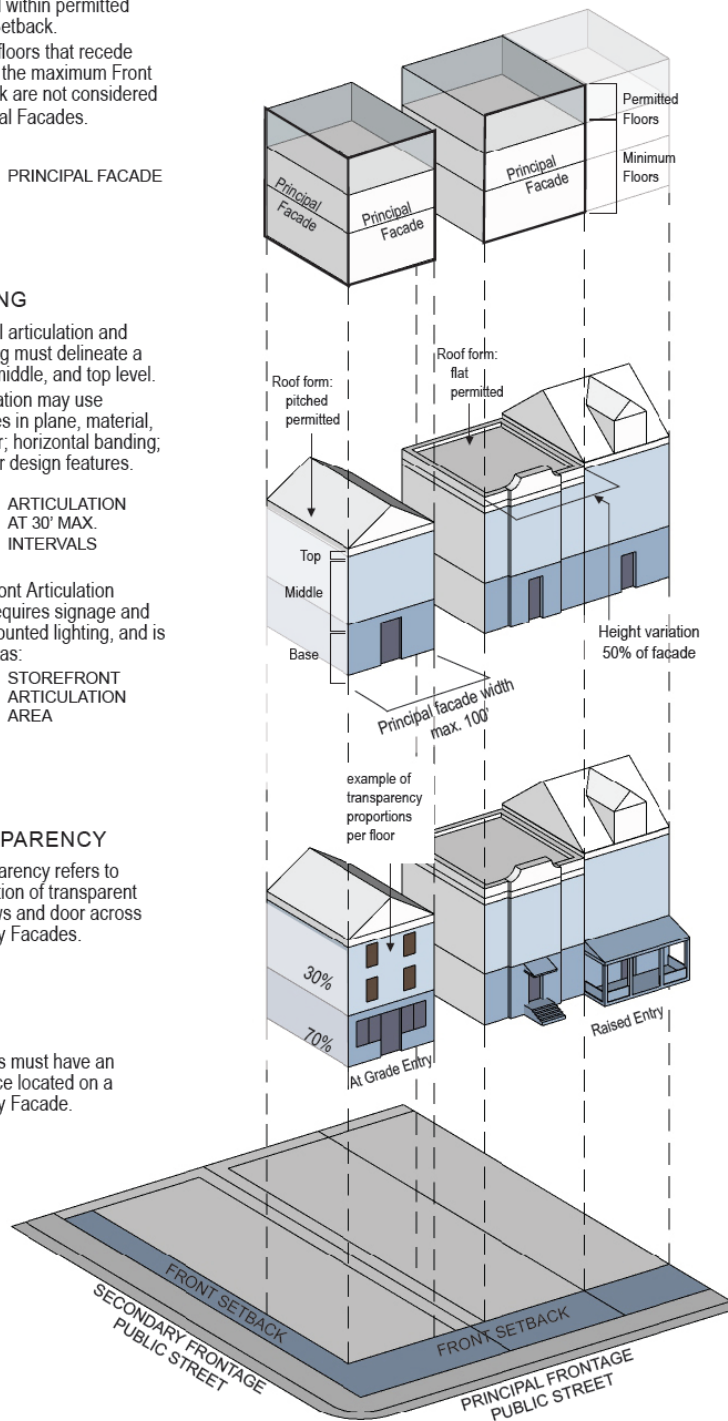
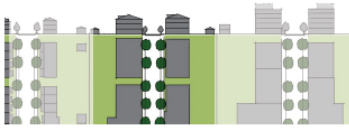


FIGURE 2-9

CTR-4



A. USE (See Table 3.01, Table of Permissible Uses)

B. BUILDING CONFIGURATION

Principal Building	2-4 stories 55' height max
Outbuilding	1-2 stories
Impervious Coverage	80%
Lot Width	22' min - 150' max
Lot Depth	80' min
Lot Area	1760 SF min
Lot Density	Common density is 60 units/acre but may be higher provided that the form regulations are met.

C. SETBACKS - PRINCIPAL BUILDING

(c.1) Front Setback Principal	0-10'
(c.2) Corner Lot Secondary Street Front Setback	5-10'
(c.3) Side Setback	0-10'
(c.4) Rear Setback	60' min
(c.5) Frontage Buildout	80%

D. SETBACKS - OUTBUILDING

(d.1) Front Setback	60'
(d.2) Side Setback	10' min.
(d.3) Rear Setback	5 min.

E. PRIVATE FRONTAGES

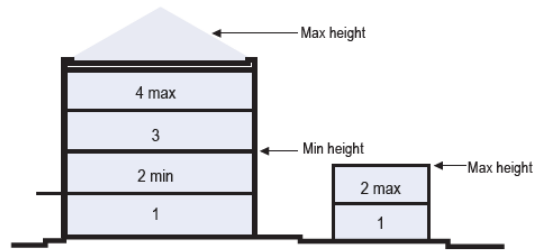
Porch	Not permitted
Side Porch	Not permitted
Fence	Not permitted
Terrace or Forecourt	Permitted
Stoop	Permitted
Shopfront & Awning	Permitted
Arcade	Permitted

F. PARKING PLACEMENT

(f.1) Parking shall be accessed from the secondary street.	
1st Layer: To building facade	Parking not permitted. Access lanes may not exceed 20' in width. Demarcated crosswalk must be provided across any curb cut.
2nd Layer: To rear of Principal building	Parking not permitted.
3rd Layer	Parking permitted.

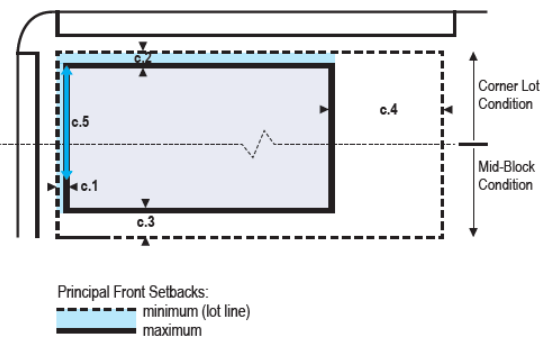
BUILDING CONFIGURATION

- Ground floor stories must be a minimum height of 16 ft with a maximum of 20'. Upper floors may be a maximum height of 14'
- Raised basements are not permitted.



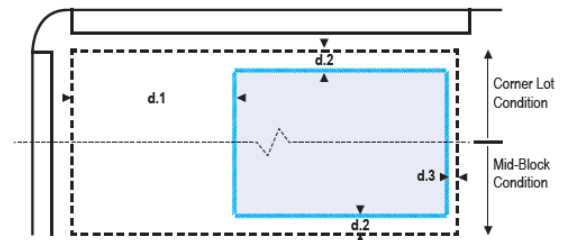
SETBACKS - PRINCIPAL BLDG

- The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as specified width in the table (C)
- Facades shall be built along the Principal Frontage and must occupy the percentage of the Lot width specified in (c.5) and shown as:



SETBACKS - OUTBUILDING

- The Elevations of the Outbuilding shall be distanced from the Lot lines as specified width in the table (D) and shown as:



PARKING PLACEMENT

- Parking spaces may be provided within the third Layer as shown in the diagram.
- Trash containers shall be stored within the third Layer.

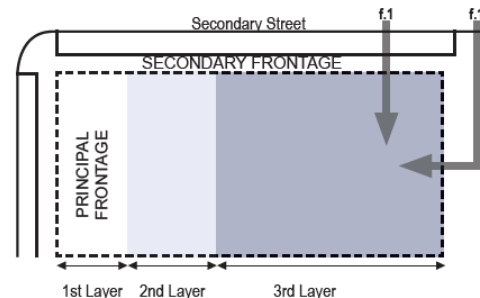
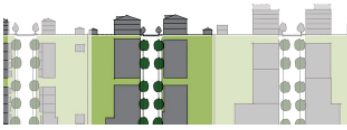


FIGURE 2-10

CTR-4



G. BUILDING TYPOLOGIES

Mixed Use Typology	Ground floor must have minimum 100SF of a retail, office, or public use
--------------------	-------------------------------------------------------------------------

H. VERTICAL FORM

Principal Facade	Building frontage that faces a public street and meets setback requirement
Minimum height to setback	Minimum height (2 stories) must fall within (c.1) Front Setback Principal
Optional height to setback	Up to 4 stories may fall within (c.1) Front Setback Principal
Additional height	An additional 5th story is permitted if it is set back a minimum of 30' behind the Principal Facade.

I. MASSING

Principal facade width	Maximum 50'
Additional building width	Wider buildings must visually articulate the facade at maximum 30' intervals. At a minimum: vary height and color and/or material.
Vertical articulation	Principal facade must be articulated to appear with a base, middle, and top. (example: coursing, materials, or other design characteristics). Base = min. 16' height Middle = min. 1/3 total height Top = max. 1/3 total height
Roof form	Roofs may be flat or pitched.
Roof terrace	Permitted
Storefront Articulation Area	Between 12' to 20' from ground. Requires storefront signage and lighting spaced a maximum of 10' apart (from each item's edge)

J. FACADE TRANSPARENCY

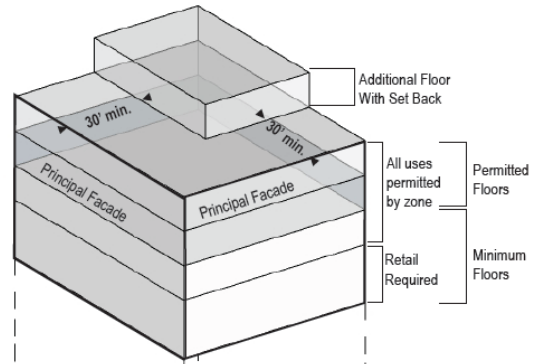
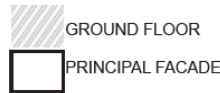
Ground floor transparent area	Between 3-8' height, 70% minimum transparency
Upper floors	30% minimum transparency
Horizontal spacing	Openings must be spaced a maximum 20' apart (no blank walls more than 20' wide)

K. ENTRANCE AND ACCESS

Primary Entrance orientation	Must face public street
Visibility	Include minimum 1 lighting feature per entry within 5' of entry
Commercial entrance	Doors must be 80% transparent
Other use entrance	No transparency required for entrances to upper floor uses.
Loading access	Side or rear only

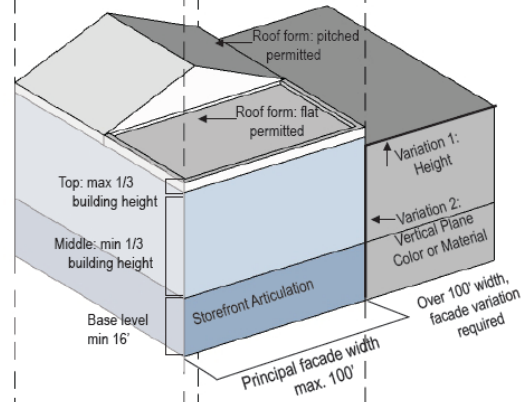
VERTICAL FORM

- The Principal Facade shall refer to all facades oriented towards a public street and located within permitted Front Setback.
- Upper floors that recede behind the maximum Front Setback are not considered Principal Facades.
- Ground floor must be a commercial use.

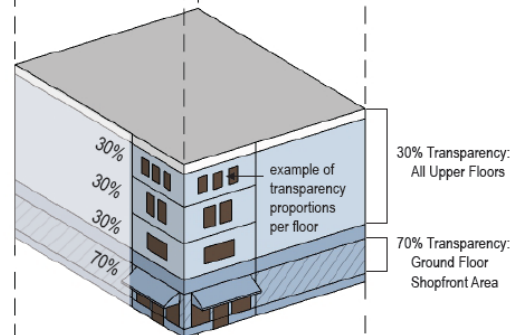


MASSING

- Vertical articulation and massing must delineate a base, middle, and top level.
- Articulation may use changes in plane, material, or color; horizontal banding; or other design features.



- Storefront Articulation Area requires signage and wall-mounted lighting, and is shown as:



TRANSPARENCY

- Transparency refers to proportion of transparent windows and door across Primary Facades.

ENTRY

- All uses must have an entrance located on a Secondary Frontage Public Street.

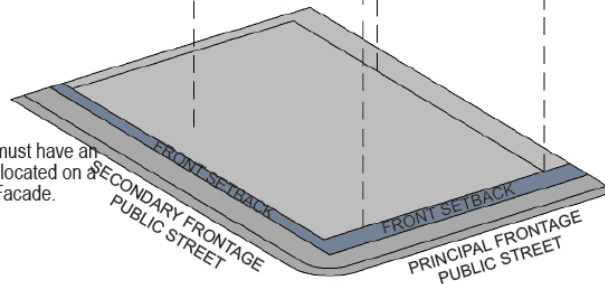
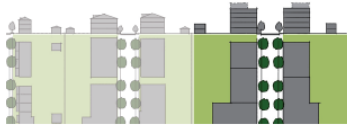


FIGURE 2-11

CTR-5



A. USE (See Table 3.01, Table of Permissible Uses)

B. BUILDING CONFIGURATION

Principal Building Height	3-5 stories 68' height max
Outbuilding	1-2 stories
Impervious Coverage	90% max
Lot Width	25' min - 150' max
Lot Depth	80' min
Lot Area	2,000 SF min
Lot Density	Common density is 80 units/acre but may be higher provided that the form regulations are met.

C. SETBACKS - PRINCIPAL BUILDING

(c.1) Front Setback Principal	0-10'
(c.2) Corner Lot Secondary Street Front Setback	5-10'
(c.3) Side Setback	0-10'
(c.4) Rear Setback	60' min
(c.5) Frontage Buildout	80%

D. SETBACKS - OUTBUILDING

(d.1) Front Setback	60'
(d.2) Side Setback	10' min.
(d.3) Rear Setback	5 min.

E. PRIVATE FRONTAGES

Front Porch	Not permitted
Side Porch	Not permitted
Fence	Not permitted
Terrace or Forecourt	Permitted
Stoop	Permitted for residential entrances only
Shopfront & Awning	Permitted
Arcade	Permitted

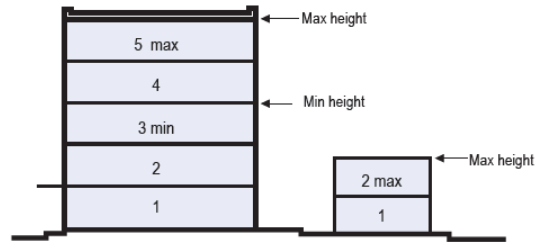
F. PARKING PLACEMENT

(f.1) Parking shall be accessed from the secondary street where possible.

1st Layer: From primary street to building facade	Parking not permitted.
2nd Layer: To rear of Principal building	Parking not permitted. Driveway width is 20' max.
3rd Layer: Behind Principal building	Parking permitted.

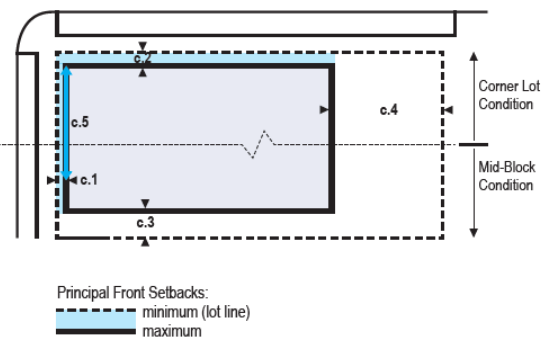
BUILDING CONFIGURATION

- Ground floor stories must be a minimum height of 16 ft with a maximum of 25'. Upper floors may be a maximum height of 14'
- Raised basements are not permitted.



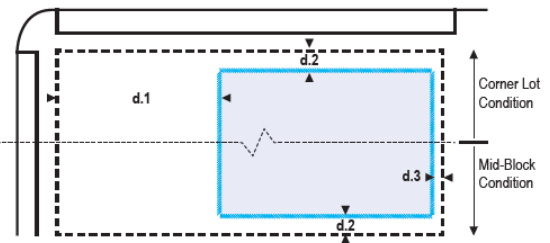
SETBACKS - PRINCIPAL BLDG

- The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as specified with in the table (C)
- Facades shall be built along the Principal Frontage and must occupy the percentage of the Lot width specified in (c.5) and shown as:



SETBACKS - OUTBUILDING

- The Elevations of the Outbuilding shall be distanced from the Lot lines as specified with in the table (D) and shown as:



PARKING PLACEMENT

- Parking spaces may be provided within the third Layer as shown in the diagram.
- Trash containers shall be stored within the third Layer.

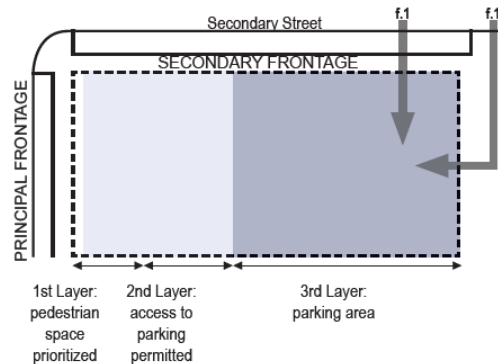
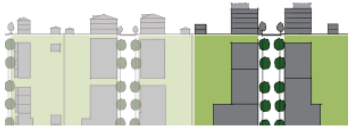


FIGURE 2-12

CTR-5



G. BUILDING TYPOLOGIES

Mixed Use Typology	Ground floor: min. 80% of floor plate must be primarily a commercial use
	Upper floor: office or residential use

H. VERTICAL FORM

Principal Facade	Building frontage that faces a public street and meets setback requirement
Minimum height to setback	Minimum height (3 stories) must fall within (c.1) Front Setback Principal
Optional height to setback	Up to 5 stories may fall within (c.1) Front Setback Principal
Additional height	An additional 6th story is permitted if it is set back a minimum of 30' behind the Principal Facade.

I. MASSING

Principal facade width	Maximum 50'
Additional building width	Wider buildings must visually articulate the facade at maximum 30' intervals. At a minimum: vary height and color and/or material.
Vertical articulation	Principal facade must be articulated to appear with a base, middle, and top. (example: coursing, materials, or other design characteristics)
Roof form	Roofs may be flat or pitched.
Roof terrace	Permitted
Roof terrace: interim phasing exception	2 story height is permitted if the top level includes an inhabitable roof terrace and is constructed to support a future third floor addition.
Storefront Articulation Area	Between 12' to 20' from ground. Requires storefront signage and lighting spaced a maximum of 10' apart (from each item's edge)

J. FACADE TRANSPARENCY

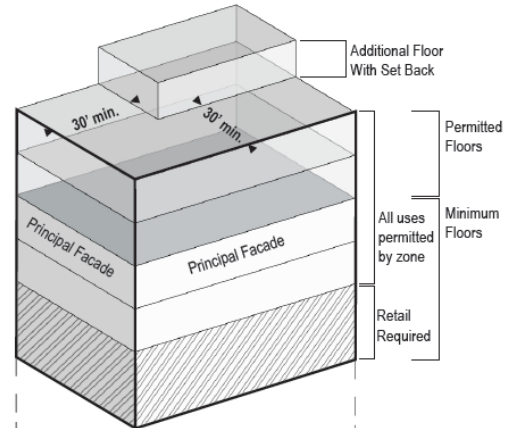
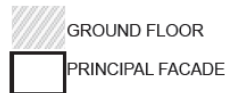
Ground floor shopfront area	Between 3-8' height, 70% minimum transparency
Upper floors	40% minimum transparency
Top floor	25% minimum transparency
Horizontal spacing	Openings must be spaced a maximum 20' apart (no blank walls more than 20' wide)

K. ENTRANCE AND ACCESS

Primary Entrance orientation	Must face public street
Visibility	Include minimum 1 lighting feature per entry within 5' of entry
Commercial entrance	Doors must be 80% transparent
Other use entrance	No transparency required for entrances to upper floor uses.
Loading access	Side or rear only

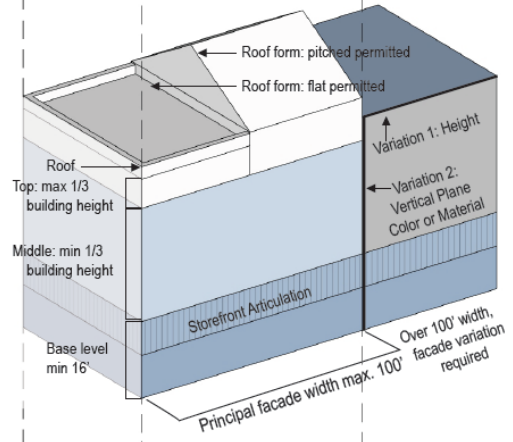
VERTICAL FORM

- The Principal Facade shall refer to all facades oriented towards a public street and located within permitted Front Setback.
- Upper floors that recede behind the maximum Front Setback are not considered Principal Facades.
- Ground floor must be a commercial use.



MASSING

- Vertical articulation and massing must delineate a base, middle, and top level.
- Articulation may use changes in plane, material, or color; horizontal banding; or other design features.

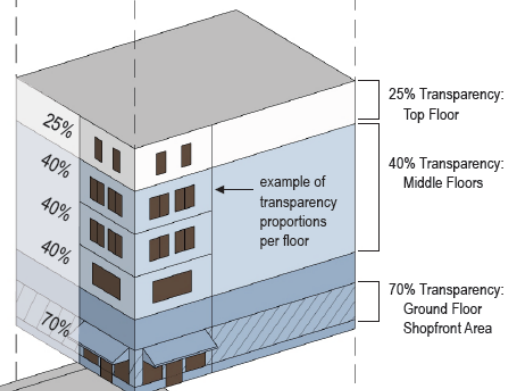


- Storefront Articulation Area requires signage and wall-mounted lighting, and is shown as:



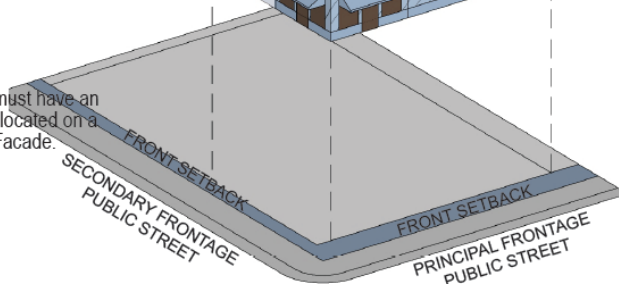
TRANSPARENCY

- Transparency refers to proportion of transparent windows and door across Primary Facades.



ENTRY

- All uses must have an entrance located on a Primary Facade.



§27-209 Commercial Business (CB) District

The following regulations govern land Use within the Commercial Business District:

- (A) Purpose. To provide wide range retail, service and employment uses at a scale, intensity or in a format that requires a high level of vehicle accessibility and visibility, typically along corridors or major intersections, and is not easily integrated with other land uses or development patterns. Planned versions of this district can yield campus or mixed-Use district patterns that are oriented to internal open space systems or other focal points of development.

- (B) Building Form Regulations. Figure 2-13 specifies the CB District's Building form regulations.

FIGURE 2-13

CB-3



A. USE (See Table 3.01, Table of Permissible Uses)

B. BUILDING CONFIGURATION

Principal Building Height	1-3 stories 42' height max
Outbuilding	1.5 stories
Impervious Coverage	70% max
Lot Width	100' min
Lot Depth	100' min
Lot Area	10,000 min

C. SETBACKS - PRINCIPAL BUILDING

(c.1) Front Setback Principal	0'-50'
(c.2) Corner Lot Secondary Street Front Setback	10'-50'
(c.3) Side Setback	20' min
(c.4) Rear Setback	50' min

D. SETBACKS - OUTBUILDING

(d.1) Front Setback	Front Facade + 20' min.
(d.2) Side Setback	20' min.
(d.3) Rear Setback	10' min.

E. PRIVATE FRONTAGES

Front Porch	Not permitted
Side Porch	Not permitted
Fence	Not permitted
Terrace or Forecourt	Permitted
Stoop	Not permitted
Shopfront & Awning	Permitted
Arcade	Not permitted

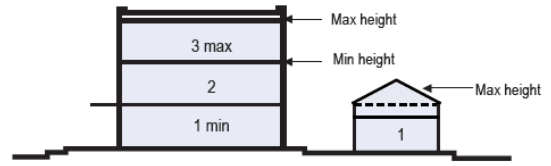
F. PARKING PLACEMENT

(f.1) Parking shall be accessed from the secondary street where possible.

1st Layer: To Front Facade	Parking not permitted. Drive lane permitted for drop off only and rear parking access.
2nd Layer: To outbuilding setback (d.1)	Drive lane must be 50% screened by landscaping minimum 3' high.
3rd Layer: Behind Principal Building	Parking and loading permitted.

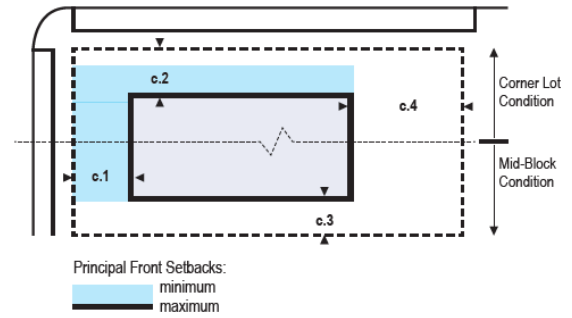
BUILDING CONFIGURATION

- Ground floor stories must be a minimum height of 16' with a maximum of 20'.
- Double height spaces are permitted but must be scaled and articulated as two full stories from the front facade.



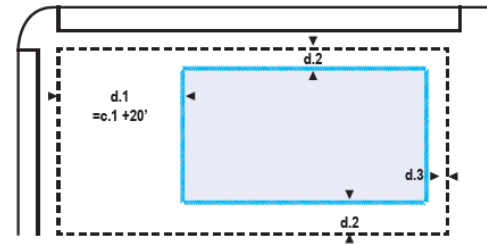
SETBACKS - PRINCIPAL BLDG

- The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as specified width in the table (C)



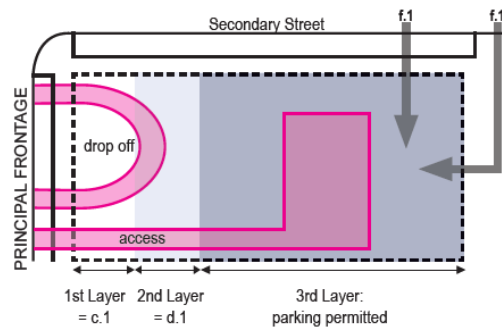
SETBACKS - OUTBUILDING

- The Elevations of the Outbuilding shall be distanced from the Lot lines as specified width in the table (D) and shown as: MINIMUM

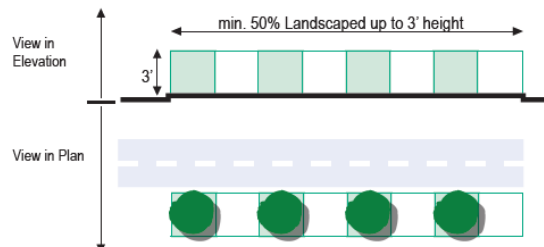


PARKING PLACEMENT

- Parking spaces may be provided within the third Layer as shown in the diagram.
- Trash containers shall be stored within the third Layer.
- Landscape screening is required in 1st and 2nd Layers.



LANDSCAPE SCREENING DIAGRAM



§27-210 Industrial (IN) District

The following regulations govern land Use within the Industrial District:

- (A) Purpose. The Industrial (IN) District is intended to maximize the Township's industrial Use potential by designating areas for light and heavy industry and providing safeguards to lessen the impact on surrounding nonindustrial districts. The IN District is intended primarily for the conduct of heavier manufacturing, assembling, fabrication warehousing, and distribution. These uses usually require accessibility to major rail, air, or Street transportation facilities. These uses will not typically be in the area of residential uses, office, or retail developments.

- (B) Bulk and Area Regulations. Figure 2-14 specifies the CB District's Building form regulations.

- (C) Zoning Permit Application Requirements. In addition to the permit application requirements specified under §27-109(B), the following data shall also be required for Industrial uses:
 - 1. Plot plan.
 - 2. Architectural plan.
 - 3. Description of operation.
 - 4. Engineering and architectural plans for water supply and sewage disposal.
 - 5. Plans for prevention or control of noise, vibration, glare, fire hazards, air pollution, water pollution and traffic.
 - 6. Lighting plan.
 - 7. Proposed fuel.
 - 8. Number of shifts and maximum employment per shift.
 - 9. Additional pertinent data as may be required by the Zoning Officer.

FIGURE 2-14

IND-2



A. USE (See Table 3.01, Table of Permissible Uses)

B. BUILDING CONFIGURATION

Principal Building Height	1-3 stories 42' height max
Outbuilding	25' height max
Impervious Coverage	80% max
Lot Width	100' min
Lot Depth	100' min
Lot Area	10,000 min

C. SETBACKS - PRINCIPAL BUILDING

(c.1) Front Setback Principal	50' min
(c.2) Corner Lot Secondary Street Front Setback	50' min
(c.3) Side Setback	25' min
(c.4) Rear Setback	50' min

D. SETBACKS - OUTBUILDING

(d.1) Front Setback	60' min
(d.2) Side Setback	25' min.
(d.3) Rear Setback	50' min.

E. PRIVATE FRONTAGES

Front Porch	Not permitted
Side Porch	Not permitted
Fence	not Not permitted
Terrace or Forecourt	Not permitted
Stoop	Not permitted
Shopfront & Awning	Permitted
Arcade	Permitted

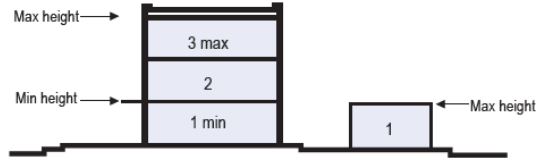
F. PARKING PLACEMENT

(f.1) Parking shall be accessed from the secondary street where possible.

1st Layer: First 25' from Front of Lot	Parking not permitted.
2nd Layer: From 25' to Front Facade	Parking is permitted only with screening. Screening must include landscape elements across minimum 80% of the width of the paved area, and must be minimum 3' in height.
3rd Layer: Behind Principal Building	Parking and loading permitted.

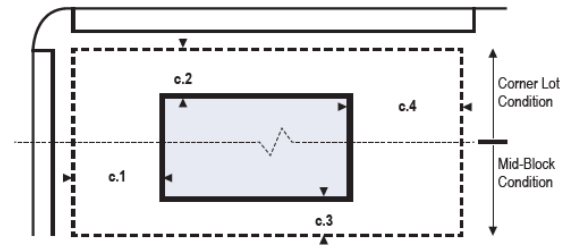
BUILDING CONFIGURATION

- Ground floor stories must be a minimum height of 16' with a maximum of 20'.
- Double height spaces are permitted but must be scaled and articulated as two full stories from the front facade.



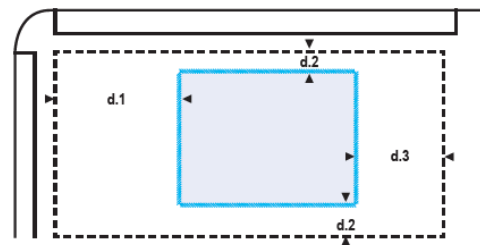
SETBACKS - PRINCIPAL BLDG

- The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as specified width in the table (C)



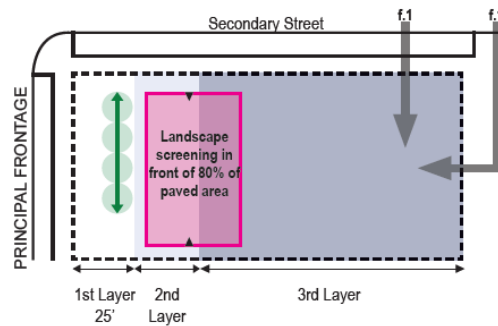
SETBACKS - OUTBUILDING

- The Elevations of the Outbuilding shall be distanced from the Lot lines as specified width in the table (D) and shown as:
 ——— MINIMUM



PARKING PLACEMENT

- Parking spaces may be provided within the third Layer as shown in the diagram.
- Trash containers shall be stored within the third Layer.
- Parking in 1st and 2nd Layers is only permitted with the inclusion of landscape screening in one/both of those Layers.



§27-211 Corridor Overlay Districts

The following regulations govern land Use within the designated Corridor Overlay (CO) districts as specified in Table 2-1.

- (A) Purpose. To encourage redevelopment and reinvestment along the Township’s priority corridors to promote tax revenue generating development including a mix of retail, office, commercial, and housing.

- (B) Application.
 - 1. Corridor overlays apply additional specifications for setbacks, uses, lot coverage, and access for lots that abut onto key corridors identified in the Comprehensive Plan for urban renewal and redevelopment. They promote consistent character and growth opportunity along key connections through the Township. Corridor Overlay specifications apply to all lots that touch an identified corridor. They take precedence over zoning regulations. They apply to all zones impacted by the identified corridor and add further conditions or flexibility above and beyond the regulations per each zone.

 - 2. Except as modified by the CO District, the provisions of the applicable base zoning district shall apply to all development within the boundary of the designated area. If regulations conflict, the applicable CO Zoning District regulations shall prevail. Whenever an overlay district is established, any subsequent application to change the base zoning district shall not be construed to be an application to eliminate the overlay district for the property covered by the application. An intent to eliminate the overlay district on a given property shall be expressly stated to be part of the application.

- (C) Boundaries of District. Figure 2-15 identifies the approximate boundaries of the specified CO districts. Where uncertainty exists as to the boundaries, the following rules shall apply:
 - 1. Boundaries indicated as approximately following the centerlines of Streets, highways, or Alleys shall be construed to follow such centerlines;

 - 3. Boundaries indicated as approximately following property lines or platted Lot lines, shall be construed as following such lines;

 - 4. Boundaries indicated as approximately following Township limits shall be construed as following Township limits;

 - 5. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks; and

 - 6. Boundaries that are in un-subdivided property or where a zoning district boundary divides a Lot shall be determined by the use of the map scale as shown thereon.

- (D) Building Form Regulations. Figures 2-16 – 2-21 specify each corridor’s Building form and design regulation standards.

FIGURE 2-16

Linglestown

1. CORRIDOR CONDITION

- i. Linglestown Road is the Principal Frontage for all lots abutting it.
- ii. New slip lanes may be provided and treated as the Principal Frontage, if they meet these conditions:
 - 1. The slip lane is publicly accessible,
 - 2. The slip lane follows street design standards per §22-302 Street & Parking Design Standards in Township Municipal Code
 - 3. The slip lane is minimum 150' in length and serves all lots abutting onto it.

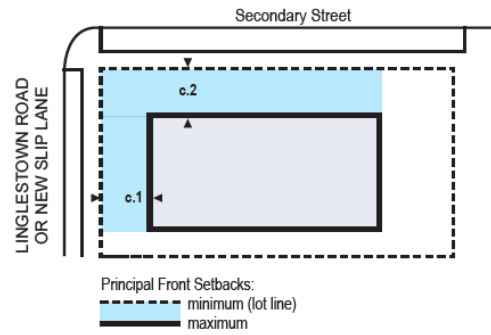
2. FRONT SETBACKS

- i. An additional 15' Front Setback is permitted if the front yard is activated open space that is visible from the public sidewalk.
- ii. Activated open space includes at minimum walking paths and seating.
- iii. It should be primarily paved instead of landscaped to allow active use. Public use or private seating such as outdoor dining are permitted.

3. PARKING ACCESS

Number of Driveways shall be limited as follows:

- i. Only one access shall be permitted for a property.
- ii. New curb cuts are only permitted at a rate of 1 curb cut per 80 feet of lot frontage. Small lots may need to establish shared drives, rear, or side access to satisfy this spacing.
- iii. An additional access or accesses shall be permitted if the applicant demonstrates that an additional access or additional accesses are necessary to accommodate traffic to and from the site and it can be achieved in a safe and efficient manner.
- iv. The Township shall restrict access to right turn only ingress and egress or to another state maintained road or local road if safe and efficient movements cannot be accommodated.
- v. For a property that abuts two or more roadways, the Township may restrict access to only that roadway that can more safely and efficiently accommodate traffic.
- vi. If the Township anticipates that a property may be subdivided and that the subdivision may result in an unacceptable number or arrangement of driveways, or both, the Township shall require the property owner to enter into an access covenant to restrict future access.



(c.1) Front Setback Principal	0-10' Additional 15' of front setback permitted if the public access requirement is met *Principal Street may be a new slip lane.
(c.2) Corner Lot Secondary Street Front Setback	5-10' Additional 15' of front setback permitted if the public access requirement is met

FIGURE 2-17

Front

1. CORRIDOR CONDITION

Front Street is the Principal Frontage for all lots abutting it.

2. FLOOD PLAIN CONDITION

60% max. impervious surface

3. BUILDING CONFIGURATION

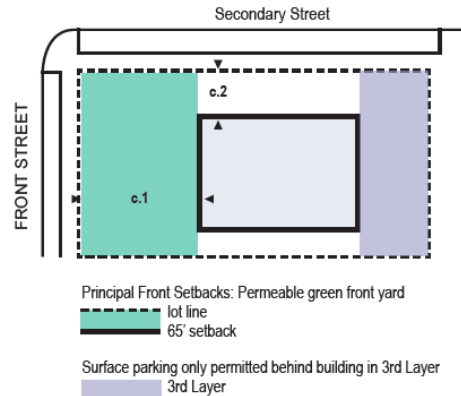
- i. Parking is a permitted ground floor use for buildings located within the flood plain.
- ii. 1 floor of additional height permitted when the 1st floor is parking.
- iii. Sidewalks are required.

4. FRONT SETBACKS

- i. 65' Front Setback permitted if treated as permeable green space
- ii. If lot fronts onto a dedicated public green space, Front Setback may be 0'. (Public Front Setback negates need for additional private setback).

4. DESIGN GUIDELINES

- i. A demo permit on N Front Street is required to have a special exception.
- ii. Architecture must be consistent with the existing historic nature of Front Street and have peaked roofs. Flat roofs are not allowed.
- iii. The Design Review Committee ("DRC") shall have the opportunity to review and comment on the proposed building and site layout details and streetscape plan submissions (prior to review by the Susquehanna Township Planning Commission) in order to provide informal comments to the applicant.



Impervious Coverage	60% max
Parking/Garage	permitted on ground floor within flood zone only
Principal Building Height	3-5 stories
(c.1) Front Setback Principal	65' min. * Must be permeable green space * If dedicated to public use, it will still fulfill the Front Setback requirement.
(c.2) Corner Lot Secondary Street Front Setback	Special exceptions do not apply.
Parking Placement: 1st Layer (c.1)	Parking and access lanes not allowed within front setback public front green.
2nd and 3rd Layers (behind Building Front)	Surface parking permitted in 3rd Layer behind the building only.

FIGURE 2-18

Walnut

1. CORRIDOR CONDITION

Walnut Street is the Principal Frontage for all lots abutting it.

2. BUILDING CONFIGURATION

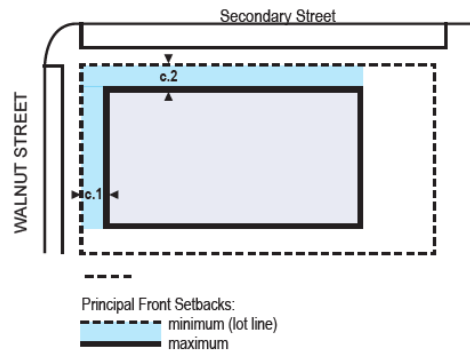
1 story heights are permitted on CTR-3 lots, under condition that the building is designed to support an upper level addition in the future.

3. FRONT SETBACKS

Max 10' Front Setback for all lots regardless of transect.

4. DESIGN GUIDELINES

New curb cuts are not permitted.



Principal Building	1 story permitted in CTR-3
(c.1) Front Setback Principal	0-10'
(c.2) Corner Lot Secondary Street Front Setback	0-10'

FIGURE 2-19

Progress

1. CORRIDOR CONDITION

Progress Street is the Principal Frontage for all lots abutting it.

2. FRONT SETBACKS

- i. Residential-only uses are permitted an additional 10' front setback for privacy.
- ii. Non-residential uses are permitted an additional 10' front setback if the front yard is publicly accessible open space. It may be paved and/or landscaped but must allow pedestrian use of and passage through within the front setback in order to qualify for the additional setback.

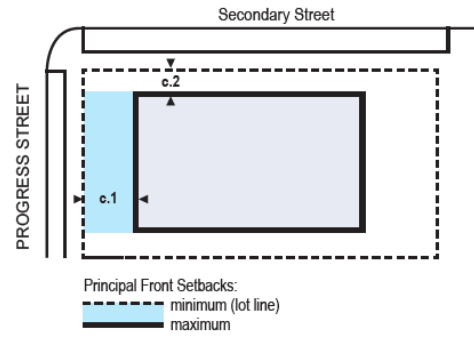
3. PARKING ACCESS

Number of Driveways shall be limited as follows:

- i. New curb cuts are permitted for shared drives only. New curb cuts for private driveways are not permitted.
- ii. An additional access or accesses shall be permitted if the applicant demonstrates that an additional access or additional accesses are necessary to accommodate traffic to and from the site and it can be achieved in a safe and efficient manner.
- iii. The Township shall restrict access to right turn only ingress and egress or to another state maintained road or local road if safe and efficient movements cannot be accommodated.
- iv. For a property that abuts two or more roadways, the Township may restrict access to only that roadway that can more safely and efficiently accommodate traffic.
- v. If the Township anticipates that a property may be subdivided and that the subdivision may result in an unacceptable number or arrangement of driveways, or both, the Township shall require the property owner to enter into an access covenant to restrict future access.

Driveway width is limited as follows:

- vi. Maximum driveway width at the curb may occupy 20% maximum of lot width (equivalent to 1 driveway per 100').
- vii. Maximum driveway width within the 1st Layer is 10' wide.
- viii. A 3' wide minimum planted median is required within the 1st and 2nd Layer for driveways wider than 10'.

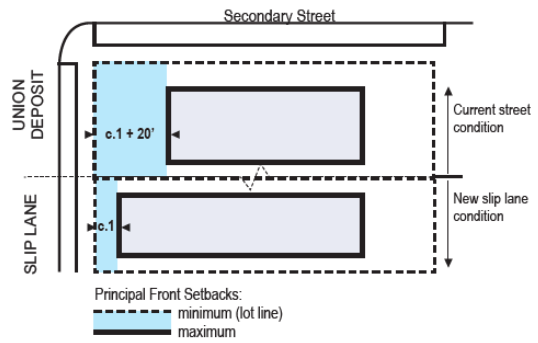


(c.1) Front Setback Principal	Additional 10' of front setback permitted * for residential uses in all transects * for non-residential uses that meet the public access requirement
(c.2) Corner Lot Secondary Street Front Setback	Special exceptions do not apply.

FIGURE 2-20

Union

1. CORRIDOR CONDITION
Union Deposit is the Principal Frontage for all lots abutting it.
2. FRONT SETBACKS
 - i. An additional 20' shall be added to all Front Setbacks (min. and max.) per zone.
 - ii. New development may include a public buffer along Union Deposit which may be a slip lane. In this case, the new slip lane is the Principal Frontage and all standard setbacks apply per zone.
3. TRANSECT FLEXIBILITY
 - i. Development along this corridor shall be depicted on a master plan prepared and submitted pursuant to the Master Plan requirement specified under §27-208 Center (CTR) District.
 - ii. Lots along this corridor may choose to be CTR-3, CTR-4, or CTR-5 with submission of an acceptable master plan that shows how it adheres to the Susquehanna Comprehensive Plan goals.

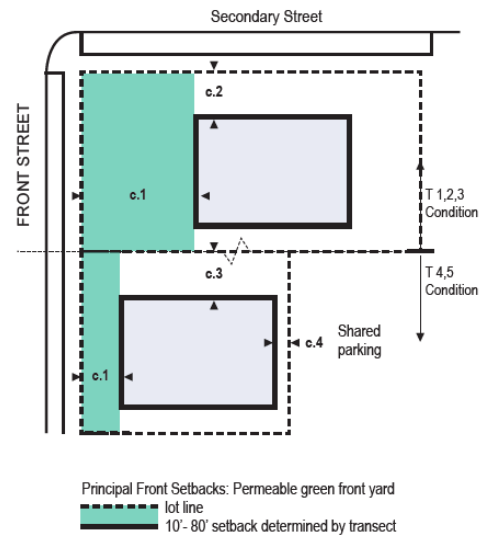


(c.1*) Front Setback Principal along Union Deposit	20' + c.1 (standard guidelines per zone)
(c.1) Front Setback Principal along a new slip lane	Apply c.1 Standard guidelines per zone

FIGURE 2-21

Elmerton

1. CORRIDOR CONDITION
Elmerton Avenue is the Principal Frontage for all lots abutting it.
2. FRONT SETBACKS, TRANSECTS 1,2, AND 3:
 - i. Front Setback is 60' min. - 80' max.
 - ii. Front Setback shall be min. 80% pervious between the Front Lot line and Front Facade. This area should be heavily greened and/or vegetated with grass, shrubs, trees, or another vegetation.
 - iii. Allowable front yard uses within the Front Setback: agriculture, garden, park, garden structures and pedestrian amenities.
3. FRONT SETBACKS, TRANSECTS 4 AND 5:
 - i. Front Setback of 10' min. - 20' max.
 - ii. Front Setback shall be 100% accessible to public use.
4. SIDE AND REAR SETBACKS, TRANSECTS 4 AND 5:
 - i. Side Setback may be 0' min.- 60' max
 - ii. Rear Setback may be 5' min if shared parking is located directly behind the lot.



(c.1) Front Setback Principal, Transects 4 and 5	10' min. - 20' max Must be 100% publicly accessible
(c.1) Front Setback Principal, Transects 1, 2, and 3	60' min. - 80' max. 80% Pervious between Front Lot line and Front Facade
(c.2) Corner Lot Secondary Street Front Setback	c.2 (standard guidelines per zone) plus an additional 20' is permitted but not required
(c.3) Side Setback	0-60' max in Transects 4 and 5 only
(c.4) Rear Setback	5' min if it abuts onto shared parking in Transects 4 and 5 only

§27-212 Floodplain Overlay District

- (A) Purpose. The purpose of the Floodplain Overlay (FPO) District is to:
1. Regulate the permitted use of flood-prone areas;
 2. Where there happens to be any conflict between the provisions or requirements of any of the floodplain districts and those of any underlying district the more restrictive provisions and/or those pertaining to the floodplain districts shall apply.
 3. In the event any provisions concerning a floodplain district is declared inapplicable, as a result of any legislative or administrative actions or judicial discretion, the basic underlying district provision shall remain applicable.
 4. Require the utilization of appropriate construction practices and design standards in order to prevent or minimize flood damage in the future; and
 5. Reduce financial burdens imposed on the community, its governmental units, and its residents, by preventing the unwise Use and development of property in areas subject to flooding.
- (B) Authority. Subsections 604 and 605 of the MPC and the Pennsylvania Floodplain Management Act (Act 166-1978) grant municipalities the authority to identify flood-prone areas subject to periodic flooding and regulate with specific control the Permitted Use, type of construction and Height of floor levels above base flood elevation permitted in the area so as to lessen or avoid the hazards to persons and damage to property resulting from the accumulation of storm or flood waters.
- (C) Application. Except as modified by the FPO, the provisions of the applicable base zoning district(s) shall apply to all development within the boundary of the designated area. If regulations conflict, the applicable FPO regulations shall prevail. Whenever the FPO district is established, any subsequent application to change the base zoning district shall not be construed to be an application to eliminate the FPO district for the property covered by the application. An intent to eliminate the FPO district on a given property shall be expressly stated to be part of the application.
- (D) Floodplain Chapter. Chapter 8 of the Township Municipal Code is hereby incorporated by reference and establishes requirements for floodplain management including: general provisions, interpretations and definitions, establishes floodplain areas, boundary disputes, alternations, criteria for Building and site plan approval, administration, appeals and penalties, government actions, and municipal liability.
- (E) Boundaries of District.
1. To the extent the Township's floodplain regulations identifies areas prone to or otherwise at risk of flood, including without limitation by reference to a Flood Insurance Rate Map or FEMA Flood Insurance Study, such areas shall be deemed identified as flood-prone areas for purposes of this Chapter and included within the FPO.
 2. Boundaries indicated as approximately following the center lines of Street or Alley rights-of-way shall be construed to follow such center lines;
 3. Boundaries indicated as parallel to, or extensions of features indicated in the above shall be so construed; and

4. Where physical or cultural features existing on the ground are different with those shown on the Flood Insurance Rate Map, or in other circumstances not covered by the above, the Zoning Officer shall interpret the FPO District boundaries.

§27-213 Traditional Neighborhood Overlay District

(A) Purpose. The purpose of the Traditional Neighborhood Overlay (TNO) District is to:

1. Establish a community which is pedestrian-oriented with a number of parks, a centrally located public commons, square, plaza, park or prominent intersection of two or more major Streets, commercial enterprises and civic and other public Buildings and facilities for social activity, recreation and community functions;
2. Minimize traffic congestion and reduce the need for extensive road construction by reducing the number and length of automobile trips required to access everyday needs;
3. Make public transit a viable alternative to the automobile by organizing appropriate Building densities;
4. Provide the elderly and the young with independence of movement by locating most daily activities within walking distance;
6. Foster the ability of citizens to come to know each other and to watch over their mutual security by providing public spaces such as Streets, parks and squares and mixed Use which maximizes the proximity to neighbors at almost all times of the day;
7. Foster a sense of place and community by providing a setting that encourages the natural intermingling of everyday uses and activities within a recognizable neighborhood;
8. Integrate age and income groups and foster the bonds of an authentic community by providing a range of housing types, shops and workplaces; and
9. Encourage community oriented initiatives and to support the balanced development of society by providing suitable civic and public Buildings and facilities.

(B) Authority. Part VII-A, Traditional Neighborhood Development, of the MPC grants powers to municipalities for the following purposes:

1. To encourage innovations in residential and nonresidential development and renewal which makes use of a mixed Use form of development so that the growing demand for housing and other development may be met by greater variety in type, design and layout of dwellings and other Buildings and Structures and by the conservation and more efficient use of open space ancillary to said dwellings and uses;
2. To extend greater opportunities for better housing, recreation and access to goods, services and employment opportunities to all citizens and residents of this Commonwealth;
3. To encourage a more efficient use of land and of public services to reflect changes in the technology of land development so that economies secured may benefit those who need homes and for other uses;
4. To allow for the development of fully integrated, mixed-Use pedestrian-oriented neighborhoods;

5. To minimize traffic congestion, infrastructure costs and environmental degradation;
6. To promote the implementation of the objectives of the municipal or multi-municipal comprehensive plan for guiding the location for growth;
7. To provide a procedure, in aid of these purposes, which can relate the type, design and layout of residential and nonresidential development to the particular site and the particular demand for housing existing at the time of development in a manner consistent with the preservation of the property values within existing residential and nonresidential areas; and
8. To insure that the increased flexibility of regulations over land development authorized herein is carried out under such administrative standards and procedure as shall encourage the disposition of proposals for land development without undue delay. and in particular those purposes and objectives listed in MPC Section 701-A of Part VII-A such as: encouraging innovation for mixed-Use pedestrian-oriented development; extending opportunities for housing; encouraging a more efficient use of land; allowing for integrated, mixed-Use, pedestrian-oriented neighborhoods; establishing public space; and fostering a sense of place and community.

(C) Application.

1. The TNO may only be applied to tracts of land within the SN, UN, and CTR zoning districts that meet the following criteria:
 - a. Minimum Tract Size. Fifty (50) acres.
 - b. Perimeter Street Frontage and Access. Two (2) Major Collector Streets.
 - c. Public Utilities. Public sewer and public water.
2. The applicable base zoning district's Permitted Uses (Part 3, Table 3.01) and Form Base Regulations shall apply to all development within the boundary of a proposed TNO area. If regulations conflict or a higher standard of development is required, the applicable TNO regulations shall prevail.
3. Zoning Map Amendment. Whenever a TNO District is applied, the subject properties shall be effectively rezoned to Traditional Neighborhood Design (TND) and the Zoning Map shall be amended accordingly.

(C) Design Criteria.

1. The TNO District is intended to comply with Exhibit A, "Key Design Elements" of this Part.
2. The TNO District is intended to emulate other successful neighborhoods that have features such as mixed uses (residential and nonresidential), mixed housing types, attractive streetscapes, parks, centrally located greens, plazas, and other features as described and illustrated in Exhibit B, "Precedents."

Exhibit 'A'

Key Design Elements - Form Based Code: TND - Traditional Neighborhood Development-1 District

9-26-2016

Susquehanna Township - Dauphin County, PA

Traditional Neighborhood Development (TND) is intended to promote more compact, walkable, mixed-use, interconnected, and sustainable development incorporating the following Key Design Elements described and depicted below.

All planning, design, construction, and maintenance of development shall be in accordance with a Manual of Written and Graphic Design Guidelines as enabled by Section 708-A of the Pennsylvania Municipalities Planning Code, and the Key Design Elements below.



1. "Anchor" for the Neighborhood:

Features a Green/Park in the central portion of the Neighborhood, in order to provide a place for pedestrian gathering and passive recreation.



2. Walkability & Critical Mass:

Features a ¼ to ½ mile (5 to 10 minute walk) from the Neighborhood Center/Green to the edge. Includes a minimum tract size of 25 acres.



3. Mix of Uses:

Combines Residential, Commercial, Office, Hospitality, Recreational and Open Space uses in a diversified and integrated arrangement. Also combines first floor retail with second floor apartments and/or offices.



4. Park & Open Space:

Creates the green, square, plaza and/or park to enhance and beautify the Neighborhood, and a system of attractive and functional "green spaces" within the Neighborhood.



5. Interconnected Network of Streets:

Organizes a Block and pattern of lots. Integrates Neighborhood streets and alleys. Links to the pedestrian network. Helps to create and define the Streetscape.



6. On-Street Parallel Parking:

Provides a separator between vehicular and pedestrian traffic. Utilizes outway as an "aisle", (with "overflow" parking to the rear or side of buildings).



7. Streetscape:

Promotes human scale relationship for the pedestrian as part of the Public Realm. Provides an "outdoor room" type of space created by 2 and 3 story buildings. Buildings at a "Build-To" Line create a Street Wall.



8. Lanes (Alleys):

Allows for preservation of frontage Streetscape. Provides vehicular access to parking in the rear. Provides opportunities for rear access to an accessory apartment, or for deliveries. Provides access for the staging of construction, and the installation of utilities.



9. Sidewalks/Crosswalks/Pedestrian Paths/Walkways:

Serves to link uses, lots, buildings and streets together. Accommodates a healthy pedestrian circulation network. Provides close to home opportunities for exercise. Enhances wayfinding.



10. Housing Choices:

Provides a mix of housing types including single-family detached, townhomes, and multi-family dwellings. Provides opportunities for apartment or office use above ground floor commercial use.



11. Public Gathering Places:

Provides gathering places as part of the green infrastructure in the form of greens, plazas, and parks. Provides opportunities for pedestrian amenities such as benches, gazebos, pavilions, fountains, and the like.



12. Shade Trees:

Provides the canopy/overhead plane to help create an "outdoor room", and an emerging "old shade" character for the Neighborhood.



13. Attractive Public Spaces:

Provides opportunities for an attractive Public Realm with street trees, street lights, pavilions, gazebos, fountains, fences, walls, piers and the like.



A-1

Exhibit 'B'
Precedents for the TND - Traditional Neighborhood Development-1 District

9-26-2016

Susquehanna Township - Dauphin County, PA



Legacy Park - Cleveland, OH

Legacy Park serves as a Precedent due to:

- Centrally located Green;
- Plaza spaces surrounding Green; and
- Green forms principal Pedestrian Axis.

The Waterfront serves as a Precedent due to:

- Dispersed Parking Fields;
- Angled On-Street Parking; and
- Integrated Vehicular & Pedestrian Circulation.



The Waterfront - Homestead, PA



Main Street at Exton - Exton, PA

Main Street at Exton serves as a Precedent due to:

- Streetscape Width: 65 feet;
- On-Street Parking: 7x 22'; and
- Passageways: 12', 18', 30' widths.

Biltmore Park Town Square serves as a Precedent due to:

- Hotel frontage along Sidewalk;
- Vertical Mixed-Use; and
- Plentiful Pedestrian Amenities.



Biltmore Park Town Square - Asheville, NC



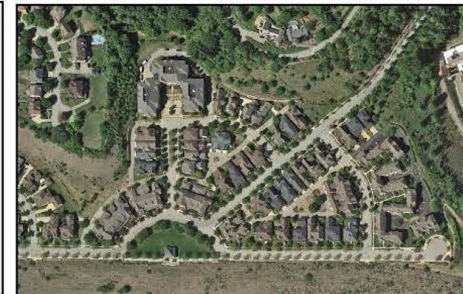
Eagleview: Live-Work Units

Eagleview Live-Work Units serve as a Precedent due to:

- Ground Floor Commercial and Office Use;
- Shop Owners Live Above; and
- 3-Story Buildings.

Summerset at Frick Park serves as a Precedent due to:

- Diverse Housing Types;
- Alleyscape; and
- Terminated Vista at Crescent Park.



Summerset at Frick Park - Pittsburgh, PA

Exhibit 'B'
Precedents for the TND - Traditional Neighborhood Development-1 District

9-26-2016

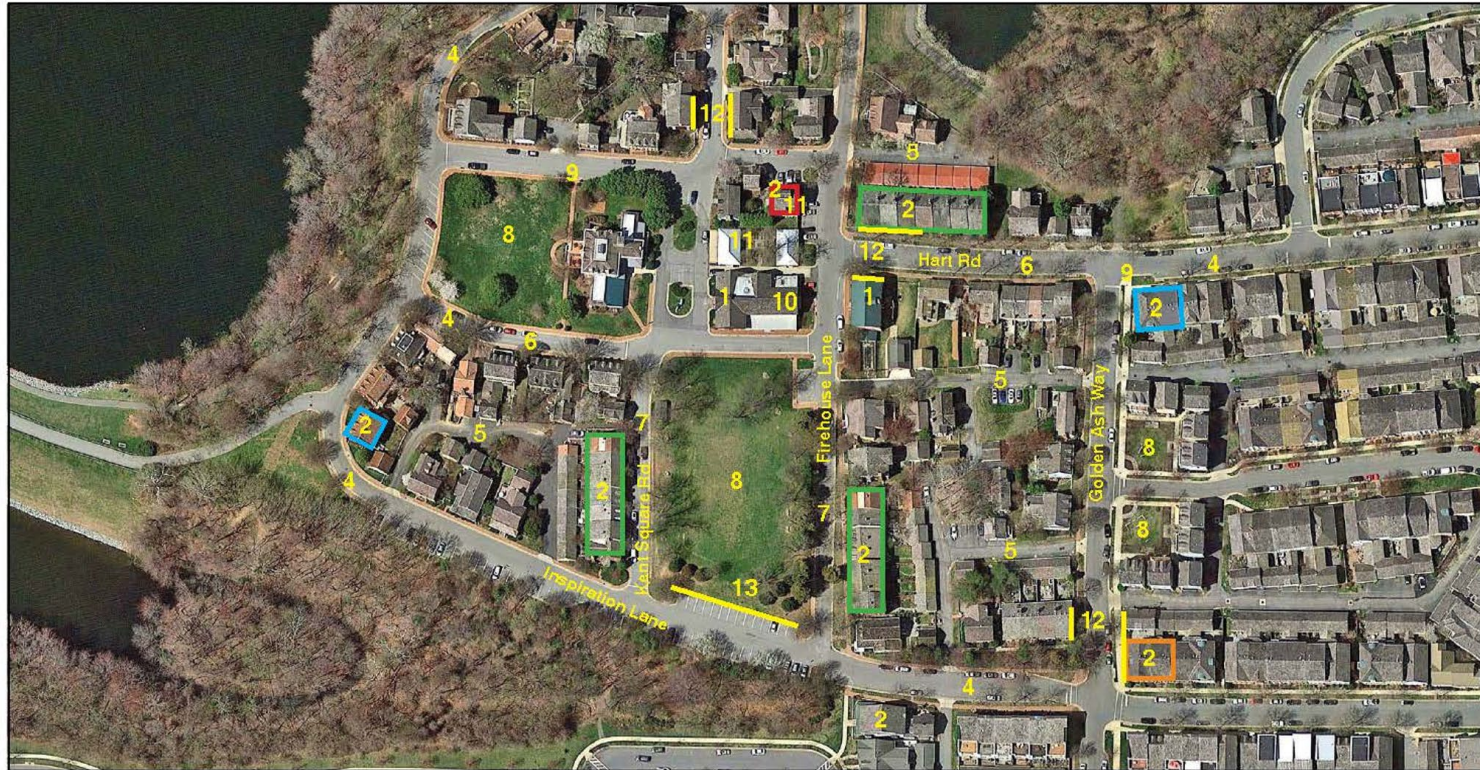
Susquehanna Township - Dauphin County, PA

Key:

- | | | |
|-------------------------------------------------|--------------------------------------|------------------------------------------------|
| 1. Mixed Uses | 6. On-Street Parking | 11. Commercial Buildings Along Frontage Street |
| 2. Mixed Housing Types | 7. Attractive Streetscape | 12. Street Wall |
| 3. Compact Neighborhood Form | 8. Greens & Green Courts | 13. Wall, in lieu of Street Wall |
| 4. Interconnected Streets with Mild Deflections | 9. Network of Sidewalks & Crosswalks | |
| 5. Alleys | 10. Adaptive Re-Use of Buildings | |

Housing Types:

- Single-Family Detached
- Duplex/Twin
- Attached Single-Family
- Live-Work Unit



Note: The Kentlands TND- Traditional Neighborhood Development, located in Gaithersburg, MD, serves as a viable Precedent for the Susquehanna Township Form Based Code (FBC). The Kentlands, built from 1983 to 2005, began with the transformation of The Old Kent Farm into a compact, mixed-use, interconnected, and walkable neighborhood.

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Exhibit 'B'
Precedents for the TND - Traditional Neighborhood Development-1 District

9-26-2016

Susquehanna Township - Dauphin County, PA

Key:

- | | | |
|-------------------------------------------------|--------------------------------------|------------------------------------------------|
| 1. Mixed Uses | 6. On-Street Parking | 11. Commercial Buildings Along Frontage Street |
| 2. Mixed Housing Types | 7. Attractive Streetscape | 12. Street Wall |
| 3. Compact Neighborhood Form | 8. Greens & Green Courts | 13. Wall, in lieu of Street Wall |
| 4. Interconnected Streets with Mild Deflections | 9. Network of Sidewalks & Crosswalks | |
| 5. Alleys | 10. Adaptive Re-Use of Buildings | |

Housing Types:

- Single-Family Detached
- Duplex/Twin
- Attached Single-Family
- Multi-Family



Note: The Lantern Hill TND- Traditional Neighborhood Development, located in Doylestown Borough, Bucks County, PA, serves as a viable Precedent for TNDs in Susquehanna Township. Lantern Hill, built from 2000 to 2006, is governed by the TND-1 District regulations of Doylestown Borough.

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(D) Density Bonus.

1. Whenever the plan includes on-Street parking along eighty (80) percent of all of the internal Street frontages, the applicant may increase the base density by an additional one (1) dwelling unit per gross acre.
2. Whenever the plan includes ninety-five (95) percent of Buildings forming all of the Street wall, the applicant may increase the base density by an additional one (1) dwelling unit per gross acre.
3. Whenever the plan includes alleys servicing at least eighty (80) of all Buildings, the applicant may increase the base density by an additional one (1) dwelling unit per gross acre.
4. Whenever the plan includes at least two (2) percent additional greens, beyond the three (3) percent required by the Public Realm Plan requirements specified under Subpart (F) of this Part, the applicant may increase the base density by an additional one (1) dwelling unit per gross acre.
5. If the plan includes all four of the above density bonus provisions, the maximum dwelling units per gross acre may increase from nine (9) to thirteen (13) for single-family detached and attached dwelling units, and from fourteen (14) to eighteen (18) for multiple-family dwelling units.

(E) Mixed-Use Requirements. The following percentages shall apply to the land area for the TND-1 District.

1. Overall Mixed-Use Regulations.
 - A. Commercial Use acreage maximum. Fifty (50) percent.
 - B. Residential Use acreage minimum. Forty (40) percent.
2. Green Space Acreage Minimum. Five (5) percent dispersed within both the commercial Use area, and the residential Use area.
3. Mixed Housing Requirements. The following percentages shall apply to the land area for the TNO District.

Table 2.02. Mixed Housing Area Requirements.

Housing Type	Area	
	Minimum	Maximum
Dwelling, Single Family Detached	5%	--
Dwelling, Single Family Semi-Attached	5%	--
Dwelling, Two-Family	0%	--
Dwelling, Multi-Family	5%	30%
Dwelling, Townhouse	0%	--

(F) Public Realm Plan Requirements.

1. A minimum of twenty-five (25) percent of the gross tract area shall be designed, constructed, and maintained as green space.
2. A minimum of three (3) percent of the gross tract area shall be maintained as greens.
3. A public realm plan shall be included with every submission: sketch; preliminary; final.
4. The public realm plan shall depict all: green space; greens; passive open space; active open space; natural open space (meadows, woodlands, wetlands, steep slopes, etc.); sidewalks; walkways; trails; pathways; passageways; crosswalks; boardwalks; pedestrian bridges; and pedestrian gathering areas (plazas, courtyards, passageways, and the like).

(G) Streetscape Plan Requirements.

1. A streetscape plan shall depict all features proposed within the streetscape, including: Street trees; streetlights; sidewalks; crosswalks; speed tables; on-Street parking; and the like.
2. A streetscape plan shall also depict any areas proposed for curb bulb-outs, bus stops, bus shelters, bicycle lanes, bicycle racks, and pedestrian gathering areas.
3. A streetscape plan shall include, at the time of preliminary and final plan submission, pavement materials, as well as detailed information for all streetscape features.
4. A streetscape plan shall include all proposed Streets, Alleys, lanes, service drives, and other vehicular thoroughfares.
5. A streetscape plan shall include all dimensions for all thoroughfare types.

(H) Regulating Plan Requirements.

1. A regulating plan shall depict all proposed Buildings, Streets, parking areas, green spaces, and stormwater management areas.
2. A regulating plan shall include a compliance table to list the areas devoted to mixed Use, and the percentages of mixed Use, as per the thresholds in Subpart (E) of this Part.
3. A regulating plan shall include either a color-coded method to highlight the proposed uses, or a numeric method, so that all proposed Building types are keyed into a legend.
4. A regulating plan shall also summarize the green space features shown on the public realm plan.

(I) Phasing.

1. A phasing plan shall be included with all preliminary and final plan submissions.
2. No less than twenty-five (25) percent of the gross tract area shall be included in the first phase of development.
3. At least two (2) of each phase shall include green space.

4. To the maximum extent possible, each phase shall include a combination of commercial uses and residential uses.

(J) Procedures.

1. The Applicant shall submit a concept plan as the first submission to receive informal comments from Township staff and the Planning Commission on the design and layout of the proposed development within the TNO District.
2. A regulating plan and public realm plan shall be included with all sketch, preliminary, and final plan submissions.
3. A regulating plan shall be used to gauge compliance and consistency with the TNO District requirements.
4. A public realm plan shall be used to gauge compliance and consistency with the TNO District requirements.
5. A streetscape plan shall be included with the preliminary and final plan submissions, and shall be used to gauge compliance and consistency with the TNO District requirements.
6. The Township Design Review Committee shall review and comment on all regulating plan, public realm plan, streetscape plan, and design manual submissions (prior to review by the Susquehanna Township Planning Commission) to provide informal comments to the applicant.

(K) Relationship to Other Chapter Requirements.

1. Signage. The regulations for Signs in Part 5 of this Chapter shall apply.
2. Relationship to Subdivision and Land Development Ordinance Requirements.
 - a. The Regulating Plan shall govern such features as the design of Streets, Street geometry, grading, sidewalks, crosswalks, curbing, curb radii, Street trees, streetlights, parking lots, and recreational areas. Therefore, the conventional Design Standards of the Susquehanna Township Subdivision and Land Development Ordinance shall not apply to such features, if such Design Standards are found to be in conflict with Exhibit C, the Regulating Plan.
 - b. Land development in this TNO District is subject to all nonconflicting provisions of the Subdivision and Land Development Ordinance.

PART 3 ZONING USES

§27-301 General

The following general provisions apply to the uses outlined in this Part.

- (A) More than one Principal Use may be erected on a single Lot provided that all Lot and Yard requirements, standards, and other requirements of this Chapter shall be met for each Structure, as though it were on an individual Lot.
- (B) Uses are either permitted by right in a zoning district or require a Special Exception in order to be developed.
- (C) No Building, Structure, or Land shall be used in any way other than the uses permitted in the zoning district in which the Building, Structure, or Land is located, with the exception of the continuation of existing Uses.
- (D) Continuation of Existing Uses. The continuation of any Use existing and permitted at the time of adoption of these regulations is permitted, subject to the nonconforming Use standards specified in §27-305.

§27-302 Uses

- (A) Table 3.01, Table of Permissible Uses, identifies the Principal, Accessory, and Temporary Uses allowed in each zoning district and are defined in this Chapter.
- (B) Principal, Accessory, and Temporary Uses are given one of the following designations specified in Table 3.01.
 - 1. Permitted by Right ("R"). These Uses are permitted automatically by right in the zoning districts in which they are listed are subject to the general regulations under this Chapter.
 - 2. Permitted by Special Exception ("SE"). These Uses are not permitted by right but are subject to the Special Exception standards and criteria specified in §27-115, Subpart (H)2, of this Chapter.
 - 3. Non-Permitted Uses. Uses not permitted (whether expressly permitted or permitted upon interpretation and classification by the Zoning Officer) within a zoning district shall be deemed excluded. The Zoning Officer shall make a Determination of the classification of all land Uses within the context and intent of this Chapter and may issue a Decision regarding whether a particular Use is permitted or excluded in a zoning district, all in accordance with this Chapter.

§27-303 Organization

Uses are grouped into general categories, which are further broken into subcategories and specific Use types that are specifically defined in this Chapter.

§27-304 Unlisted Uses

If a Use is clearly not provided for in this Part, whether as a Permitted Use by right or by Special Exception within any zoning district within the Township, then the proposed Use shall be considered a Special Exception Use and be approved pursuant to the requirements specified under §27-115, Subpart (H)2, of this Chapter.

In addition to such requirements, the proposed Use shall also be approved based on the following Use character eligibility standards:

- (A) The proposed Use shall be consistent with and meet the stated purpose and intent of the zoning district within which the Use is being proposed.
- (B) The proposed Use shall be consistent with and uphold the general form, function, and design character of the neighborhood within which the Use is being proposed.

§27-305 Nonconformities

(A) General Regulations.

All lawful uses of land or of a Building, Sign or other Structure existing on the effective date of this Chapter may be continued, altered, restored, reconstructed, changed, sold or maintained even though such Use may not conform to the Use, Height, area, Yard and other regulations of the district in which it is located, provided such nonconforming conditions shall comply with the following requirements.

(B) Nonconforming Structures.

- 1. Continuation. Any nonconforming Structure existing on the effective date of this Chapter or created by an amendment to this Chapter may continue although such Structure does not conform to the dimensional requirements of this Chapter.
- 2. Restoration. A nonconforming Structure, which has been damaged or destroyed by fire, explosion, windstorm, or other natural or criminal acts, shall meet the following restoration requirements:
 - a. A nonconforming Structure with damage may be reconstructed providing the Structure is restored to meet the following requirements:
 - (1) The restored Structure shall not exceed the Height, area, and volume of the original damaged Structure.
 - (2) The restoration of the Structure shall commence within one (1) year from the date the Structure was damaged and shall be continue uninterrupted, otherwise the nonconforming Structure status shall be void.
- 4. Demolition. In the event any nonconforming Building is destroyed or partially destroyed and the owner has determined reconstruction/restoration infeasible, the owner will be responsible for the complete removal of the Structure and debris as well as the filling of any excavated areas.
- 5. Expansion or Alteration. The following requirements shall apply to the expansion or alteration of nonconforming Structures or Buildings:
 - a. The Lot on which the expansion or alteration is proposed shall be limited to only that Lot on which the Building or Structure existed at the time it became nonconforming. Expansion onto adjoining Lot is prohibited.
 - b. A nonconforming Building or Structure may be extended or expanded on the same Lot, provided that the extension or alteration shall:

- (1) Be limited to twenty-five percent (25%) of the Gross Floor Area of the Building existing at the time the Building became nonconforming.
 - (2) Conform to all dimensional requirements and all other applicable regulations of this Chapter.
- c. The Applicant shall furnish conclusive evidence as to the extent of the nonconformity when it was created. The above maximum increase shall be measured in aggregate over the entire life of the nonconformity.
- d. Extension Along a Nonconforming Setback. If an existing Building has a lawfully nonconforming Building setback, additions may occur to increase the Height above such setback or to extend other portions of the Building out to the nonconforming side or rear setback line, provided that:
- (1) The Structure shall not be extended beyond the existing nonconforming setback line.
 - (a) No extension shall be permitted with five (5) feet of any Street right-of way or property lines.
 - (b) No extension shall be permitted which may cause danger to vehicular or pedestrian traffic on a street by obscuring a view.
 - (2) No additional nonconformity shall be created.
 - (3) The new nonconforming extension shall not be greater than twenty-five (25) percent of the existing floor area.
 - (4) All other requirements of this Chapter, including but not limited to provisions regarding Height restrictions, shall be met.
 - (5) Such addition shall not be permitted for a nonresidential Building that abuts an existing primarily residential Use.
- e. In the case of a nonconforming Building or Structure which is used by a nonconforming Use, any expansion or alteration must also meet the requirements of and is subject to the additional restrictions of §27-305 Subpart (B)5, concerning the expansion or alteration of nonconforming uses.
- f. Provision for vehicular access, off-street parking and off-street loading shall be consistent with standards required by this Chapter.
- g. The proposed alteration will not cause an increased detrimental effect on the surrounding neighborhood.
- h. Buffers and screens shall be provided as necessary to adequately protect neighboring properties. This includes, but is not limited to, fences, walls, plantings, and open spaces.
- i. No expansion of a nonconforming Structure or a nonconforming Building located outside of a Structure existing on the effective date of this Chapter shall be permitted in any Floodplain area except in accordance with Chapter 8, Floodplains.

- j. Excluding expansion, any modification, alteration, repair, reconstruction or improvement of any kind to a nonconforming Building or Structure located in the Floodplain area shall be permitted when either elevated above the base flood elevation or floodproofed. In no case shall any modification, alteration, repair, reconstruction or improvement cause unacceptable increases in flood Height, velocities or frequencies.

(C) Nonconforming Lots.

- 1. Continuation. Any nonconforming Lot, due to its Lot area or Lot width, existing as of the effective date of this Chapter or created by an amendment to this Chapter may be continued although such Lot does not conform to the Lot requirements for the district in which it is located.
- 2. Development. The following requirements apply to the development and use of the nonconforming Lot:
 - a. All the requirements of this Chapter shall be met with the exception of Lot area and Lot width. Furthermore, no Lot shall be developed unless the following requirements are met:
 - (1) Each Lot shall have an approved on-lot water and wastewater system or access to public water and public sewer. Additionally, for those Lots utilizing on-lot water the minimum required isolation distance between the well and the on-lot wastewater system shall be provided.
 - (2) In residential districts, only one single family dwelling may be erected and the following minimum side yards shall be provided.
 - i. Interior Lots with a width of fifty (50) feet or more, two side yards shall be provided as required by the district regulations.
 - ii. Corner Lots with a width of fifty (50) feet or more, two front yards shall be provided. The front yard opposite the interior side yard may be reduced by the required number of feet the Lot width is less than the district requires but may not be reduced to less than the minimum side yard. The side yard shall be provided as required by the district regulations.
 - iii. On Lots not less than fifty (50) feet but not less than twenty-seven (27) feet in width, two side yards shall be provided, each equaling twenty percent (20%) of the Lot width.
 - (3) On a Lot in a commercial or industrial district, the required side yards shall be determined by the Zoning Hearing Board upon application for a variance based on the same criteria as above for residential Structures.
 - b. Where possible, contiguous parcels under common ownership shall be replatted to create conforming Lots.

(D) Nonconforming Uses.

1. Continuation.

- a. Any nonconforming Use existing on the effective date of this Chapter or created by an amendment to this Chapter may be continued although such Use does not conform to the provisions of this Chapter. Change in ownership or possession of the Use or property shall not prevent the continuance of the nonconforming Use.
- b. Any planned residential developments or portions thereof that were approved or completed prior to December 31, 1988, shall continue to operate under this Chapter in effect when they were approved.

2. Expansion or Alteration. Any nonconforming Use may be expanded or altered only through the obtainment of a Special Exception from the Zoning Hearing Board and subject to the following criteria:

- a. The Lot on which the expansion or alteration of a nonconforming Use is proposed shall be limited to only that Lot on which the Use existed at the time it became nonconforming. Expansion onto adjoining Lots is prohibited. Any portion of the parent Lot with a nonconforming Use on part of the Lot which is subdivided after April 16, 2019, and to which subdivided Lot the nonconforming Use has not been extended before subdivision shall, after subdivision, be used only in conformity with all the provisions of this Chapter.
- b. The total of all such expansions or alterations of Use shall not exceed an additional twenty-five (25) percent of the actual area of those Buildings or Structures or portion of the land devoted to and actually used by the nonconforming Use, whichever is more restrictive, as they existed on the date such Use first became nonconforming. All expansions of the nonconforming Use and/or Building(s) that occurred since the Use originally became nonconforming shall count toward the above maximum increase.
- c. The nonconforming use of a Building may be expanded within the Building, provided that the expansion is limited to twenty-five (25) percent) of the Gross Floor Area occupied by the nonconforming Use at the time the Use became nonconforming.
- d. The Applicant shall furnish conclusive evidence as to the extent of the nonconformity and lawfulness in all respects when it was created.
- e. Provision for vehicular access, off-street parking and off-street loading shall be consistent with standards required by this Chapter.
- f. Provision for yards, Building Height and Building area shall be consistent with the standards required for permitted uses in the district in which the nonconformity in question is located.
- g. Appearance of expansions should be harmonious with surrounding properties; this feature includes, but is not limited to, landscaping, enclosure of principal and accessory uses, Height control, Sign control, architectural control and maintenance of all improvements and open spaces.

- h. Buffers and screens shall be provided as necessary to adequately protect neighboring properties. This includes, but is not limited to, fences, walls, plantings, and open spaces.
 - i. No expansion of a nonconforming Use located outside of a Structure existing on the effective date of this Chapter shall be permitted in any Floodplain area except in accordance with §27-217 Floodplain Overlay District.
 - j. Excluding expansion, any modification, alteration, repair, reconstruction or improvement of any kind to a nonconforming Use located in the Floodplain area shall be permitted when either elevated above the base flood elevation or floodproofed to the extent required in §27-217 Floodplain Overlay District.
3. Change of Use. The following regulations shall apply to the change of nonconforming uses:
- a. A nonconforming Use changed to a conforming Use shall not be permitted to be changed back to a nonconforming Use.
 - b. A nonconforming Use shall be permitted to be changed to another nonconforming Use upon application to the Zoning Hearing Board for a Special Exception and in accordance with §27-115, Subpart (H)2 of this Chapter and the following standards:
 - (1) The Applicant shall show the nonconforming Use cannot be changed reasonably to a Permitted Use.
 - (2) The Applicant shall demonstrate the change will be less objectionable in external effects than the existing nonconforming Use including, but not limited to:
 - (a) Traffic impact.
 - (b) Environmental impact (e.g., noise, smoke, dust, fumes, vapors, gases, heat, odor, glare or vibration).
 - (c) Solid waste disposal.
 - (d) Appearance.
 - (3) The Applicant shall demonstrate the change will meet other requirements of this Chapter, including parking and loading, buffering, and signage.
4. Abandonment, Discontinuance and Delinquency.
- a. The ceasing of a nonconforming Use in a Building or Structure for a continuous period of one (1) year or more shall be considered the abandonment of the nonconforming Use. Subsequent use of such Building or Structure shall be in conformity with the provisions of this Chapter.
 - b. The ceasing of a nonconforming use of land for a continuous period of one (1) year or more shall be considered the abandonment of the nonconforming Use with the exception of normal farming practices, such as, the rotation of crops. Subsequent use of such land shall be in conformity with the provisions of this Chapter.

- c. In the case of the death of the Landowner and/or settling of an estate the discontinuance of the nonconforming Use shall not be considered an abandonment of the Use in accordance with Section (D)(1) and (2) above until the estate is settled or a court order has been entered regarding the estate's disposition. A one-year grace period after such settlement or court order shall apply.
- d. A nonconforming Use shall be deemed abandoned in the event the Township or County acquires an unredeemed, tax delinquent property and sells said property. Subsequent use of the land shall be in conformity with the provisions of this Chapter.

(E) Documentation of the Nonconformance.

1. It shall be the right of the Landowner to provide evidence of the nonconformance. At the request of the Landowner and based on evidence provided to the Zoning Officer as authorized by the Board of Commissioners, the zoning officer shall issue a Certificate of Nonconformance which shall be for the purpose of insuring to the owner the right to continue a nonconforming Building or Use. If no documented evidence is produced, it shall be assumed that the nonconformance is not a preexisting condition.
2. The Certificate of Nonconformance shall set forth in detail all of the nonconforming conditions of said property.
3. The Township shall retain a copy of the Certificate of Nonconformance.

Table 3.01, Table of Permissible Uses.

SUSQUEHANNA TOWNSHIP ZONING ORDINANCE DISTRICT USE TABLE Key: R = Permitted by Right SE = Permitted by Special Exception Blank Cell = Non-Permitted Use	MAPPED ZONING DISTRICTS						
	Conservation	Center	Urban Neighborhood	Suburban Neighborhood	Rural Neighborhood	Commercial Business	Industrial
USES	CV	CT	UN	SN	RN	CB	IN
PRINCIPAL USES (§27-306)							
<i>RESIDENTIAL AND LODGING USES (§27-307, SUBSECTION A)</i>							
Dwelling, Single Family Detached	R	R	R	R	R		
Dwelling, Single Family Semi-Attached		R	R	R	R		
Dwelling, Two-Family		R	R	R	R		
Dwelling, Multi-Family		R	R	R			
Dwelling, Townhouse		R	R	R			
Dwelling, Multi-Family Conversion Type 1		R	R	R			
Dwelling, Multi-Family Conversion Type 2		SE	SE			SE	
Bed and Breakfast		SE	SE	SE	SE		

SUSQUEHANNA TOWNSHIP ZONING ORDINANCE DISTRICT USE TABLE Key: R = Permitted by Right SE = Permitted by Special Exception Blank Cell = Non-Permitted Use	MAPPED ZONING DISTRICTS						
	Conservation	Center	Urban Neighborhood	Suburban Neighborhood	Rural Neighborhood	Commercial Business	Industrial
USES	CV	CT	UN	SN	RN	CB	IN
Short-Term Rental		SE	SE	SE		SE	
Community Residence			SE	SE			
Hotel/Apartment Hotel		SE		SE		R	
Motel		SE	SE			R	
Manufactured Home Community			SE				
Roominghouse and Boardinghouse		SE	SE	SE	SE	SE	
<i>CIVIC AND INSTITUTIONAL USES (§27-306, SUBSECTION B)</i>							
Temporary Shelter Facility		SE	SE	SE		SE	
Assembly, Neighborhood		R	R	R			
Assembly, General		R	R	R			
Government Facility	R	R	R	R	R	R	R
Higher Education		R	R	SE		SE	
Hospital		SE				R	
Library/Museum		R	R			R	
Police/Fire/EMS		R	R	R	R	R	R
School, Pre-K, Elementary, Intermediate		R	SE	SE		R	
School, High School, Higher Education		R	SE	SE		R	
Stadium/Arena		SE	SE	SE		R	
<i>AGRICULTURE, FORESTRY, AND OPEN SPACE USES (§27-306, SUBSECTION C)</i>							
Agriculture Operation	R			SE	R	R	
Community Garden	R	SE	R	R	R	R	
Forestry Operation	R						
Intensive Park Uses	R	SE	SE	R	R		
Nature Preserve	R						
Outdoor Shooting Range	R				SE	R	R

SUSQUEHANNA TOWNSHIP ZONING ORDINANCE DISTRICT USE TABLE Key: R = Permitted by Right SE = Permitted by Special Exception Blank Cell = Non-Permitted Use	MAPPED ZONING DISTRICTS						
	Conservation	Center	Urban Neighborhood	Suburban Neighborhood	Rural Neighborhood	Commercial Business	Industrial
USES	CV	CT	UN	SN	RN	CB	IN
Park	R	R	R	R	R	R	R
<i>RETAIL USES (§27-306, SUBSECTION D)</i>							
Neighborhood Retail		R	R			R	
General Retail		R	R			R	
Grocery Store		R	R			R	
Public Market		R	R			R	
Beer/Wine/Liquor Sales		R	R			R	
Commercial Equipment and Supply						R	R
Convenience Store		R	R	SE		R	
Discount Variety Store		R	R			R	
Medical Marijuana Dispensary						R	
Outdoor Sales Lot			SE			R	
<i>SERVICE USES (§27-306, SUBSECTION E)</i>							
Neighborhood Service		R	R	SE		R	
Medical Clinic		R	R			R	
General Service		R	SE			R	
Adult Day Care Center		R	SE	SE		SE	
Assisted Living Facility		SE				SE	
Automobile Fueling and Limited Repair Service		R				R	
Automobile Service/Car Wash		R				R	R
Automobile, Truck, Limousine Rental Service		R				R	R
Bail Bonds Agency		R				R	R
Child Day Care		R	SE	SE		R	
Community Service		R	R	R		R	
Drinking Places		R	R			R	

SUSQUEHANNA TOWNSHIP ZONING ORDINANCE DISTRICT USE TABLE Key: R = Permitted by Right SE = Permitted by Special Exception Blank Cell = Non-Permitted Use	MAPPED ZONING DISTRICTS						
	Conservation	Center	Urban Neighborhood	Suburban Neighborhood	Rural Neighborhood	Commercial Business	Industrial
USES	CV	CT	UN	SN	RN	CB	IN
Eating Places		R	R			R	
Brew Pub		R	R			R	
Microbrewery, Microdistillery, Microwinery		R				R	R
Electronic Cigarette / Vaporizer Store		R				R	
Entertainment Assembly		R				R	
Kennel					R	SE	
Pawn Shop/Check Cashing Establishment		R				R	
Private Club	R	R				R	
Smoking Places		R				R	
Tattoo/Piercing Parlor		R				R	
Indoor, Climate-controlled, Self-storage Facility		SE				SE	R
Self-storage Facility		SE				SE	R
ADULT USES (§27-306, SUBSECTION F)							
Adult Establishments						SE	SE
EMPLOYMENT USES (§27-306, SUBSECTION G)							
Office Uses		R				R	R
Craftsman Industrial						R	R
Medical Marijuana Grower / Processor Facility	R					R	R
INFRASTRUCTURE USES (§27-306, SUBSECTION H)							
Parking as a Principal Use	SE	SE	SE		SE	SE	SE
Collocated Wireless Communications Facilities	SE	SE	SE	SE	SE	SE	SE
Tower-Based Wireless Communications Facilities	SE					SE	SE
Small Wireless Communications Facilities Inside the Public Rights-of-Way	R	R	R	R	R	R	R
Small Wireless Communications Facilities Outside the Public Rights-of-Way	R					R	R

SUSQUEHANNA TOWNSHIP ZONING ORDINANCE DISTRICT USE TABLE Key: R = Permitted by Right SE = Permitted by Special Exception Blank Cell = Non-Permitted Use	MAPPED ZONING DISTRICTS						
	Conservation	Center	Urban Neighborhood	Suburban Neighborhood	Rural Neighborhood	Commercial Business	Industrial
USES	CV	CT	UN	SN	RN	CB	IN
Transportation and Utilities	SE	SE	SE	SE	SE	SE	SE
Transit Facility		R	R	R	SE	R	R
Transit Bus Stops	R	R	R	R	R	R	R
INDUSTRIAL USES (§27-306, SUBSECTION I)							
Heavy Industry							R
Mining and Mineral Extraction							R
Automotive Dismantler and Recycler							R
Junkyards							R
Solid Waste Disposal Facility							R
Light Industry							R
Brewery, Distillery, Winery						SE	R
Outdoor Storage Yard							R
Transportation Facilities							R
Yard Waste Composting Facility							R
Warehouse / Distribution							R
ACCESSORY USES (§27-307)							
Accessory Dwelling Unit		R	R	R	R		
Short-Term Rental		SE	SE	SE		SE	
Carport, Portable or Temporary		R	R	R	R	R	
Community Garden		R	R	R	R		
Drive-Through Facility		R	R			R	
Electric Vehicle Charging Station – Levels 1 & 2	R	R	R	R	R	R	R
Electric Vehicle Charging Station – Level 3						R	R
Farm Stand		R	R		R	R	
Home Child Care		R	R	R	R	R	

SUSQUEHANNA TOWNSHIP ZONING ORDINANCE DISTRICT USE TABLE Key: R = Permitted by Right SE = Permitted by Special Exception Blank Cell = Non-Permitted Use	MAPPED ZONING DISTRICTS						
	Conservation	Center	Urban Neighborhood	Suburban Neighborhood	Rural Neighborhood	Commercial Business	Industrial
USES	CV	CT	UN	SN	RN	CB	IN
Home Occupation		R	R	R	R	R	
Keeping of Chickens and Honeybees	SE	SE	SE	SE			
Keeping of Livestock	SE	SE	SE	SE			
No-Impact Home-Based Business		R	R	R	R	R	
Outdoor Café		R				R	
Outdoor Display and Sales		R				R	R
Outdoor Wood-Fired Boilers					R		
Parking	SE	SE	SE	SE		R	R
Signs	See Part 5, Signs						
TEMPORARY USES (§27-308)							
Farmers Market	SE	SE	SE	SE	SE	SE	
Mobile Food Facility	SE	SE	SE	SE	SE	SE	SE
Model Home and/or Subdivision Sales Office	SE	SE	SE	SE	SE	SE	
Temporary Construction Site Trailer	SE	SE	SE	SE	SE	SE	SE
Temporary Food Service Facility	SE	SE	SE	SE	SE	SE	SE

§27-306 Principal Uses

- (A) Residential and Lodging Uses. A category of Uses for residential and overnight accommodations.
1. Dwelling. A Building containing one or more Dwelling Units. The term “Dwelling” or any combination thereof shall not be deemed to include Hotel, Roominghouse/Boardinghouse, Hospital, or other accommodations used for transient occupancy.
 - a. Single-Family Detached Dwelling. A Building used by one (1) Family, having only one (1) Dwelling Unit and surrounded by open space or yards and which is not attached to any other dwelling by any means. Only one (1) single-family detached Dwelling shall be permitted for each legally subdivided Building Lot.
 - b. Single-Family Semi-Attached Dwelling. One of two Buildings arranged or designed as a Dwelling, located on abutting Lots and separated from each other by a solid

partition—without openings—extending from the Basement floor to the highest point of the Roof along the dividing Lot line and separated from any other Building or Structures by space on all sides.

- c. Two-Family Dwelling. A Building located on one Lot containing not more than two Dwelling Units, arranged one above the other or side by side, and not occupied by more than two families.
- d. Multi-Family Dwelling. A Building containing three (3) or more Dwelling Units. (i.e., Apartment house) and occupied by more three (3) or more families.
- e. Townhouse Dwelling. One of a series of three (3) and a maximum of eight (8) attached Dwelling Units separated from one another by continuous vertical solid partitions without openings from Basement floor through the Roof.
- f. Multi-Family Conversion Type 1. An existing Single-Family Detached Dwelling that has been converted or will be converted to individual dwellings for more than one (1) family, without substantially altering the exterior of the Building. The following supplemental Use regulations shall apply:
 - (1) Minimum apartment size shall conform to the following scale:
 - (a) Number of Bedrooms | Usable Living Area
 - 1 | 500 Square Feet
 - 2 | 650 Square Feet
 - 3 | 850 Square Feet
 - (2) Only existing, single-family detached dwellings may be converted for conversion apartment Use.
 - (3) A maximum of four (4) units may be created by the conversion of a single-family detached Structure.
 - (4) Access to each unit must be reviewed and approved by an appropriate local fire protection official pursuant to the PCC. The property Owner shall provide each unit with smoke alarms and ensure each alarm is kept in working condition by the property Owner at all times.
 - (5) The property Owner shall provide exit signs in all hallways leading to and from second and third floor apartments. In addition, the property Owner shall provide each hallway serving independent units with smoke alarms and ensure each alarm is kept in working order by the property Owner at all times.
- g. Multi-Family Conversion Type 2. An existing non-residential use that has been converted or will be converted to individual dwellings for more than one (1) family and/or a mixed use building having first floor commercial and upper floor multi-family dwelling units. The following supplemental Use regulations shall apply:
 - (1) The Building must be located within five hundred (500) feet of the CTR and UN zoning districts or any other zoning district that permits multiple-family dwellings.
 - (2) The building must have been in existence for at least twenty (20) years.

- (3) Minimum apartment size shall conform to the following scale:
 - (a) Number of Bedrooms | Usable Living Area
 - 1 | 500 Square Feet
 - 2 | 650 Square Feet
 - 3 | 850 Square Feet
 - (4) Open space shall be provided at a rate of not less than ten (10) percent of the floor area of the building or a minimum of twenty-five hundred (2,500) square feet per dwelling unit, whichever is greater.
 - (5) A swimming pool, fitness center or other indoor or outdoor area of active or passive recreation shall be provided on the property.
 - (6) Form-Based Regulations. Buildings with a gross floor area greater than fifty thousand (50,000) square feet shall conform to either the CTR-4 or CTR-5 vertical form, massing, transparency, and entry form-based building standards specified in Figures 2-10 and 2-11.
2. Bed and Breakfast. A private residence providing temporary lodging to the general public consisting of no more than ten (10) sleeping rooms and in which breakfast is the only meal served and is included in the lodging charge. The following supplemental Use regulations apply:
- a. Shall not alter the residential nature of the neighborhood and/or the character of the Dwelling as a residence.
 - b. Kitchen facilities shall comply with Part 2 Food Services of the Township Municipal Code.
 - c. Access to guestrooms shall be via a main entrance, lobby, or foyer within the Building. No guestroom shall have a separate exterior access, except as may be required by applicable fire or Building codes.
 - d. No employees who are not otherwise eligible to be a member of the same household with the owner of the Bed and Breakfast may live on-site.
 - e. A Bed and Breakfast may have a sign in accordance with Part 5 of this Chapter.
 - f. Off-Street parking requirements shall comply with the Parking and Loading Standards of the Township Subdivision and Land Development Ordinance.
3. Short-Term Rental. The Principal Use of a Building (except a Hotel, Motel or Bed and Breakfast) where, for compensation, temporary lodging is provided for the transient guests and meals are not provided. The following Use regulations shall apply:
- a. Permit Required.
 - (1) No owner of any property in the Township shall operate a Short-Term Rental in the Township without obtaining a Zoning Permit from the Zoning Officer. Operation of a Short-Term Rental without a permit is a violation of this Chapter. Permits may be transferable to any new owner of the property provided an application with updated contact information is

submitted to the Township and all prior violations of this Chapter have been remedied.

- (2) The issuance of a Zoning Permit is not a warranty that the premise is lawful, safe, habitable, or in compliance with this Chapter.
- (3) Permit Application Requirements. Short-Term Rental permit applications shall contain all of the following information:
 - (a) The name, address, telephone number and email address of the owner.
 - (b) The name, address and 24-hour telephone number of the designated Local Property Representative as required by Subpart (3)b.(1) of this Part.
 - (c) Floor plan identifying rooms on all floors, specific location of bedrooms, and location of any pools labeled as either in-ground or above-ground.
 - (d) The total number of bedrooms.
 - (e) If the Building is a multi-unit Structure, the total number of dwelling units in the Structure and the number of dwelling units being used as Short-Term Rentals.
 - (f) A diagram or aerial photograph showing the location and number of on-site parking spaces.
 - (g) Copy of current Dauphin County Hotel Room Excise Tax Certificate.
 - (h) Copy of current Pennsylvania Sales and Use Tax Permit or signed attestation that a third party collects this on behalf of the Short-Term Rental owner.
 - (i) Signatures of the owner and the designated Local Property Representative.
 - (j) By signing the Short-Term Rental application, the owner gives authorization to the Township to enter onto the property to inspect and ensure compliance with this Chapter and all applicable ordinances and regulations administered and enforced by the Township.
 - (k) Written notice to an applicable homeowners' association, indicating the intent to make application for and Use the subject residential property for a Short-Term Rental, when applicable.
- (4) A separate Short-Term Rental Zoning Permit is required for each Dwelling Unit; for Two-Family or Multi-Family Dwellings, a separate Permit shall be required for each Dwelling Unit being rented as a Short-Term Rental.

- (5) A Short-Term Rental Zoning Permit is effective for a period of one (1) annual term calendar year, or until any of the conditions of the Short-Term Rental which are governed by this Chapter are changed, whichever shall first occur. Permits must be renewed annually. Short-Term Rental permits may be applied for up to ninety six (96) days before the start of the annual term expiration of a Short-Term Rental Permit.

b. Operating Standards.

- (1) Local Property Representative. The Property Owner must designate a Local Property Representative who shall be available twenty-four (24) hours per day, seven (7) days per week, for the purpose of (1) responding within one hour to complaints regarding the condition, operation, or conduct of occupants of the short-term rental, and (2) taking remedial action to resolve any such complaints. The name, address, and telephone contact number of the Property Owner and the local property representative shall be kept on file at the Township. The failure to provide the contact information, failure to keep the contact information current, failure to respond in a timely manner to complaints, or the occurrence of repeated complaints may result in the suspension or revocation of approval and/or civil or criminal penalties.
- (2) Occupancy. Maximum daytime and overnight occupancy of the rental shall be based on the PCC standards. The Property Owner and/or Local Property Representative shall be responsible for ensuring that the dwelling unit is in conformance with its maximum occupancy.
- (3) Restrictions on Use. A renter may not Use a short-term rental for a purpose not incidental to its Use for lodging or sleeping purposes. This restriction includes using the rental for a wedding, banquet, reception, bachelor or bachelorette party, concert, fundraiser, sponsored event, or any similar group activity.
- (4) Parking. There will be no demand for parking beyond that which is normal to the current residential property Use and no unusual or excessive traffic to and from the premises.
- (5) Signage. No outdoor advertising signs related to the rental dwelling shall be allowed on the site.
- (6) Informational Packet. A packet of information shall be provided to renters and posted conspicuously in the common area of the Short-Term Rental summarizing guidelines and restrictions applicable to the short-term rental Use, including:
 - (a) Information on maximum occupancy;
 - (b) Applicable noise and Use restrictions;
 - (c) Location of designated off-street parking;
 - (d) Direction that trash shall not be stored within public view, except within proper containers for the purpose of collection, and provision of the trash collection schedule;

- (e) Contact information for the local property representative;
 - (f) Evacuation routes;
 - (g) The renter's responsibility not to trespass on private property or to create disturbances; and
 - (h) Notification that the renter is responsible for complying with this Chapter and that the renter may be cited or fined by the Township for violating any provisions of this Chapter.
- (7) Insurance. The Property Owner shall maintain on file at the Township an up-to-date certificate of insurance documenting that the dwelling is insured as a short-term or vacation rental.
- (8) Inspection. The Property Owner and/or the Local Property Representative shall maintain on file at the Township an up-to-date certificate of inspection documenting that the dwelling complies with the provisions for transient accommodations in the PCC as adopted by the Township and shall obtain an appropriate certificate of occupancy. It shall be the responsibility of the Property Owner and/or Local Property Representative to schedule and pass an annual safety inspection.
- (9) Outdoor parking for overnight and day guests shall be limited to available parking areas on the Short-Term Rental property. Parking for Short-Term Rental guests shall not include spaces in any private, community, or public Street right-of-way or on any lawns or vegetated areas.
- (10) Short-Term Rental occupants or guests shall not engage in disorderly conduct or disturb the peace and quiet of any nearby neighborhood or person by loud, unusual or excessive noise, by tumultuous or offensive conduct, public indecency, threatening, traducing, quarreling, challenging to fight, or fighting, or creating a dangerous or physically offensive condition.
- (11) The owner and/or Local Property Representative shall Use best efforts to assure that the occupants or guests of the Short-Term Rental do not create unreasonable noise or disturbances, engage in disorderly conduct, or otherwise violate provisions of the Township Municipal Code or any state law pertaining to noise or disorderly conduct including, but not limited to, notifying the occupants of the rules regarding Short-Term Rentals and responding when notified that occupants are violating laws, ordinances or regulations regarding their occupancy.
- (12) The owner and/or Local Property Representative shall, upon notification that occupants or guests of the Short-Term Rental have created unreasonable noise or disturbances, engaged in disorderly conduct or otherwise violated provisions of the Township Municipal Code or state law pertaining to noise or disorderly conduct, promptly Use best efforts to prevent a recurrence of such conduct by those occupants or guests.
- (13) Overnight occupancy of recreational vehicles, camper trailers, and tents at the property where the Short-Term Rental is located is prohibited.

Outdoor overnight sleeping of occupants or guests of the Short-Term Rental is prohibited.

- (14) A Short-Term Rental shall not have any outside appearance indicating a change of Use.
- (15) Fireworks and floating lanterns are prohibited.
- (16) Subleasing all or a portion of the dwelling unit is prohibited.
- (17) All Short-Term Rentals shall have a clearly visible and legible notice posted within the dwelling unit containing the following information:
 - (a) The name of the owner of the unit and and/or the Local Property Representative and a telephone number at which that party can be reached on a 24-hour basis.
 - (b) The physical Street address of the property.
 - (c) The maximum number of occupants permitted to stay in the dwelling unit and the maximum number of day guests permitted at any one time.
 - (d) The maximum number of all vehicles allowed to be on the property and the requirement that all guest parking must be in the available parking areas on the property and not in or along any private, community or public Street right-of-way or on any lawn or vegetated area on the property.
 - (e) The trash pick-up day and notification that trash and refuse shall not be left or stored outside of designated receptacles on the exterior of the property.
 - (f) Notification that an occupant or guest may be cited and fined for creating a disturbance or for violating other provisions of the Township Municipal Code, including parking and occupancy limits.
 - (g) Notification that Short-Term Rental occupants and guests are required to make the property available for inspection by the Township upon request.
 - (h) A copy of the Township Short-Term Rental Permit.

- 4. Community Residence. A Single-Family Dwelling Unit occupied on a relatively permanent basis in a family-like environment by a group of unrelated persons with Disabilities plus paid professional support staff provided by a sponsoring agency, either living with the residents on a twenty-four (24) hour basis, or present whenever residents with Disabilities are present at the dwelling. A Community Residence must be licensed where required by any appropriate government agencies, and a copy of any such licenses must be delivered to the Township prior to beginning the Use. A Community Residence includes Group Home and Halfway House / Recover Community Uses as defined below. The maximum capacities for each shall be the total number of residents who are permitted to reside in Community Residence at any time.

- a. Group Home. A Single-Family Dwelling Unit occupied as a single housekeeping unit in a family-like environment by persons with Disabilities plus support staff. Residents are supervised by a sponsoring entity or its staff which furnishes habilitative services to the group home residents. A Group Home is owned or operated under the auspices of a nonprofit association, private care provider, government agency, or other legal entity, other than the residents themselves or their parents or other individuals who are their legal guardians. Interrelationships between residents are an essential component of a group home. A group home imposes no time limit on how long an individual can reside in the group home. A Group Home is a relatively permanent living arrangement where tenancy is measured in years.
 - b. Halfway House/Recovery Community. A temporary residential living arrangement for persons leaving an institutional setting and in need of a supportive living arrangement to readjust to living outside the institution. These are persons who are receiving therapy and counseling from support staff who are present when residents are present, for the following purposes: (a) to help them recuperate from the effects of drug or alcohol addiction (a disability); (b) to help them reenter society while housed under supervision while under the constraints of alternatives to imprisonment including, but not limited to, prerelease, work release, or probationary programs (not a disability); or (c) to help persons with family or school adjustment problems that require specialized attention and care in order to achieve personal independence (not a disability). Interrelationships between residents is an essential component of a halfway house. Residency is limited to a specific number of weeks or months.
5. Hotel/Apartment Hotel. A facility offering temporary lodging to the general public consisting of ten (10) or more sleeping rooms with a bathroom for each room and providing daily room cleaning services and other guest services. In-room kitchen facilities may or may not be provided. Includes apartment or residential hotels. Secondary service uses may also be provided, such as restaurants and meeting rooms. The following supplemental Use regulations apply:
- a. A private lobby shall be included.
 - b. Rooms shall be accessed from the interior of the Building, including from interior courtyards, lobbies, or halls.
6. Motel. A Building or group of Buildings, whether detached or in connected units, used as individual sleeping or dwelling units, designed with separate entrances, and designed for year round occupancy, primarily for transient automobile travelers and providing for accessory off-street parking facilities. The term "motel" includes Buildings designated as tourist courts, tourist cabins, motor lodges and similar terms.
7. Manufactured Home Community. A parcel or contiguous parcels of land that has been so designed and improved that it contains three or more manufactured home spaces for the placement thereon of manufactured homes. A Manufactured Home Community shall be developed pursuant to Part 4 Manufactured Home Community Standards of the Township Subdivision and Land Development Ordinance (Chapter 22 of the Township Municipal Code).

8. Roominghouse and Boardinghouse.
- a. Roominghouse. A residential Structure whose Principal Use is to provide lodging, but not meals, for compensation by prearrangement for definite periods, to between three (3) and six (6) roomers, wherein no dining facilities are maintained for the roomer and in which bathrooms may or may not be shared.
 - b. Boardinghouse. A residential Structure where lodging and meals are provided for compensation to between three (3) and six (6) persons by pre-arrangement for indefinite periods.
 - c. Roominghouse and Boardinghouse are distinguished from Hotels/Apartment Hotels and Bed and Breakfast facilities by the following:
 - (1) The length of stay is typically longer (typically a minimum of two weeks) for Roominghouse and Boardinghouse;
 - (2) Roomers and boarders often have personal household appliances (such as toaster ovens and mini refrigerators);
 - (3) There is no daily room cleaning or other guest services provided for rooming or Boardinghouse; and
 - (4) The architectural character of a Roominghouse or Boardinghouse Structure is primarily residential in nature.
9. Temporary Shelter Facility. A public or non-profit facility providing temporary, emergency housing, and social, health, and related services for families and/or individuals eighteen (18) years of age or older, who are without resources and access to shelter. The following regulations apply:
- a. The Use shall only be operated by or in conjunction with a governmental, non-profit, welfare or charitable service.
 - b. The maximum number of residents of the lodging shall be based upon a ratio of one Person for every fifty (50) square feet of interior space devoted to sleeping area, not to exceed one hundred (100) residents total.
 - c. The facility shall have staffing on-site during all hours of operation.
 - d. At least one toilet and shower must be provided for every fifteen (15) shelter beds.
 - e. New Temporary Shelter facilities shall not be located within two thousand (2,000) feet of another Temporary Shelter, Group Home, Residential Board and Care Home, Roominghouse/Boardinghouse, Medical Clinic, Hospital, School, or Park.
 - f. The Temporary Shelter facility must be open to the individuals it serves for twenty-four (24) hours per day, including the provision of an indoor waiting area for Use by individuals when a portion of the facility is not open for operation. Lodging must be provided on a reservation or referral basis so that clients will not be required or allowed to queue for services outdoors.

- g. All functions associated with the Temporary Shelter facility, except for children's play areas, outdoor recreation areas, and parking must take place within the Building housing the shelter.
- h. Operators of Temporary Shelters shall comply with the following:
 - (1) Annually submit to the Zoning Officer copies of the organization's updated program description.
 - (2) Annually submit updated listing of organization board members, staff, proprietors, and affiliated organizations.
 - (3) When there are no changes since the previously filed documents, a statement to this effect is sufficient.
 - (4) An annual review will occur at the anniversary of the date upon which approval was originally granted.

(B) Civic and Institutional Uses. A category of Uses related to fulfilling the needs of day-to-day community life including assembly, public services, educational facilities, and Hospitals.

- 1. Assembly. A facility that has organized services, meetings, or programs to benefit, educate, entertain, or promote discourse amongst the residents of the community in a public or private setting. Includes such uses as Religious Institutions, houses of worship, community centers, auditoriums, civic centers, convention centers, performing arts facilities, and recreation centers.
 - a. Assembly, Neighborhood. An assembly Use that occupies a Building with less than ten thousand (10,000) square feet of Gross Floor Area.
 - b. Assembly, General. An assembly Use that occupies a Building with ten thousand (10,000) square feet or more Gross Floor Area.
- 2. Government/Higher Education/Hospital Facilities. Large-scale community-serving facilities associated with healthcare, universities, colleges, or government functions. Includes such uses as universities, theological schools, government offices, and Hospitals. Does not include vocational or trade schools.
 - a. Government Facility. A single-purpose public facility used for civic functions, which includes a place for public assembly in a portion of the facility, for the executive, legislative, or judicial branches of the State or a political subdivision thereof. Includes Township Hall, Board of Commissioners chambers, and courts. Does not include office Buildings occupied by a government entity that are also utilized by private or non-governmental occupants.
 - b. Higher Education Facility. A non-profit institution for post-secondary education, public or private, for higher education that grants associate or bachelor's degrees and may also have research facilities and/or professional schools that grant master and doctoral degrees.
 - c. Hospital. A licensed institution providing medical care and health services to the community, primarily ill or injured in-patients. These services may be located in one Building or clustered in several Buildings, one of which must provide emergency services, and may include additional hospital-affiliated Accessory Uses such as

laboratories, in- and out-patient facilities, training facilities, medical offices, staff sleeping quarters (but not full-time residences), food service, heliports, pharmacies, laundry facilities, florists, vendors of medical equipment, opticians, and gift shops. The following supplemental regulations shall apply:

- (1) Minimum Lot Area shall be five (5) acres.
- (2) Where more than one Building occupies a Lot, the interior Yard requirements specified under Part 4 Subpart (U)5 of this Chapter shall apply.
- (3) A traffic study shall be prepared by a Professional Engineer, in accordance with the traffic impact study requirements specified in the Township Subdivision and Land Development Ordinance (Chapter 22 of the Township Municipal Code). The traffic study shall include the following additional traffic study elements and requirements for the institution.
 - (a) The property shall front on an arterial road or major collector roadway.
 - (b) The roadway network shall be sufficient to accommodate the predicted vehicular traffic and to ensure safe and efficient vehicular access for emergency management equipment.
 - (c) Emergency entrances shall be located on a Building wall which faces away from adjoining residences or residential zones or is set back a minimum of five-hundred (500) feet from the residences or residential zones.
 - (d) The institution shall submit a copy of its emergency operations plan (EOP) to the Township Emergency Management Agency or Coordinator. The EOP shall include detailed information regarding solid, medical and hazardous materials and waste handling including a listing of all medical and hazardous materials and wastes used and generated on site and evidence indicating the disposal of all materials and wastes will be accomplished in a manner that complies with State and Federal regulations.
 - (e) Buffers and screens shall be in accordance with §22-312 Buffer and Screening Standards of the Township Municipal Code.
3. Library/Museum. A Structure open to the general public housing educational, cultural, artistic, or Historic information, resources, and exhibits. Includes such uses as libraries, museums, aquariums, planetariums, and exhibitions. May also include theater space, food service, and a gift shop.
4. Police/Fire/EMS. A facility providing public safety and emergency services; training facilities, locker rooms, and limited overnight accommodations may also be included.
5. School, Pre-Kindergarten, Elementary, Intermediate. Public or private education facilities with classrooms and offices, which may also include associated indoor and outdoor facilities such as ball courts, gymnasium, theater, food service, and athletic fields. The following Use regulations apply:

- a. The Applicant shall meet all requirements of the Commonwealth of Pennsylvania Code, Title 25, Chapter 171, Schools and State and Federal requirements for the construction, remodeling or alteration, or conversion of an existing property to an educational facility.
- 6. School, High School, Higher Education. Public or private educational facilities for high school or higher education not considered a university. Facilities may be on a larger-scale campus and include significant traffic and parking. May include gymnasium, theater, cafeteria, offices, classrooms, athletic facilities, and athletic fields. Use does not include Stadium/Arena but may include a School Stadium as an Accessory Use. The following Use regulations apply:
 - a. The Applicant shall meet all requirements of the Commonwealth of Pennsylvania Code, Title 25, Chapter 171, Schools and State and Federal requirements for the construction, remodeling or alteration, or conversion of an existing property to an educational facility.
- 7. Stadium/Arena. A Building or Structure seating more than one thousand (1,000) spectators in tiered seating at sporting events, concerts, meetings, and gatherings of large groups. A stadium/arena may be open air or covered by either a fixed or retractable Roof. The following supplemental Use regulations apply:
 - a. Major Entrances. A stadium/arena shall have multiple public entrances, including one major entrance on the Facade designated by the property Owner as the front setback. Such entrances shall be well-marked to cue access and Use through means of enhancement that may include but are not limited to architectural, landscape, or graphic treatments. Where possible, major entrances shall take advantage of prominent intersection locations.
 - d. School Stadium. A Stadium/Arena is a permitted Accessory Use to a School.
- (C) Agriculture, Forestry, and Open Space Uses. A category of Uses generally applicable to the use of the land and may not require Buildings or other facilities uses for agriculture, active or passive, public, or private, outdoor recreation, education, or entertainment.
 - 1. Agriculture Operation. An enterprise that is actively engaged in the commercial production and preparation for market of crops, livestock, and livestock products and in the production, harvesting and preparation for market or use of agricultural, agronomic, horticultural, silvicultural and aquacultural crops and commodities. The term includes an enterprise that implements changes in production practices and procedures or types of crops, livestock, livestock products or commodities produced consistent with practices and procedures that are normally engaged by farmers or are consistent with technological development within the agricultural industry.
 - 2. Community Garden. A space used to grow plants for personal Use, education, recreation, community distribution, or beautification by members of the neighboring community. Community Gardens may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained or used by community group members. The following supplemental Use regulations apply:
 - a. Requirements for Food Production.

- (1) The Site shall have reliable and legal access to an onsite source of water. use of water storage systems for non-potable uses are permitted.
 - (2) The Site shall be operated in a manner that prevents the drainage of water or chemicals onto any neighboring property.
 - (3) Site operators shall ensure that soils are suitable for food production and shall obtain any permits for operation required by law.
 - (4) Tools, supplies, and machinery shall be stored in an enclosed Structure or removed from the property daily. All chemicals and fuels shall be stored off the ground in an enclosed, locked Structure when the Site is unattended.
 - (5) The Site must be maintained using organic agricultural practices, including the use of organic chemicals, when applicable. use of pesticides must be in accordance with the Pennsylvania Pesticide Control Act of 1973 (Act of Mar. 1, 1974, P.L. 90, No. 24).
 - (6) At the end of the growing season (and no later than December 15 of each year), all plant material must be cut to no more than 6 inches in Height, unless there is an agricultural reason for keeping the plant materials uncut.
 - (7) One identification Sign containing the name and phone number of the contact Person for the Site is required. The Sign shall be designed in accordance with Part 5, Signs of this Chapter. The Sign shall be visible from the most active adjacent Street.
- b. Operating Rules. Applicants must establish operating rules addressing the governance Structure of the Community Garden, hours of operation, maintenance, assignment of garden plots when applicable, and security requirements.
- c. Garden Coordinator. Applicants must identify a garden coordinator to manage the garden and act as the point of contact with the Township. The coordinator shall be an employee or volunteer of a public entity, non-profit organization, or other community-based organization. Applicants must file the name and telephone number of the garden coordinator and a copy of the operating rules with the Zoning Officer.
3. Forestry Operation. The management of forests and timberlands when practiced in accordance with accepted silvicultural principles, through developing, cultivating, harvesting, transporting, and selling trees for commercial purposes, which does not involve any land development. The following Use regulations apply:
- a. To encourage maintenance and management of forested or wooded open space and promote the conduct of forestry as a sound and economically viable use of forested land and forestry activities, including, but not limited to timber harvesting, and to be in compliance with the MPC, as amended, forestry shall be a permitted Use by right in all zoning districts. The following standards apply to all timber harvesting within the Township where the value of trees, logs, or other timber products removed exceed one thousand dollars (\$1,000). These provisions do not apply to the cutting of trees for the personal use of the landowner or for pre-commercial timber stand improvement.

- b. Policy and Purpose. In order to conserve forested open space and the environmental and economic benefits they provide, is the policy of Susquehanna Township to encourage the owners of forestland to continue to Use their land for forestry purposes, including the long-term production of timber, recreation, wildlife, and amenity values. The timber harvesting regulations are intended to further this policy by promoting good forest stewardship, protecting the rights of adjoining Property Owners, minimizing the potential for adverse environmental impacts, and avoiding unreasonable and unnecessary restrictions on the right to practice forestry.

- c. Notification and Preparation of a Logging Plan.
 - (1) For all timber harvesting operations, the landowner shall notify the Zoning Officer at least ten (10) business days before the operation commences and within ten (10) business days before the operation is complete. No timber harvesting shall occur until the notice has been provided. Notification shall be in writing and shall specify the land on which harvesting will occur, the expected size of the harvest area, and, as applicable, the anticipated starting or completion date of the operation.

 - (2) Every Landowner on whose land timber harvesting is to occur shall prepare a written logging plan in the form specified by this Chapter. No timber harvesting shall occur until the plan has been prepared. The provisions of the plan shall be followed throughout the operation. The plan shall be available at the harvest site at all times during the operation and shall be provided to the Zoning Officer upon request.

 - (3) The Landowner and the operator shall be jointly and severally responsible for complying with the terms of the logging plan.

 - (4) Contents of the Logging Plan. As a minimum the logging plan shall include the following:
 - (a) The design, construction, maintenance, and retirement of the access system, including haul roads, skid roads, skid trails, and landings;

 - (b) The design, construction, and maintenance of water control measures and Structures such as culverts, broad-based dips, filter strips, and water bars;

 - (c) The design, construction, and maintenance of stream and wetland crossings; and

 - (d) The general location of the proposed operation in relation to municipal and State highways, including any accesses to those highways.

 - (e) A sketch map or drawing containing the site location and boundaries, including both the boundaries of the property on which the timber harvest will take place and the boundaries of the proposed harvest area within the property; significant topographic features related to potential environmental problems; location of all earth disturbance activities such as roads,

landings, and water control measures and Structures; location of all crossings of waters of the Commonwealth; and the general location of the proposed operation to municipal and state highways, including any accesses to those highways.

- (f) Documentation of compliance with the requirements of all applicable state regulations including, but not limited to, the following; erosion and sedimentation control regulation contained in Title 25 Pennsylvania Code, Chapter 102, promulgated pursuant to The Clean Streams Law (35 P.S. § 691.1 et seq.; and Stream crossing and wetlands protection regulations contained in Title 25 Pennsylvania Code, Chapter 105, promulgated pursuant to the Dam Safety and Encroachments Act (32 P.S. § 693.1 et seq.).
 - (g) Any permits required by state laws and regulations shall be attached to and become part of the logging plan. An erosion and sedimentation pollution control plan that satisfies the requirements of Title 25 Pennsylvania Code, Chapter 102, shall also satisfy the requirements for the logging plan and associated map specified above, provided all information required is included or attached.
- d. Forest Practices. The following requirements shall apply to all timber harvesting operations in the Township.
- (1) Felling or skidding on or across any public thoroughfare is prohibited without the express written consent of the Township or the Pennsylvania Department of Transportation, whichever is responsible for maintenance of the thoroughfare.
 - (2) No tops or slash shall be left within twenty-five (25) feet of any public thoroughfare or private roadway providing access to adjoining residential property.
 - (3) All tops and slash between twenty-five (25) and fifty (50) feet of any public roadway or private roadway providing access to adjoining residential property or within fifty (50) feet of adjoining residential property shall be lopped to a maximum height of four feet above ground.
 - (4) No tops or slash shall be left on or across the boundary of any property adjoining the operation without the consent of the owner thereof.
 - (5) Litter resulting from a timber harvesting operation shall be removed from the site before it is vacated by the operator.
- e. Responsibility for Road Maintenance and Repair: Road Bonding. Pursuant to Title 75 of the Pennsylvania Consolidated Statutes, Chapter 49; and Title 67 Pennsylvania Code, Chapter 189, the landowner and the operator shall be responsible for repairing any damage to Township roads caused by traffic associated with the timber harvesting operation to the extent the damage is in excess of that caused by normal traffic, and may be required to furnish a bond to guarantee the repair of such damages.

- f. Enforcement. The Zoning Officer shall be the enforcement officer for the standards set forth herein.
 - g. Inspections. The Zoning Officer may go upon the site of any timber harvesting operation before, during, or after active logging to review the logging plan or any other required documents for compliance with the standards and inspect the operation for compliance with the logging plan and other on-site requirements of these regulations.
 - h. Violations Notices; Suspensions. Upon finding that a timber harvesting operation is in violation of any provision of these standards and regulations, the Zoning Officer shall issues the operator and the landowner a written notice of violation describing each violation and specifying a date by which corrective action must be taken. The Zoning Officer may order the immediate suspension of any operation upon finding that corrective action has not been taken by the date specified in a notice violation; the operation is proceeding without a logging plan; or the operation is causing immediate harm to the environment. Suspension orders shall be in writing, shall be issued to the operator and the owner, and shall remain in effect until, as determined by the Zoning Officer, the operation is brought into compliance with the regulations herein or other applicable statutes or regulations. The landowner or the operator may appeal an order or decision of an enforcement officer with 30 days of issuance to the Township Board of Commissioners.
 - i. Penalties. Any landowner or operator who violates any provision of these regulations; refuses to allow the Zoning Officer access to a harvest site pursuant to subparagraph g of this Subpart or who fails to comply with a notice of violation or suspension order issues under subparagraph h of this Subpart is guilty of a summary offense and upon conviction shall be subject to a fine of not less than one hundred (\$100) nor more than five hundred (\$500), plus costs, for each separate offense. Each day of continued violation of any provisions shall constitute a separate offense.
- 4. Intensive Park Uses. A category of impactful Uses that includes Buildings (including additions of one thousand (1,000) square feet or more to existing Buildings), golf courses, riding stables, zoos, campsites, and group camps.
 - 5. Nature Preserve. Areas in which human activities are very limited and where the natural environment is protected from man-made changes by a conservancy or conservation easement. The nature preserve includes woodland preservation, game preserves, and wildlife sanctuaries.
 - 6. Outdoor Shooting Range.
 - a. Minimum Lot Area shall be ten (10) acres.
 - b. Minimum Lot width shall be three hundred (300) feet.
 - c. Adjacent areas must be predominantly undeveloped, and the range area must be at least two hundred (200) feet from any property or Street right-of-way line. The Use must also be located at least one thousand (1,000) feet from any existing residential Dwelling.

- d. An earthen background berm must be provided within twenty (20) feet of the farthest target post to prevent wild or ricocheting bullets or wild or stray arrows. The berm shall meet the following requirements.
 - (1) The berm shall have a slope of not less than one vertical to two horizontal and must extend at least eight feet above the ground level of the highest target.
 - (2) The crest of the berm at the eight (8) foot minimum Height limit shall be at least four (4) feet in width as measured between the wall of the berm facing the range and the opposite wall.
 - e. Earthen side berms must be provided immediately adjacent to the range and shall extend from the firing line to the background berm.
 - f. Only targets mounted on target posts shall be permitted. No targets of any kind shall be set directly on the ground.
 - g. Warning signs must be posted at least ten (10) feet from the outside of the berm.
 - h. The firing range shall be free of gravel and other hard surface materials and be adequately drained.
 - i. Adult supervision must be provided for children under sixteen (16) years of age.
 - j. Buffers and screens shall be in accordance with §22-312 of the Township Municipal Code.
7. Park. A use of land for active or passive, public, or private, outdoor space, including such uses as parks, plazas, greens, parkettes, playfields, playgrounds, recreation centers, and tot lots for general recreation, athletics, and leisure. May include Historic Structures/monuments, botanical gardens, ornamental gardens, or arboretums. Accessory Uses may include picnic areas, fishing, ziplines, and Swimming Pools. See also: Intensive Park. The following supplemental Use regulations apply:
- a. Hours of Operation. Park hours of operation shall be determined by Township Commissioners and such hours of operation shall be conspicuously posted at Park entrances.
 - b. Site Design Components, Landscape Furnishings and Art.
 - (1) The Township shall review and approve the design of any and all pieces of furniture (including but not limited to benches, chairs, and tables), trash receptacles, drinking water fountains, lighting fixtures, fencing, Buildings, Structures, Historic and monument sites, playground equipment, athletic equipment, decorative fountains, man-made ponds and water features, sculpture, signage programs, and artwork within any park, prior to such items being installed.
 - (2) Notwithstanding the preceding subsection, the Township may adopt a schedule of approved site furniture, drinking water fountains, lighting fixtures, and fencing for each park or group of parks, and any item on the approved schedule may be installed for the relevant park without requiring additional Township review.

- c. Events. Park uses may be utilized to host temporary festivals, events, and farmers markets pursuant to §27-308 Temporary Uses.
- d. Park Buildings. A limited number of park Buildings may be located in a park per the following regulations:
 - (1) All Buildings must be located in areas that do not obstruct open space viewsheds and enjoyment of the park open space area. Such locations shall be approved by Township Commissioners.

(D) Retail Use. A category of Uses involving the sale of goods and provision of services to the general public for personal or household consumption. Visibility and accessibility are important to these uses, as most businesses typically rely heavily on walk-in customers or clients and rarely utilize scheduled appointments.

- 1. Neighborhood Retail. A retail Use with a Gross Floor Area of less than three thousand (3,000) square feet and outdoor sales limited to no more than ten percent (10%) of the indoor Gross Floor Area of the retail Use. Neighborhood retail includes such uses as those listed in Table 3.02, Typical Retail Uses. In the event a specific Neighborhood Retail Use is not identified in Table 3.02, the Zoning Officer shall have the authority to review the proposed Use and the Applicant shall submit to the Zoning Officer such additional information as the Zoning Officer deems necessary to render an official Determination under this Chapter.
- 3. General Retail. A retail Use with a Gross Floor Area of three thousand (3,000) square feet or greater and outdoor sales limited to no more than twenty percent (25%) of the indoor Gross Floor Area of the retail Use. General retail includes such Uses as those listed in Table 3.02, Typical Retail Uses.
 - a. Grocery Store. Any store commonly known as a supermarket, food store, or grocery store, with at least sixty percent (60%) of gross square footage dedicated to the retail sale of fresh and/or frozen meat, seafood, poultry, fruits, and vegetables; and dairy and bakery products.
 - b. Public Market. An indoor or covered, open-air permanent Structure dedicated to the sale of local and regional food, flowers, baked goods, and small crafts, excluding secondhand goods.

Table 3.02, Typical Retail Uses.

Typical Neighborhood Retail Uses	Typical General Retail Use
Antique Shop	All "Typical Neighborhood Retail Uses" 3,000 sf and over
Apparel, Shoes, and/or Accessory Store	Appliance Sales
Small Appliance Store	Automotive Supply (no service)
Art Gallery and Sales	Computer Software Sales and Leasing
Art and/or Education Supplies Bakery with no distribution	Department Store
Beer/Wine/Liquor Sales	Medical Supply Store
Bicycle and Accessory Sales	Motorcycle and Motor Scooter Sales, limited outdoor display
Book &/or Video Store	Nursery

<p>Camera and Photo Supply Store China and/or Glassware Cigar, Cigarettes, Tobacco Shop Coin and/or Philatelic Store Craft Store Discount Variety Store (e.g., dollar stores or five and dime stores) Drug and/or Cosmetics Store, except Medical Marijuana Dispensary Electronics Sales Fabric and Sewing Supply Store Florist Framing Shop Furrier Shop, no storage Garden Supply and/or Nursery Gift, Novelty and Souvenir Shop Grocery Store Hardware Store Home Furnishings and Accessories Jewelry and/or Gem Store Luggage and/or Leather Goods Medical Marijuana Dispensary Magazine and/or Newspaper Store Music and/or Musical Instruments Office Machines and Supply Optical Goods Paint and Wallpaper Store Party Supply Shop Pet and/or Pet Supplies Shop Public Market Secondhand sales of any item permitted for sale new Specialty Food (Candy, Fish, Produce, Prepared Foods, etc.) Sporting Goods Stationery and Paper Store Toy and/or Baby Supplies</p>	<p>Outdoor Recreation Equipment Public Market</p>
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5. Commercial Equipment and Supply. A Use involving the large-scale sale of goods to residents or businesses within the region. The goods or merchandise sold may be of the same type or a variety of types and typically occupy a space greater than twenty thousand (20,000) square feet. This Use may include bulk sales and typically involves frequent commercial vehicle and consumer traffic. This Use is primarily located indoors but may also include accessory outdoor storage of goods. This includes such uses as those listed in Table 3.03, Typical Commercial Equipment and Supply Uses.

6. Convenience Store. Any retail store with a wide mix of goods typically used daily, including household goods, personal health items, cosmetics, candy, and tobacco products, and food. The following supplemental Use regulations apply:
 - a. No Convenience Store shall be located within fifteen hundred (1,500) feet radii of another Convenience Store or Grocery Store.

7. Medical Marijuana Dispensary. A Person, including a natural Person, corporation, partnership, association, trust or other entity, or any combination thereof, which holds a permit issued by the Pennsylvania Department of Health to dispense medical marijuana pursuant to the Pennsylvania Medical Marijuana Act, Act of April 17, 2016, P.L. 84, No. 16.

8. Outdoor Sales Lot. A Use involving the sale of goods or merchandise to businesses and/or the general public, where the majority of the goods are stored or displayed outdoors. Outdoor Sales Lot include such uses as: the sale and rental of automobiles, trucks, trailers, boats, and recreational vehicles; and the outdoor sale of Building materials, landscape materials, and garden supplies. The following supplemental Use regulations apply:
 - a. Outdoor Sales Lots are not permitted on a Corner Lot, except in the Mixed-Use zoning district.
 - b. An Outdoor Sales Lot must include permanent construction of a Building utilizing one of the permitted Building types in the district.

Table 3.03, Typical Commercial Equipment and Supply Uses.

Bottled Gas (such as propane) Sales and Supply
Heating & Air Conditioning Supply, Sales and Service
Building Materials, Hardware, and Lumber Supply Machine Sales and Rental
Cabinet Supply (display only)
Electrical Supply
Plumbing Sales and Service
Farm Equipment and Supply Wholesale Trade

- (E) Service Uses. A category of Uses that provide patrons services and limited retail products related to those services.
1. Neighborhood Service. A service Use with a Gross Floor Area of less than three thousand (3,000) square feet. Neighborhood Service includes such uses as those listed in Table 3.04, Typical Service Uses. The following supplemental Use regulations apply:
 - (a) Neighborhood Service Uses may operate only at times during which the Use is a not a Nuisance to adjacent Uses, except for the following Uses, which may be open 24 hours: fitness club, athletic club, dance studio, yoga studio and gym; mailing and delivery services; Medical Clinic; photocopying and printing; and veterinary services/animal hospital (no outdoor kennels).
 - (b) Medical Clinic. Medical Clinic means a licensed institution providing same-day, walk-in, or urgent medical care and health services to the community, primarily ill or injured out-patients, which is not a hospital, and which is not a medical office, and which shall not include methadone or drug rehabilitation clinics. Provision of

an indoor waiting area for use by individuals when a portion of the facility is not opened for operation is required, so that clients will not be required or allowed to queue for services outdoors.

2. General Service. A Service Use with a Gross Floor Area of three thousand (3,000) square feet or greater as well as larger scale indoor and outdoor entertainment Uses. General Service includes such Uses as those listed in Table 3.04, Typical Service Uses.
3. Adult Day Care Center. Any Premises operated for profit in which Adult Day Care is simultaneously provided for four (4) or more adults who are not relatives of the operator. Adult Day Care is care given for part of the twenty-four (24) hour day to adults requiring assistance to meet personal needs and who, because of physical or mental infirmity, cannot themselves meet these needs, but who do not require nursing care.
4. Assisted Living Facility. Any Premises in which food, shelter, assisted living services, assistance or supervision and supplemental health care services are provided for a period exceeding twenty-four (24) hours for four (4) or more adults who are not relatives of the operator, who require assistance or supervision in matters such as dressing, bathing, diet, financial management, evacuation from the residence in the event of an emergency or medication prescribed for self-administration.
5. Automobile Fueling and Limited Repair Service. A business involving the sale and distribution of fuel, electric vehicle battery exchange stations, and/or limited repair service for vehicles to residents of the community and region. A convenience store may also be included as a secondary Use, as well as the sale of propane and kerosene. The following supplemental Use regulations apply:
 - a. Proximity Restriction. No Automobile Fueling and Limited Repair Service Use shall be located within a twelve hundred (1,200) foot radii of another Automobile Fueling and Limited Repair Service Use.
 - b. Permitted Types of Repair Service. Repairs include minor engine repairs and repairs and replacement of cooling, electrical, fuel and exhaust systems, brake adjustments, relining and repairs, wheel alignment and balancing, and repair and replacement of shock absorbers. Engine rebuilding, bodywork, and painting are not included in this definition.
 - c. Outdoor Storage. Disabled or inoperable Vehicles and those awaiting pick-up may be stored outdoors if all of the following occur:
 - (1) No more than four (4) Vehicles are stored for no more than two (2) days each.
 - (2) The storage area is located in the Rear Yard and screened from view of the front Lot line. The screening shall be a minimum of eight (8) feet high and shall be a galvanized chain link fence with privacy slats.
 - (3) The storage area shall also be screened from adjacent uses through a continuous four (4) foot wide opaque evergreen planting located on the Side and Rear Yard areas. The planting shall be a minimum of ten (10) feet high at maturity.

- (4) The Vehicles must be stored in a legitimate parking space, and not in the public right of way or in a part of the Lot not specifically designated as a parking space.
 - d. Outdoor Activities. All repairs or washing activities must occur inside a Structure.
 - e. Bathroom Facilities. At least one (1) bathroom must be provided and open during regular business hours for customers.
- 6. Automobile Service/Car Wash. A business involving the servicing of Vehicles and/or the sale and distribution of fuel to residents of the community and region. A Convenience Store may also be included as a secondary Use, as well as the sale of propane and kerosene. Vehicle service includes such uses as automotive filling stations, vehicle repair, car wash facilities, and tire sales and mounting. Engine rebuilding, bodywork, and painting are included in this definition. The following supplemental Use regulations apply:
 - a. Use Limitation. Repair and wash facilities for Vehicles that are not automobiles are not permitted.
 - b. Outdoor Storage. Disabled or inoperable Vehicles and those awaiting pick-up may be stored outdoors under all of the following conditions:
 - (1) No more than six (6) Vehicles are stored for no more than two (2) days each.
 - (2) The storage area is located in the Rear Yard and screened from view of the front Lot line. The screening shall be a minimum of eight (8) feet high and shall be a galvanized chain link fence with privacy slats.
 - (3) The storage area shall also be screened from adjacent uses through a continuous four (4) foot wide opaque evergreen planting located on the Side and Rear Yard areas. The planting shall be a minimum of ten (10) feet high at maturity.
 - (4) The Vehicles must be stored in a legitimate parking space, and not in the public right of way or in a part of the Lot not specifically designated as a parking space.
 - c. Outdoor Activities.
 - (1) All repairs or washing activities must occur inside a Structure.
 - (2) Temporary outdoor display of seasonal items, such as windshield wiper fluid or salt, is permitted during business hours adjacent to the principal Structure.
 - d. Environmental Controls.
 - (1) Car washes shall include a water reclamation system for the purpose of recycling water to the maximum degree possible given the equipment to be used in conducting car wash activities.
 - (2) Filtration of wastewater shall be conducted before discharge to a sanitary sewer system.

- (3) A National Pollutant Discharge Elimination System (NPDES) permit from the Pennsylvania Department of Environmental Protection is required to discharge wastewater directly into a surface water body or to a storm sewer that discharges to a surface water body.
 - (4) Residual sludge shall be disposed of in accordance with the Pennsylvania Department of Environmental Protection requirements and standards.
- 7. Automobile/Truck/Limousine Rental Service. A commercial facility that offers automobiles, trucks, and/or limousines for rent or lease for specific periods of time, including a stand-alone facility for automobile leasing services associated with an off-site automobile dealership.
- 8. Bail Bonds Agency. An entity that charges a fee or premium to release an accused defendant or detainee from jail and/or engages in or employs others to engage in any activity that may be performed only by a licensed and appointed bail bond agent.
- 9. Child Day Care. Any licensed Premises operated for profit in which Child Day Care is provided simultaneously for seven (7) or more children who are not relatives of the operator, except such centers operated under social service auspices. Child Day Care means care in lieu of parental care given for part of the twenty-four (24) hour day to children under sixteen (16) years of age, away from their own homes as follows:
 - a. Care provided to a child at the parent’s work site when the parent is not present in the childcare space;
 - b. Care provided in private or public, profit or nonprofit facilities; and
 - c. Care provided before or after the hours of instruction in nonpublic schools and in private nursery schools and kindergartens.
 - d. Child Day Care does not include child day care furnished in places of worship during religious services.
- 10. Community Service. A public or not-for-profit service or activity undertaken to advance the welfare of citizens in need that provides food and goods distribution to private citizens.
- 11. Drinking Places. Any established licensed and permitted under the Pennsylvania Liquor Control Board to sell alcoholic beverages, including beer, wine, and liquor for on-site consumption. Drinking Place are required to have a door that opens directly onto the adjacent public Right-of-Way during all hours of operation.
- 12. Eating Places. An establishment selling prepared foods for on-premise consumption and carry-out. Includes such uses as restaurants, cafes, coffee shops, diners, delis, fast-food establishments, lunch counters, and cafeterias. Eating Places, which do not include Brew Pubs, may sell alcoholic beverages, including beer, wine, and liquor for on-site consumption as permitted through the Pennsylvania Liquor Control Board. Eating Places are required to have a door that opens directly onto the adjacent public Right-of-Way during all hours of operation.
- 13. Brew Pub. An Eating Place, as defined herein, that includes as an accessory use the on - premises production of alcoholic beverages—including beer, wine, cider and distilled liquors—which produces less than 100,000 gallons of such beverages per year, and

primarily sells its beverages on-site, either for on- or off -premises consumption. The area used for brewing, distilling, bottling, and kegging shall not exceed thirty (30) percent of the total gross leasable floor area. The Brew Pub must be licensed by the Pennsylvania Liquor Control Board and any successor agency of the Commonwealth.

14. Microbrewery, Microdistillery, Microwinery. A facility for the production, packaging and sampling of alcoholic beverages—including beer, wine, cider, mead, and distilled liquors—for retail or wholesale distribution, for sale or consumption on- or off -premises, and which produces less than 100,000 gallons of such beverages per year. It may include a restaurant (i.e., Eating Place), tasting room and retail space to sell the product on site. “Nanobreweries” shall be included under this definition. The Microbrewery / Microdistillery / Microwinery must be licensed by the Pennsylvania Liquor Control Board and any successor agency of the Commonwealth.

15. Electronic Cigarette / Vaporizer Store. A business establishment for which more than fifty percent (50%) of the Gross Floor Area is dedicated to the storage, mixing, display, on-site consumption, and/or retail sale of electronic cigarette devices, nicotine-enriched solutions, and/or liquid products that are manufactured for Use with electronic cigarettes.

16. Entertainment Assembly. A facility, other than a Stadium/Arena or Adult Establishment, for holding events, indoors or outdoors, to which members of the public are invited with or without charge. Events may include theatrical performances; live music performances; dances, balls; shows or exhibitions; or live or broadcasted wrestling, boxing/sparring matches, or other sporting events.

17. Kennel. – Any establishment in or through which at least twenty (26) dogs are kept or transferred in a calendar year, or a Boarding Kennel as defined by the Pennsylvania Dog Law, Act 119 of 2008. The following supplemental regulations apply:
 - a. All Kennels shall be licensed by the Pennsylvania Department of Agriculture and shall be constructed and maintained in accordance with the Pennsylvania Code, Title 7, Chapter 21, as amended.

 - b. Minimum Lot Area. Each site shall contain at least five (5) acres.

 - c. All animal boarding Buildings that are not completely enclosed, and any outdoor animal Pens, stalls or runways shall be located within the rear yard and screened from adjoining properties, and shall be a minimum of one hundred feet (100') from all property lines;

 - d. All outdoor recreation areas shall be enclosed to prevent the escape of animals. All such enclosures shall be set back a minimum of one hundred feet (100') from all property lines.

 - e. The Applicant shall furnish evidence of effective means of animal and veterinary waste collection and disposal which shall be continuously implemented.

 - f. The subject property shall be located no closer than five hundred (500) feet from the Residential zoning districts listed in Table 2.01 and/or property containing a residence.

 - g. Yard areas or Pens shall be fenced with wire mesh fencing and located at least one hundred fifty (150) feet from any Lot line.

18. Pawn Shop/Check Cashing Establishment. An establishment primarily engaged in the businesses of lending money on the security of pledged goods left in pawn; purchasing tangible personal property to be left in pawn on the condition that it may be redeemed or repurchased by the seller; or providing cash to patrons for, payroll, personal, and bank checks.

19. Private Club. An establishment that operates for the good of the club's membership for legitimate purposes of mutual benefit, entertainment, fellowship, or lawful convenience. A Private Club must reserve its facilities for members and must have genuinely exclusive membership criteria. A Private Club must adhere to its constitution and bylaws, hold regular meetings open to its members, conduct its business through officers who are regularly elected, admit members by written application, investigation and ballot, charge and collect dues from elected members, and maintain records as required by law. The sale of alcohol must be secondary to the actual reason for the club's existence and be licensed by the Pennsylvania Liquor Control Board. The Township may conduct routine inspections of the Premises to ensure the absence of illegal activity on the Premises, adequate maintenance of the interior and exterior of the Premises, the absence of public disturbance or Nuisance, and compliance with the zoning and other applicable regulations.

20. Smoking Places. Establishments for which the sale of tobacco products for on-site consumption yields at least seventy five percent (75%) of gross revenues, including such Uses as hookah lounges.

21. Tattoo/Piercing Parlor. Establishments primarily in the business of applying lettering, art, and other images with permanent and semi-permanent inks, paints, pigments, or piercings to the body of patrons. The following Use regulations apply:
 - a. Lot Coverage. No more than five (5) percent of the Lot may be covered by Buildings or accessory Buildings.

 - b. Proximity to Certain Uses. No Building or Premises shall be used, and no Building shall be erected or altered, which is arranged, intended or designed to be used for an Adult Establishment if any part of such Building or Premises is situated on any part of a Lot within a two hundred fifty foot (250) foot radius in any direction of any Building or Structure used for, or upon which is located any Building or Structure used for any household living Use; Religious Institution, Medical Clinic, medical office, Hospital, school, facility attended by Persons under the age of eighteen (18) (including but not limited to school programs, children's museums, camps, and athletic leagues), Park, or other Adult Establishment.

22. Indoor, Climate-controlled, Self-storage Facility. An enclosed building consisting of individual, self-contained rooms that are leased to individuals, organizations, or businesses for climate-controlled storage. Climate-controlled storage units are generally kept between fifty-five (55) and eighty-five (85) degrees Fahrenheit with a base humidity of fifty-five (55) percent. The following supplemental regulations shall apply:
 - a. For building conversions, the following shall apply:
 - (1) The indoor storage facility and any new additions thereto must have the appearance of an office building but do not have to be designed to look the same as the existing building.

 - (2) Garage type door entries shall not be placed on the front façade area of the building.

- (3) No outside storage shall be permitted on site.
 - (4) No overnight truck parking shall be allowed on the site.
 - (5) No outdoor display of retail sales shall be permitted.
 - b. Access to all individual storage units shall be through the interior of the building only.
 - c. An Indoor, Climate-controlled, Self-storage Facility may not be located within three (3) miles of another storage facility.
 - d. The following uses are prohibited and all Indoor, Climate-controlled, Self-storage Facility rental and/or use contracts shall specifically prohibit the same:
 - (1) Residential use and/or occupancy.
 - (2) Bulk storage of flammable, combustible, explosive, or hazardous materials. Nothing in this Section is meant to prohibit the storage of motor vehicles, motor craft, or equipment that contain a normal supply of such fuels for their operation.
 - (3) Repair, construction, reconstruction, or fabrication of any item, including but not limited to, any boats, engines, motor vehicles, lawn mowers, appliances, bicycles, or furniture.
 - (4) Auctions, except as provided for the in Self-Service Storage Facilities Act (Act of Dec. 20, 1982, P.L. 1404, No. 325), commercial wholesale or retail sales not related to the storage activity on the premises or garage sales. Retail sales of supplies associated with the rental of storage units and/or rental of vehicles shall be permitted, such as boxes, packing tape, locks, and similar items.
 - (5) The operation of power tools, spray-painting equipment, compressors, welding equipment, kilns, or other similar tools or equipment.
 - (6) Any business activity within the storage units.
 - j. On-site management shall be provided for a minimum of twenty (20) hours per week, during the hours of 8:00 AM and 7:00 PM. Contact information for management during the remaining hours of the day shall be prominently posted on the premises.
23. Self-storage Facility. Any real property designed and used for the purpose of renting or leasing individual storage space to occupants who are to have access to such space for the purpose of storing and removing personal property. No occupant shall use a self-service storage facility for residential purposes.
- a. Minimum lot area shall be not less than one (1) acre.
 - b. At least forty (40) feet of clear, unobstructed driveway depth will be provided from the road to the primary access gate or principal entry point of the facility.

- c. Interior drive aisle widths shall be not be less than twenty-five (25) feet.
- d. Buildings shall be designed and located so that overhead doors and the interior driveways within such facilities are not visible from the adjacent public right-of-way. This provision does not apply to overhead doors that are within an enclosed self-storage building and that are visible only through windows of the building.
- e. No door openings for any storage unit shall be visible at ground level from any residentially zoned property.
- f. All fences or walls visible from the public right-of-way shall be constructed of decorative building materials such as slump stone masonry, concrete block, wrought iron, or other similar materials.
- g. Boats, campers, recreational vehicles, and travel trailers may be stored outside of an enclosed building, but only in an area designated for such outside storage on an approved site plan and not visible from the public right-of-way or adjacent property when viewed from the ground level.
- j. The following uses are prohibited and all Self-Storage Facilities' rental and/or use contracts shall specifically prohibit the same:
 - (1) Residential use and/or occupancy.
 - (2) Bulk storage of flammable, combustible, explosive, or hazardous materials. Nothing in this Section is meant to prohibit the storage of motor vehicles, motor craft, or equipment that contain a normal supply of such fuels for their operation.
 - (3) Repair, construction, reconstruction, or fabrication of any item, including but not limited to, any boats, engines, motor vehicles, lawn mowers, appliances, bicycles, or furniture.
 - (4) Auctions, except as provided for the in Self-Service Storage Facilities Act (Act of Dec. 20, 1982, P.L. 1404, No. 325), commercial wholesale or retail sales not related to the storage activity on the premises or garage sales. Retail sales of supplies associated with the rental of storage units and/or rental of vehicles shall be permitted, such as boxes, packing tape, locks, and similar items.
 - (5) The operation of power tools, spray-painting equipment, compressors, welding equipment, kilns, or other similar tools or equipment.
 - (6) Any business activity within the storage units.
- j. On-site management shall be provided for a minimum of twenty (20) hours per week, during the hours of 8:00 AM and 7:00 PM. Contact information for management during the remaining hours of the day shall be prominently posted on the premises.
- k. The maximum size for any storage unit shall be twenty (20) feet by forty (40) feet for a total maximum of eight hundred (800) square feet.

Table 3.04, Typical Service Uses.

Typical Neighborhood Service Uses	Typical General Service Uses
Arcades and Billiards	All Neighborhood Services over 3,000 square feet
Barber Shop, Beauty Salon, and Spas	Animal Boarding, Daycare, & Training (interior only)
Coffee Shop	Aquatic Facilities
Dry Cleaning (pick-up/outlet only)	Archery Ranges (indoor only)
Financial Depository Institutions/Banks, chartered and excluding Check Cashing Establishments	Batting Cages
Fitness Club, Athletic Club, Dance Studio, Yoga Studio and Gym	Bowling Alleys
Funeral Home	Miniature Golf Courses
Home Furniture and Equipment Repair	Motion Picture Theaters
Laundromat	Recreation, Commercial Indoor
Locksmith	Rental of any good permitted to be sold in the district
Mailing and Delivery Services	Repair of any good permitted to be sold in the district
Medical Clinic	Skating Rink
Pet Grooming	
Phone Sales and Service	
Photocopying and Printing	
Photography Studio with Supplies	
Post Office, limited distribution	
Rental of any good permitted to be sold in the district	
Repair and/or servicing of any good permitted to be sold in the district	
Tailor or Seamstress	
Tanning Salon	
Therapeutic Massage establishment, licensed proprietor	
Travel Agency, Ticketing, and Tour Operator	
Veterinary Services/Animal Hospital (no outdoor Kennels)	

(E) Adult Uses.

1. Adult Establishments. Shall be defined as any of the following:
 - a. Any commercial establishment, including but not limited to Adult Book Stores, Adult Motion Picture Theaters, Adult Mini-Motion Picture Theaters, Adult Entertainment Cabaret, or other adult entertainment establishments, in which is offered for sale as a substantial or significant portion of its stock in trade video cassettes, movies,

books, magazines, or other periodicals or other media which are distinguished or characterized by their emphasis on nudity or sexual conduct or activities which if presented in live presentation would constitute adult entertainment.

(1) Adult Bookstore. An establishment having as a substantial or significant portion of its stock in trade motion pictures, video recordings, books, magazines and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing or relating to obscene activities for observation by patrons thereof or an establishment with a segment or section devoted to the sale, rental or display of such material.

(2) Adult Cabaret. A nightclub, bar, Restaurant or similar establishment that regularly features live performances that are characterized by the exposure of specific anatomical areas or by Specified Sexual Activities, or films, motion pictures, video cassettes, slides or other photographic reproductions in which a substantial portion of the total presentation time is devoted to the showing of material that is characterized by any emphasis upon the depiction or description of specified activities or anatomical areas.

(3) Adult Mini-Motion-Picture-Theater. An enclosed Building with a capacity for less than fifty (50) persons used for presenting material distinguished or characterized by an emphasis on matters depicting, describing, or relating to obscene activities for observation by patrons therein.

(4) Adult Motion Picture Theater. An enclosed Building with a capacity of fifty (50) or more Persons used for presenting material distinguished or characterized by an emphasis on matters depicting, describing, or relating to obscene activities for observation by patrons therein.

b. Any commercial establishment that offers for a consideration physical contact in the form of wrestling or tumbling between Persons of the opposite sex.

c. Any commercial establishment that offers for consideration activities between male and female Persons and/or Persons of the same sex when one or more Persons are nude or Semi-Nude.

d. Any commercial establishment that offers for a consideration nude human modeling.

e. Proximity to Certain Uses. No Building or Premises shall be used, and no Building shall be erected or altered, which is arranged, intended or designed to be used for an Adult Establishment if any part of such Building or Premises is situated on any part of a Lot within a five hundred (500) foot radius in any direction of any Lot used for, or upon which is located any Building used for any Residential Use; Religious Institution, Medical Clinic, medical office, Hospital, school, facility attended by Persons under the age of eighteen (18) (including but not limited to school programs, children's museums, camps, and athletic leagues), Park, or other Adult Establishment.

f. The additional Use regulations apply to all Adult Establishments:

(1) No more than five (5) percent of the Lot may be covered by Buildings or accessory Buildings.

- (2) A buffer strip shall be provided which shall be not less than one hundred (100) feet in width encompassing the entire perimeter of the Lot, which buffer strip shall be planted with evergreen, shrubs or other screening vegetation, provided that on the side of such Lot fronting on the Street, the buffer strips shall be no closer than fifty (50) feet to the Street.
- (3) A single unlighted Sign, not more than twenty (20) square feet in size shall be provided and shall face the Street, set back not less than fifty (50) feet from the Right-of-Way line of the Street. Sign message shall be limited to verbal descriptions of material and services available on the Premises. Sign messages shall not include any graphic or pictorial description of material or services available on the Premises.
- (4) Parking shall be provided for not less than one motor vehicle per two hundred (200) square feet of Building area.
- (5) The Lot of such business shall not be located within five hundred (500) feet of any residential Use or residential zoning district.
- (6) No material, merchandise, film or service offered for sale, rent, lease, loan or for view shall be exhibited, displayed or graphically represented outside of a Building or Structure or that can be seen from the exterior of the Building.
- (7) Any Building or Structure used and occupied as an adult regulated facility shall be windowless or have an opaque covering over all windows or doors of any area in which materials, merchandise, film, service, or entertainment are exhibited or displayed.
- (8) No sign shall be erected upon the premises depicting or giving a visual representation of the type of materials, merchandise, film, service, or entertainment offered therein.
- (9) Each and every entrance to the Structure shall be posted with a notice of at least four square feet that the Use is an adult regulated facility restricting persons under the age of eighteen (18) from entrance.
- (10) No unlawful sexual activity or conduct shall be performed or permitted.
- (11) Prohibited Activities. Any Use or activity prohibited by §5903 of the Pennsylvania Crimes Codes as amended and further defining the offense of obscenity, redefining obscene and further providing for injunctions.
- (12) No adult-related Use may change to another adult-related Use, except upon Special Exception approval.
- (13) The Use shall not create an enticement for minors because of its proximity to nearby uses where minors may congregate.
- (14) No more than one adult-related Use may be located within one Building.
- (15) No person shall operate an adult entertainment establishment without first obtaining a Use and occupancy or zoning permit as provided in this

Chapter and all other applicable permits required by law. The permit will be reviewed annually for compliance.

- (G) **Employment Uses.** A category of Uses for businesses involving activities that may not be associated with walk-in customers.
1. **Office Uses.** A category of Uses for businesses that involve the transaction of affairs and/or the training of a profession, service, industry, or government. Patrons of these businesses usually have set appointments or meeting times; the businesses do not typically rely on walk-in customers. Office Uses include those listed in Table 3.05, Typical Employment Uses.
 2. **Craftsman Industrial.** A Use that includes a showroom or small retail outlet and production space, and involves small scale production, assembly, and/or repair with little to no noxious by-products. Craftsman Industrial includes such Uses as those found in Table 3.05, Typical Employment Uses. This Use may also include associated facilities such as offices and small-scale warehousing, but distribution is limited as determined by Zoning Officer.
 - a. **Medical Marijuana Grower / Processor Facility.** A Person, including a natural Person, corporation, partnership, association, trustor other entity, or any combination thereof, which holds a permit from the Pennsylvania Department of Health to grow and process medical marijuana pursuant to the Pennsylvania Medical Marijuana Act, Act of April 17, 2016, P.L. 84, No. 16. The following supplemental Use regulations apply:
 - (1) **Additional Application Information.** The Zoning Officer may request additional information to ensure proper evaluation of such application. Such information may include ventilation plans, materials characteristics, drainage plans, waste disposal plans, and chemical disposition plans.

Table 3.05, Typical Employment Uses.

Typical Office Uses	Typical Craftsman Industrial Uses
Architecture/Engineering/Design	Agricultural Growing, such as Aquaculture or Medical Marijuana Production Facility
Broadcasting, Recording, and Sound Studio	Apparel and Finished Fabric Products
Business Consulting	Beverages, including Beer, Wine, Soft Drinks, Coffee
Construction Trade and Contractor (office only)	Liquor, Botanical Products
Charitable Institutions	Brooms and Brushes
Computer Programming and Support	Canning and Preserving Food
Data Processing	Commercial Scale Copying and Printing
Detective Services	Cut Stone and Cast Stone
Educational Services (tutor and testing)	Electronics Assembly
Employment Agency	Electrical Fixtures
Financial and Insurance	Engraving
Government Offices and Facilities	Fabricated Metal Products
Laboratories, Medical, Dental, Optical	Film Making
Legal Services	
Management Services	

Medical and Dental Offices (other than in hospitals or on a hospital campus, and other than clinics)	Firearms and Ammunition
News Agency	Furniture and Fixtures
Physical Therapy/Physical Rehabilitation	Glass
Public Relations and Advertising	Household Textiles
Property Development	Ice
Real Estate and Apartment Finders	Jewelry, Watches, Clocks, and Leather Products (no tanning)
Research and Development	Meat and Fish Products, no processing
Research Agency	Musical Instruments and Parts
Support Offices for other uses	Pottery, Ceramics, and Related Products
Surveying	Printing, Publishing and Allied Industries
Trade Schools	Shoes and Boots
Training Center	Signs and Advertising
	Silverware
	Smithing
	Taxidermy (with incidental tanning)
	Textile, Fabric, Cloth
	Toys and Athletic Goods
	Upholstery
	Woodworking

(H) Infrastructure Uses. A category of Uses for the provision of public and private infrastructure to support other uses. Infrastructure Uses typically do not include a principal Building meeting the Building type requirements. Accessory Structures may be included.

1. Parking as a Principal Use. A Lot that does not contain a permitted Building of more than one thousand (1,000) square feet, is not used for Open Space, and is primarily used for the exclusive parking of vehicles. The following supplemental Use regulations apply:
 - a. Corner Lot. A Corner Lot shall not be used solely for parking.
 - b. Adjacent Parking Facilities. Two (2) principal parking facilities shall not be located directly adjacent to one another, except for a new Structured parking facility replacing an existing parking Lot.

2. Wireless Communications Facility (WCF) – An antenna facility or a wireless support structure that is used for the provision of wireless service, whether such service is provided on a stand-alone basis or commingled with other wireless communications services.
 - a. Purpose.
 - (1) The purpose of these standards is to govern the use, construction, and location of wireless communications facilities in recognition of the nature of wireless communications systems and the Federal Telecommunications Act. These regulations are intended to:

- (a) Accommodate the need for wireless communications facilities so as to ensure the provision for necessary services while preserving the character of the Township;
 - (b) Minimize the adverse visual effects and the number of such facilities through proper design, locating, screening, material, color, and finish and by requiring that competing providers of wireless communications services collocate their telecommunication and wireless communications antennas and related facilities;
 - (c) Address new wireless technologies, including, but not limited to, distributed antenna systems, data collection units, and other WCFs;
 - (d) Ensure the structural integrity of wireless communications facilities through compliance with applicable industry standards and regulations; and
 - (e) Promote the health, safety, and welfare of the residents and property owners within Susquehanna Township.
- b. Regulations Applicable to All Wireless Communications Facilities. The following regulations shall apply to all Wireless Communications Facilities (WCFs).
- (1) Wireless communications facilities shall be permitted within Susquehanna Township as follows:
 - (a) Collocated Wireless Communications Facilities shall be permitted as a use by special exception in all Zoning Districts provided that the proposed Wireless Communications Facilities comply with the applicable requirements of this Part and generally applicable permitting as required by the Township Municipal Code.
 - (b) Tower-Based Wireless Communications Facilities shall be permitted as a use by special exception within the CV, CB, and IN Zoning Districts, provided that the proposed Wireless Communications Facilities comply with the applicable requirements of this Section and generally applicable permitting as required by the Township Code.
 - (c) Small Wireless Communications Facilities inside the public rights-of-way shall be permitted as a use by right in all Zoning Districts, provided that the proposed Wireless Communications Facilities comply with the applicable requirements of this Part and generally applicable permitting as required by the Township Municipal Code.
 - (d) Small Wireless Communications Facilities outside the public rights-of-way shall be permitted as a use by right in all Township zoning districts except residential zoning districts, subject to the requirements of this Part and generally applicable permitting as required by the Township Municipal Code.
 - (2) Standard of Care. All WCFs shall meet all applicable standards and provisions of the FAA, the FCC, and any other agency of the state or

federal government with the authority to regulate wireless communications facilities, the latest National Electrical Safety Code (NESC), American National Standards Institute (ANSI) Code, and the structural standards of the American Association of State Highway and Transportation Officials or any other industry standard applicable to the structure. In case of conflict, the most stringent requirements shall prevail. All necessary certifications shall be obtained by the WCF Applicant and provided to the Township.

- (3) Engineer Signature. All plans and drawings included in an application for a WCF shall contain a seal and signature of a Professional Engineer licensed in the Commonwealth of Pennsylvania.
- (4) Eligible Facilities Requests.
 - (a) WCF Applicants proposing the Modification or Replacement of an existing WCF shall be required only to obtain a building permit from the Township Zoning Officer. In order to be considered for such a permit, the WCF Applicant must submit a permit application to the Township Zoning Officer in accordance with applicable permit policies and procedures. Such permit application shall clearly state that the proposed Modification or Replacement constitutes an Eligible Facilities Request pursuant to the requirements of 47 CFR §1.6100. The permit application shall clearly detail all dimensional changes being made to the WCF and Wireless Support Structure and certify that such changes are in compliance with the requirements of 47 CFR §1.6100.
 - (b) Timing of Approval.
 - i. Within thirty (30) calendar days of receipt of an application for the Modification or Replacement of an existing WCF, the Township Zoning Officer shall notify the WCF Applicant in writing of any information that may be required to complete such application.
 - ii. Within sixty (60) days of receipt of an application for the Modification or Replacement of an existing WCF, and subject to applicable tolling procedures as established by federal law, the Township Zoning Officer shall issue the required building and zoning permits authorizing the Modification or Replacement.
- (5) Substantial Change. Any Substantial Change to a WCF shall be treated as an application for a new WCF in accordance with the Township Code.
- (6) Wind and Ice. All WCFs shall be designed to withstand the effects of wind gusts and ice to the standard designed by the American National Standards Institute as prepared by the engineering departments of the Electronics Industry Association and Telecommunications Industry Association (ANSI/TIA-222, as amended), or to the industry standard applicable to the structure.
- (7) Aviation Safety. All WCFs shall comply with all federal and state laws and regulations concerning aviation safety.

- (8) Public Safety Communications. WCFs shall not interfere with public safety communications or the reception of broadband, television, radio, or other communication services enjoyed by occupants of nearby properties.
- (9) Radio Frequency Emissions. A WCF shall not, by itself or in conjunction with other WCFs, generate radio frequency emissions in excess of the standards and regulations of the FCC, including but not limited to, the FCC Office of Engineering Technology Bulletin 65 entitled “Evaluating Compliance with FCC Guidelines for Human Exposure to Radio Frequency Electromagnetic Fields,” as amended. The WCF Applicant shall submit proof of compliance with all applicable standards relating to radio frequency emissions as part of any complete WCF application.
- (10) Noise. WCFs shall be operated and maintained so as not to produce noise in excess of applicable noise standards under state law and the Township Code, except in emergency situations requiring the use of a backup generator, where such noise standards may be exceeded on a temporary basis only as permitted by the Township.
- (11) Non-conforming Wireless Support Structures. WCFs shall be permitted to collocate upon existing non-conforming Wireless Support Structures. Collocation of WCFs upon existing Wireless Support Structures is encouraged even if the Wireless Support Structure is non-conforming as to use within a zoning district.
- (12) Permit Fees. The Township may assess appropriate and reasonable permit fees directly related to the Township’s actual costs in reviewing and processing the application for approval of a WCF, as well as related inspection, monitoring, and related costs. Such permit fees shall be established by the Township fee schedule.
- (13) Indemnification. Each Person that owns or operates a WCF shall, at its sole cost and expense, indemnify, defend and hold harmless the Township, its elected and appointed officials, employees, and agents, at all times against any and all claims for personal injury, including death, and property damage arising in whole or in part from, caused by or connected with any act or omission of the Person, its officers, agents, employees or contractors arising out of, but not limited to, the construction, installation, operation, maintenance or removal of the WCF. Each Person that owns or operates a WCF shall defend any actions or proceedings against the Township in which it is claimed that personal injury, including death or property damage, was caused by the construction, installation, operation, maintenance, or removal of a WCF. The obligation to indemnify, hold harmless, and defend shall include, but not be limited to, the obligation to pay judgments, injuries, liabilities, damages, reasonable attorneys’ fees, reasonable expert fees, court costs, and all other costs of indemnification.
- (14) Non-commercial Usage Exemption. Township residents utilizing satellite dishes, citizen and/or band radios, and Antennas for the purpose of maintaining television, phone, and/or internet connections at their residences shall be exempt from the regulations enumerated in this Section.
- (15) Abandonment. In the event that the use of a WCF is to be discontinued, the owner shall provide written notice to the Township of its intent to discontinue

use and the date when the use shall be discontinued. A WCF not operated for a period of six (6) months shall be considered abandoned. Discontinued or abandoned WCFs, or portions of WCFs, shall be removed as follows:

- (a) All abandoned or unused WCFs and Accessory Equipment shall be removed within ninety (90) days of the cessation of operations at the site or receipt of notice that the WCF has been deemed abandoned by the Township unless a time extension is approved by the Township.
- (b) If the WCF or Accessory Equipment is not removed within ninety (90) days of the cessation of operations at a site or receipt of notice that the WCF has been deemed abandoned by the Township, or within any longer period approved by the Township, the WCF and/or associated facilities and equipment may be removed by the Township and the cost of removal assessed against the owner of the WCF regardless of the owner's or operator's intent to operate the WCF in the future.

(16) Maintenance. The following maintenance requirements shall apply:

- (a) All WCFs shall be fully automated and unattended on a daily basis and shall be visited only for maintenance, repair, or replacement.
- (b) Such maintenance shall be performed to ensure the upkeep of the WCF in order to promote the safety and security of the Township's residents and in accordance with all applicable Township, state, and federal regulations
- (c) All maintenance activities shall utilize the best available technology for preventing failures and accidents.

c Regulations Applicable to All Collocated Wireless Communications Facilities. The following regulations shall apply to all Collocated WCFs.

(1) Small WCF Exemption. Collocated WCFs that meet the definition of a Small WCF shall be exempt from the requirements of this Section. Such Small WCFs shall be subject only to applicable permitting and the requirements of this Section.

(2) Development Regulations.

- (a) The total height of any Collocated WCF and Wireless Support Structure shall not exceed twenty (20) feet above the maximum height permitted in the underlying zoning district unless the WCF Applicant applies for, and subsequently obtains, a variance.
- (b) In accordance with industry standards, all WCF Applicants must submit documentation to the Township Zoning Hearing Board justifying the total height of the Collocated WCF. Such documentation shall be analyzed on an individual basis.
- (c) If the applicant proposes to locate the related equipment in a separate building, the building shall comply with the minimum

requirements for the applicable zoning district, and landscaping shall be required to screen as much of the equipment building as possible. An evergreen screen shall surround the site. The evergreen screen shall be a minimum height of six feet at planting and shall not exceed ten (10) feet on center.

- (3) Visual Appearance. Collocated WCFs shall employ stealth technology. All Collocated WCFs and Accessory Equipment shall be aesthetically and architecturally compatible with the surrounding environment and shall maximize the use of a like facade to blend with the existing surroundings and neighboring buildings to the greatest extent possible. The Township Zoning Hearing Board shall consider whether its decision upon the subject application will promote the harmonious and orderly development of the zoning district involved; encourage compatibility with the character and type of development existing in the area; benefit neighboring properties by preventing a negative impact on the aesthetic character of the community; preserve woodlands and trees existing at the site to the greatest possible extent; and encourage sound engineering and land development design and construction principles, practices and techniques.
- (4) Prohibited on Certain Structures. No Collocated WCF shall be located on single-family detached residences, single-family attached residences, semi-detached residences, duplexes, or any other residential structure.
- (5) Third-Party Wireless Support Structures. Where a Collocated WCF is proposed for Collocation on a Wireless Support Structure that is not owned by the WCF Applicant, the WCF Applicant shall present evidence to the Township Zoning Hearing Board that the owner of the Wireless Support Structure has authorized the construction of the proposed Collocated WCF.
- (6) Historic Buildings. No Collocated WCF may be located within one hundred (100) feet of any property, or on a building or structure that is listed on either the National or Pennsylvania Registers of Historic Places, or eligible to be so listed, located within a historic district, or is included in the official historic structures list maintained by the Township.
- (7) Retention of Experts. The Township may hire any consultant(s) and/or expert(s) necessary to assist the Township in reviewing and evaluating the application for approval of the WCF at its sole discretion and, once approved, in reviewing and evaluating any potential violations of the terms and conditions of these WCF provisions. The WCF Applicant and/or owner of the WCF shall reimburse the Township for all costs of the Township's consultant(s) in providing expert evaluation and consultation in connection with these activities.
- (8) Insurance. Each Person that owns or operates a Collocated WCF shall annually provide the Township with a certificate of insurance evidencing general liability coverage in the minimum amount of \$1,000,000 per occurrence and property damage coverage in the minimum amount of \$1,000,000 per occurrence covering the Collocated WCF.
- (9) Timing of Approval.

- (a) Within thirty (30) calendar days of the date that an application for a Collocated WCF is filed with the Township Zoning Officer, the Township Zoning Officer shall notify the WCF Applicant in writing of any information that may be required to complete such application.
 - (b) Within ninety (90) days of receipt of an application for a Collocated WCF, and subject to applicable tolling procedures as established by federal law, the Township Zoning Hearing Board shall make a final decision on whether to approve the application and shall notify the WCF Applicant in writing of such decision.
- d. Regulations Applicable to All Tower-Based Wireless Communications Facilities. The following regulations shall apply to all Tower-Based Wireless Communications Facilities.
- (1) Small WCF Exemption. Tower-Based WCFs that meet the definition of a Small WCF shall be exempt from the requirements of this Section. Such Small WCFs shall be subject only to applicable permitting and the requirements of Subparts (H)2.b and (H)2.e.
 - (2) Special Exception Required. Tower-Based WCFs are permitted outside the public rights-of-way as a special exception and at a height necessary to satisfy their function in the WCF Applicant's wireless communications system, subject to the requirements of this Section.
 - (a) Upon submission of an application for a Tower-Based WCF and the scheduling of the public hearing upon the application, the WCF Applicant shall send via First Class Mail notice to all owners of every property within five hundred (500) feet of the proposed facility, advising of the subject matter and date of such hearing. Such notice shall be sent at least ten (10) days in advance of the scheduled public hearing. The WCF Applicant shall provide proof of the notification to the Zoning Hearing Board along with the list of return receipts received.
 - (b) The special exception application shall include a site plan, drawn to scale, showing property boundaries, power location, total height of the Tower-Based WCF, guy wires and anchors, existing structures, elevation drawings, typical design of proposed structures, parking, fences, landscaping and existing uses on adjacent properties.
 - (c) The special exception application shall be accompanied by a description of the type and manufacturer of the proposed transmission/radio equipment, the frequency range (megahertz band) assigned to the WCF Applicant, the power in watts at which the WCF Applicant transmits, and any relevant related tests conducted by the WCF Applicant in determining the need for the proposed site and installation.
 - (d) The special exception application shall include evidence that a significant gap in wireless coverage or capacity exists in the applicable area and that the type of WCF being proposed is the

least intrusive means by which to fill that gap in wireless coverage. The existence or nonexistence of a gap in wireless coverage shall be a factor in the Zoning Hearing Board's decision on an application for approval of Tower-Based WCF.

- (e) Where the Tower-Based WCF is located on a property that is not owned by the WCF Applicant, the special exception application shall include evidence to the Zoning Hearing Board that the owner of the property has granted an easement or other property right, if necessary, for the proposed WCF and any vehicular access that will be provided to the facility.
- (f) The special exception application shall include a written certification by a structural engineer licensed in the Commonwealth of Pennsylvania of the proposed WCF's ability to meet the structural standards offered by either the Electronic Industries Association or the Telecommunication Industry Association and certify the proper construction of the foundation and the erection of the structure.
- (g) The special exception application shall include evidence demonstrating that the proposed Tower-Based WCF cannot be accommodated on an existing Wireless Support Structure. The Zoning Hearing Board may deny an application to construct a new Tower-Based WCF if the WCF Applicant has not made a good faith effort to mount the Antenna(s) on an existing Wireless Support Structure. The WCF Applicant shall demonstrate that it contacted the owners of all potentially feasible structures, buildings, and towers within a thousand (1,000) foot radius of the site proposed, sought permission to install an Antenna on those structures, buildings, and towers, and was denied for one of the following reasons:
 - 1. The proposed WCF would exceed the structural capacity of the existing building, structure, or tower, and its reinforcement cannot be accomplished at a reasonable cost.
 - 2. The WCF would cause radio frequency interference with other existing equipment for that existing building, structure, or tower, and the interference cannot be prevented at a reasonable cost.
 - 3. Such existing buildings, structures, or towers do not have adequate location, space, access, or height to accommodate the proposed equipment or to allow it to perform its intended function.
 - 4. A commercially reasonable agreement could not be reached with the owner of such building, structure, or tower.

- viii. The special exception application shall also be accompanied by documentation demonstrating that the proposed Tower-Based WCF complies with all applicable provisions of this Part.

(3) Development Regulations.

- i. Tower-Based WCFs shall not be located in or within seventy-five (75) feet of an area in which all utilities are located underground.
- ii. Sole use on a lot. A Tower-Based WCF may be permitted as the sole use on a lot, provided the Tower-Based WCF and underlying lot comply with all applicable requirements of this Chapter.
- iii. Combined with Another Use. A Tower-Based WCF may be permitted on a property with an existing use, except residential, subject to the following conditions:
 - iv. The existing use on the property may be any permitted use in the applicable district and need not be affiliated with the WCF.
 - v. Minimum Lot Area. The minimum lot shall comply with the requirements for the applicable zoning district and shall be the area needed to accommodate the Tower-Based WCF and Accessory Equipment, any guy wires, the equipment building, security fence, and applicable screening.

(4) Design Regulations.

- i. Visual Appearance and Land Use Compatibility.

Tower-Based WCFs shall employ Stealth Technology which may include the Wireless Support Structure being painted a certain color as approved by Zoning Hearing Board or using a galvanized finish.

- 1. Tower-Based WCFs shall be designed in a manner that minimizes visual intrusiveness and environmental impacts to the maximum extent feasible. For example, monopole designs are preferred over lattice designs.
 - 2. The Zoning Hearing Board shall consider whether its decision upon the subject application will promote the harmonious and orderly development of the zoning district involved; encourage compatibility with the character and type of development existing in the area; prevent a negative impact on the aesthetic character of the community; preserve woodlands and trees existing at the site to the greatest possible extent; and encourage sound engineering and land development design and construction principles, practices and techniques.
- ii. Anti-Climbing Device. If deemed necessary by the Zoning Hearing Board, a Tower-Based WCF shall be equipped with an anti-climbing device, as approved by the manufacturer.

- iii. Minimum Setbacks. The minimum distance between the base of a Tower-Based WCF and any adjoining property line or street ROW line shall be equal to 100% of the height of the Tower-Based WCF. The underlying lot must be large enough to accommodate related equipment, stormwater runoff mechanisms, and all other features typically found within the immediate area of a telecommunications tower.

- iv. Surrounding Environs.
 - 1. The WCF Applicant shall ensure that the existing vegetation, trees, and shrubs located within proximity to the WCF structure shall be preserved to the maximum extent possible.

 - 2. The WCF Applicant shall submit a soil report to Zoning Hearing Board complying with the standards of ANSI/TIA-222, as amended, to document and verify the design specifications of the foundation of the Tower-Based WCF and anchors for guy wires if used.

- v. Fence/Screen.
 - 1. A security fence with a maximum height of eight (8) feet, with openings no greater than four (4) inches, shall completely surround any Tower-Based WCF, as well as guy wires or any building housing Accessory Equipment.

 - 2. The WCF Applicant shall comply with the buffering and screening requirements as specified in §22-332 of the Susquehanna Township Subdivision and Land Development Ordinance.

- vi. Accessory Equipment.
 - [1] Ground-mounted Accessory Equipment associated or connected with a Tower-Based WCF shall not be located within fifty (50) feet of a lot in a residential use.

 - [2] Accessory Equipment associated with a Tower-Based WCF shall be placed underground or screened from public view using Stealth Technology. All ground-mounted Accessory Equipment, utility buildings, and accessory structures shall be architecturally designed to be concealed from public view to the maximum extent possible and be compatible with the architecture of surrounding buildings, structures, or landscape.

 - [3] Either one single-story wireless communications equipment building not exceeding five hundred (500) square feet in area or its equivalent may be permitted for each unrelated company sharing Antenna space on the Tower-Based WCF.

- (5) Additional Antennas. As a condition of approval for all Tower-Based WCFs, the WCF Applicant shall provide the Zoning Hearing Board with a written commitment that it will allow other service providers to Collocate WCFs on the Tower-Based WCF where technically and economically feasible. To the extent permissible under state and federal law, the owner of a Tower-Based WCF shall not install any additional WCFs without complying with the applicable requirements of this Section.
- (6) FCC License. Each Person that owns or operates a Tower-Based WCF shall submit a copy of its current FCC license, including the name, address, and emergency telephone number for the operator of the facility.
- (7) Signs. All Tower-Based WCFs shall post a sign in a readily visible location identifying the name and phone number of a party to contact in the event of an emergency. The only other signage permitted on the WCF shall be those required by the FCC or any other federal or state agency.
- (8) Lighting. No Tower-Based WCF shall be artificially lighted, except as required by law. If lighting is required, the WCF Applicant shall provide a detailed plan for sufficient lighting, demonstrating as unobtrusive and inoffensive an effect as is permissible under state and federal regulations. The WCF Applicant shall promptly report any outage or malfunction of FAA-mandated lighting to the appropriate governmental authorities and to the Township Secretary.
- (9) Storage. The storage of unused equipment, materials, or supplies is prohibited on any Tower-Based WCF site.
- (10) Repair of Non-Conforming Tower-Based WCF. Non-conforming Tower-Based WCFs which are hereafter damaged or destroyed due to any reason or cause may be repaired and restored at their former location but must otherwise comply with the terms and conditions of this Section. The Collocation of Antennas is permitted on non-conforming structures.
- (11) Insurance. Each Person that owns or operates a Tower-Based WCF shall provide the Township Zoning Officer with a certificate of insurance evidencing general liability coverage in the minimum amount of \$5,000,000 per occurrence and property damage coverage in the minimum amount of \$5,000,000 per occurrence covering the Tower-Based WCF.
- (12) Timing of Approval.
 - i. Within thirty (30) calendar days of the date that an application for a Tower-Based WCF is filed with the Township Zoning Officer, the Township Zoning Officer shall notify the WCF Applicant in writing of any information that may be required to complete such application.
 - ii. Within one hundred fifty (150) days of receipt of an application for a Tower-Based WCF, and subject to applicable tolling procedures as established by federal law, the Zoning Hearing Board shall make a decision to approve or deny the proposed

Tower-Based WCF and the Township Zoning Officer shall issue the required building and zoning permits authorizing construction of the WCF.

- e. Regulations Applicable to all Small Wireless Communications Facilities. The following regulations shall apply to Small Wireless Communications Facilities:

(1) Application Requirements.

- (a) Small WCFs inside the public Rights-of-Way are a permitted use in all Township zoning districts, subject to the requirements of this Section and generally applicable permitting as required by the Township Code. Applications for Small WCFs shall be submitted to the Township Zoning Officer.
- (b) Small WCFs outside the public Rights-of-Way are permitted by right in all Township zoning districts except residential zoning districts, subject to the requirements of this Section and generally applicable permitting as required by the Township Code. Applications for Small WCFs shall be submitted to the Township Zoning Officer.
- (c) An application for a Small WCF shall include the following:
 - i. Documentation that includes construction and engineering drawings demonstrating compliance with the requirements of this Section;
 - ii. Self-certification that the filing and approval of the application is required by the WCF Applicant to provide additional capacity or coverage for wireless services;
 - iii. Documentation demonstrating compliance with the requirements of the *Small Wireless Communications Facility Design Manual* and a completed *Small Wireless Communications Facility Design Checklist*;
 - iv. If the Small WCF will require the installation of a new Wireless Support Structure, documentation showing that the WCF Applicant has made a good faith determination that it cannot meet the service reliability and functional objectives of the application by Collocating on an existing Wireless Support Structure. Such determination shall be based on whether the WCF Applicant can meet the service objectives of the application by Collocating on an existing Wireless Support Structure on which:
 - [1] The WCF Applicant has the right to Collocation;
 - [2] The Collocation is Technically Feasible and would not impose substantial additional cost; and
 - [3] The Collocation would not obstruct or hinder travel or have a negative impact on public safety.

- v. Documentation showing that the Small WCF does not materially interfere with the safe operation of traffic control equipment, sight lines, or clear zones for transportation or pedestrians or compliance with the Americans with Disabilities Act of 1990 (Public Law 101-336, 104 Stat. 327) or similar Federal or State standards regarding pedestrian access or movement; and
- vi. A report prepared by a qualified engineering expert which shows that the Small WCF will comply with all applicable FCC regulations, including but not limited to those relating to radio frequency emissions.

(2) Applications Not Required. The Township shall not require an application for:

- (a) Routine maintenance or repair work;
- (b) The replacement of Small WCFs with Small WCFs that are substantially similar or the same size or smaller and still qualify as a Small WCF; or
- (c) The installation, placement, maintenance, operation, or replacement of Micro Wireless Facilities that are strung on cables between existing utility poles by or for a WCF Applicant that is authorized to occupy the ROW, in compliance with the National Electrical Safety Code.

(3) Location and Development Standards.

- (a) All Small WCFs shall comply with the applicable requirements of the Americans with Disabilities Act and all Township Code requirements applicable to streets and sidewalks.
- (b) No Small WCF shall be located on a private lot in a residential district or on any single-family detached residences, single-family attached residences, semi-detached residences, duplexes, or any other residential structure.
- (c) All Small WCFs shall be installed and maintained so as not to obstruct nor hinder travel or public safety within the ROW.

(4) Design Standards. All Small WCFs in the Township shall comply with the requirements of the Township *Small Wireless Communications Facility Design Manual*. A copy of such shall be kept on file at the Township Department of Community Development.

(5) Time, Place, and Manner. The Township shall determine the time, place, and manner of construction, maintenance, repair, and/or removal of all Small WCF in the ROW based on public safety, traffic management, physical burden on the ROW, and related considerations.

- (6) Private Property. If a Small WCF is to be located outside of the public ROW, or if any part of a Small WCF located in the public ROW will encroach upon private property, the WCF Applicant shall provide the Township Zoning Officer with evidence that the owner of such private property has granted permission for the construction of the Small WCF.
- (7) Minimum Setbacks. The minimum distance between the base of a Small WCF, located outside of the public ROW, that requires the installation of a new Wireless Support Structure and any adjoining property line or street ROW line shall be equal to 100% of the height of the Small WCF, unless the WCF Applicant provides evidence that a lesser setback shall have no potential negative effect on public safety.
- (8) Historic Buildings. No Small WCF may be located within one hundred (100) feet of any property, or on a building or structure that is listed on either the National or Pennsylvania Registers of Historic Places, or eligible to be so listed, located within a historic district, or is included in the official historic structures list maintained by the Township.
- (9) Third-Party Property. Where a Small WCF is proposed for Collocation on a Wireless Support Structure, located on private property, or other property that is not owned by the WCF Applicant, the WCF Applicant shall present evidence to the Township Zoning Officer that the owner of the Wireless Support Structure has authorized construction of the proposed Small WCF.
- (10) Graffiti. Any graffiti on a Small WCF, including the Wireless Support Structure and any Accessory Equipment, shall be removed at the sole expense of the owner within thirty (30) days of notification by the Township.
- (11) Timing of Approval.
 - (a) Within ten (10) calendar days of the date that an application for a Small WCF is filed with the Township Zoning Officer, the Township shall notify the WCF Applicant in writing of any information that may be required to complete such application.
 - (b) Within sixty (60) days of receipt of an application for Collocation of a Small WCF on a pre-existing Wireless Support Structure, and subject to applicable tolling procedures as established by federal law, the Township Zoning Officer shall make a final decision on whether to approve the application and shall notify the WCF Applicant in writing of such decision.
 - (c) Within ninety (90) days of receipt of an application for a Small WCF requiring the installation of a new or replacement Wireless Support Structure, and subject to applicable tolling procedures as established by federal law, the Township Zoning Officer shall make a final decision on whether to approve the application and shall notify the WCF Applicant in writing of such decision.
 - (d) If the Township denies an application for a Small WCF, the Township shall provide the WCF Applicant with written documentation of the basis for denial, including the specific

provisions of the Township Code on which the denial was based, within five (5) business days of the denial.

- (e) The WCF Applicant may cure the deficiencies identified by the Township and resubmit the application within thirty (30) days of receiving the written basis for the denial without being required to pay an additional application fee. The Township shall approve or deny the revised application within thirty (30) days of the application being resubmitted for review.

(12) Consolidated Application.

- (a) A WCF Applicant may submit a consolidated application for Collocation of multiple Small WCFs. The consolidated application shall not exceed twenty (20) Small WCFs.
- (b) A WCF Applicant may not submit more than one consolidated application in a single 30-day period.
- (c) If a WCF Applicant submits more than one consolidated application in a 45-day period, the applicable processing deadline shall be extended fifteen (15) days in addition to the processing deadline specified in Subsection K above.

(13) Completion of Work. All construction work relating to the Small WCF for which a permit is granted under this Section 27-2309.5 shall be completed within one (1) year of the date of issuance of the permit.

(14) Repair and Restoration.

- (a) The WCF Applicant shall repair all damage to the ROW or any other land so disturbed, directly caused by the activities of the WCF Applicant or the WCF Applicant's contractors and return the ROW to as good of condition as it existed prior to any work being done in the ROW by the WCF Applicant or the WCF Applicant's contractors.
- (b) If the WCF Applicant fails to make the repairs required by the Township within thirty (30) days after written notice, the Township may perform those repairs and charge the WCF Applicant the reasonable, documented cost of the repairs plus a penalty of \$500.
- (c) The Township may suspend the ability of the WCF Applicant to receive new permits until the WCF Applicant has paid the amount assessed for the repair costs and the assessed penalty.

(15) Relocation or Removal of Facilities.

- (a) Within sixty (60) days of suspension or revocation of a permit due to noncompliance with the requirements of the Township Code, the WCF Applicant shall remove the Small WCF and any Accessory Equipment, including the Wireless Support Structure, if the WCF

Applicant's WCF(s) are the only facilities on the Wireless Support Structure.

- (b) Within ninety (90) days of the end of a permit term, the WCF Applicant shall remove the Small WCF and any Accessory Equipment, including the Wireless Support Structure, if the WCF Applicant's WCF(s) are the only facilities on the Wireless Support Structure.
- (c) Following written notice from the Township, or such longer period as the Township determines is reasonably necessary or such shorter period in the case of an emergency, the WCF Applicant shall, at its own expense, temporarily or permanently remove, relocate, change or alter the position of any Small WCF when the Township, consistent with its police powers and applicable Public Utility Commission regulations, shall determine that such removal, relocation, change, or alteration is reasonably necessary under the following circumstances:
 - i. The construction, repair, maintenance, or installation of any Township or other public improvement in the ROW;
 - ii. The operations of the Township or other governmental entity in the ROW;
 - iii. Vacation of a street or road or the release of a utility easement; or
 - iv. An emergency as determined by the Township

(16) Reimbursement for ROW Use. In addition to permit fees as described in this section, every Small WCF in the ROW is subject to the Township's right to fix annually a fair and reasonable fee to be paid for use and occupancy of the ROW. Such compensation for ROW use shall be directly related to the Township's actual ROW management costs, including, but not limited to, the costs of the administration and performance of all reviewing, inspecting, permitting, supervising, and other ROW management activities by the Township. The owner of each Small WCF shall pay an annual fee to the Township to compensate the Township for the Township's costs incurred in connection with the activities described above. Such fees shall comply with the applicable requirements of the Federal Communications Commission.

- 3. Transportation and Utilities. A Use that is primarily utilized for the public infrastructure needs and services. Transportation and Utilities include such Uses as Street rights-of-way, rail rights-of-way, public transportation services, electric or gas services, sewage treatment, water treatment and storage, pumping stations, transmission and receiving stations, and energy conversion systems. The following supplemental Use regulations apply:
 - a. Transit Facilities. Uses that include public transportation operations, maintenance and storage facilities.
 - b. Transit Bus Stops. Uses include both sheltered and non-sheltered infrastructure facilities that provide passengers safe access to both fixed-route and demand responsive public transportation services. The following Use regulations apply:

- (1) Bus stop infrastructure, including ADA loading pads, bus passenger benches, and bus shelters, as well as bus stop location signs and bus stop passenger information signs, shall be permitted by right in all zoning districts and shall be considered an Accessory Use/Structure that can stand alone without the accompanying Principal Use.
- (2) Bus stop infrastructure shall be exempt from minimum Lot size, open space, yards, and setback requirements of the governing zoning district(s).
- (3) The location and design of the bus stop infrastructure shall be reviewed and approved by the applicable transit agency and Township. The transit agency shall provide written documentation certifying that a location is an existing or potential future bus stop.
- (4) Whenever an ADA loading pad, bench for a bus stop, and/or bus shelter is provided, the applicable off-street parking requirements for the Lot's Principal Use may be reduced by one or more vehicular parking space(s) for each bus stop location.
- (5) Bus stop location signs and bus stop passenger information signs installed and maintained by the transit agency shall be permitted within the public right-of-way and on private property and shall be exempt from the Sign requirements specified under Part 5 of this Chapter.

c. Public Utilities.

- (1) The total Lot coverage of all Buildings and Structures shall be not more than thirty percent (30%) of the area of the Lot.
- (2) All Buildings and Structures shall be set back from every adjacent property a minimum distance of twenty-five (25) feet and, in addition, not closer than fifty (50) feet from any adjacent residential property, except that any tower shall be set back a minimum distance of that equal to the Height of the tower from any adjacent residential property.
- (3) Transformers shall be installed pursuant to applicable Building and fire codes.
- (4) Any electric or other utility lines between the infrastructure and the Street shall be underground.
- (5) The infrastructure shall be suitably screened from any adjacent residential property by both a solid fence and an outside perimeter evergreen planting screen. Fence screening shall be a minimum of eight (8) feet high and shall be a galvanized chain link fence with privacy slats. Evergreen screening shall be continuous four (4) foot wide opaque planting that shall be a minimum of ten (10) feet high at maturity.
- (6) The Zoning Officer shall provide the Township's Chief of Police and Township Fire Chief or their respective designees the opportunity to provide input on applications for Transportation and Utilities and shall provide such input to the Township Planning Commission and

Commissioners, which shall take such input into account in making a Decision about any Transportation and Utilities application.

- (l) Industrial Uses. A category of Uses for businesses involving assembly, production, storing, transferring and disposal of goods or products, and which may also include associated facilities such as offices, maintenance facilities, and fuel pumps and both indoor and outdoor activities and storage of goods. All outdoor storage associated with Industrial Uses shall adhere to the provisions in Subpart 3, Outdoor Storage Yard, below.
 - 1. Heavy Industry. An industrial Use with the potential for significant external effects, including noise, odor, and/or other noxious by-products and may involve frequent commercial vehicle access and outdoor storage of materials or products. Heavy Industry includes such uses as:
 - a. Mining and Mineral Extraction. Mining and Mineral Extraction and the excavation, extraction, or removal of any Mineral Resource from the land or ground for any purpose are subject the following supplemental regulations:
 - (1) A Person engaged in, or proposing to engage in, the business of mining and mineral extraction shall be properly licensed by the Pennsylvania Department of Environmental Protection to engage in such business and each site shall be appropriately permitted by the applicable state agency.
 - (2) Hours of Operation. All mining and mineral extraction operations located within five hundred (500) feet of any residence shall be conducted between the hours of 6 AM and 7 PM EST.
 - (3) Fencing. A fence measuring at least eight (8) feet in Height shall enclose the mining and mineral extraction activity area. If a chain link fence is used, the Board of Commissioners shall decide if said fence shall include a vegetative screen that is provided along the outside of the fence, away from the quarry.
 - (4) Access. Vehicle Driveway access shall be so arranged as to minimize danger and congestion along adjoining roads and to avoid the creation of nuisances to nearby properties. Driveways used by trucks shall only intersect with collector or arterial roads.
 - (a.) All Driveways shall be designed and located so as to comply the applicable design standards specified under the Subdivision and Land Development Ordinance (Chapter 22 of the Township Municipal Code).
 - (5) Traffic Impact. A Traffic Impact Study (TIS) shall be prepared by a professional traffic engineer, pursuant to the requirements specified under Subdivision and Land Development Ordinance (Chapter 22 of the Township Municipal Code).
 - (6) Screening. Where the proposed Use adjoins a residential zone, an existing residence and/or a public road, screening shall be provided. Such screening shall be comprised of an earthen berm at least ten (10) feet in Height. Such berm shall be located on the quarry site and placed so as to maximize the berm's ability to absorb and/or block views of, and the noise, dust, smoke, etc. generated by, the proposed Use. The berm shall be completely covered and maintained in an approved vegetative ground

cover. In addition, a landscape screen shall consist of evergreen shrubs and trees shall be planted on top of the berm within a strip of land with a minimum width of ten (10) feet. The screen shall consist of evergreen trees of not less than five (5) feet in Height at the time of planting that shall be planted at intervals of not more than ten (10) feet. A top soil cover of at least two (2) feet shall be placed at the top of the berm to help ensure growth and maintenance of the plantings. Alternative screening options may be considered at the sole discretion of the Board of Commissioners.

- b. Automotive Dismantler and Recycler. Any establishment or place of business which is maintained, used, or operated for storing, keeping, buying or selling wrecked, scrapped, ruined or dismantled motor vehicles, or motorparts, or both. The following supplemental regulations shall apply.
- (1) Minimum Lot Area shall be five (5) acres.
 - (2) The outdoor area devoted to the storage of junk shall be completely enclosed by an eight (8) foot high opaque fence which shall be set back at least fifty (50) feet from all property lines and one hundred (100) feet from residentially-zoned or existing residential properties.
 - (3) The setback area between the fence and the Lot lines shall be kept free of weeds and all scrub growth.
 - (4) All completely-enclosed Buildings used to store junk shall be set back at least fifty (50) feet from all property lines.
 - (5) No material may be stored or stacked so that it is visible from adjoining properties and roads.
 - (6) The operation shall be licensed pursuant to PA Code Chapter 451, Control of Junkyards and Automotive Dismantlers and Recyclers and obtain and maintain all applicable permits.
 - (7) All junk shall be stored or arranged so as to permit access to firefighting equipment and to prevent the accumulation of water, and with no junk piled to a Height greater than eight feet.
 - (8) No oil, grease, tires, gasoline, or other similar material shall be burned at any time.
 - (9) 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, nor to the breeding or harboring of rats, flies, mosquitoes, or other vectors.
 - (10) No junkyard shall be located on land with a slope in excess of five percent (5%).
- b. Junkyard. Any outdoor establishment, place of business, or activity which is maintained, used or operated for storing, keeping, buying or selling junk; for the maintenance or operation of a garbage dump, sanitary landfill or scrap metal processor, or for the storage of ten or more junked vehicles. The supplemental regulations specified under Subparagraph (l)1 b above shall apply.

- c. Solid Waste Disposal Facility. A facility using land for disposing or processing of municipal waste. The facility includes land affected during the lifetime of operations, including, but not limited to, areas where disposal or processing activities actually occur, support facilities, borrow areas, offices, equipment sheds, air and water pollution control and treatment systems, access roads, associated onsite or contiguous collection, transportation and storage facilities, closure and post closure care and maintenance activities and other activities in which the natural land surface has been disturbed as a result of or incidental to operation of the facility. The following supplemental regulations shall apply:
- (1) Such facility shall be established and operated in accordance with the applicable requirements of all State and Federal codes, acts, rules and regulations, as amended and all State and Federal regulating bodies and agencies. The Applicant must demonstrate compliance through a written statement and continue to comply with all applicable State and Federal standards and regulation.
 - (2) A minimum Lot area of twenty-five (25) acres is required.
 - (3) No facility shall be located within five hundred (500) feet of any Street or property line and must be screened from all adjoining roads and properties.
 - (4) The Lot shall have direct access to an Arterial Roadway pursuant to Subdivision and Land Development Ordinance (Chapter 22 of the Township Municipal Code) or a road having adequate structural and geometrical characteristics as determined by the Township Engineer to handle the anticipated future truck traffic.
 - (5) It shall be demonstrated that the Use, because of its location and proposed method of operation, will not have an adverse effect upon any surrounding residential properties.
 - (6) All uses shall provide sufficiently long stacking lanes into the facility, so that vehicles waiting to be weighed will not back up onto public roads.
 - (7) Access to the site shall be limited to those posted times when an attendant is on duty. In order to protect against the indiscriminate and unauthorized dumping, all areas of the site shall be protected by locked barricades, fences, gates or other positive means designed to deny access to the area at unauthorized times or locations.
 - (8) Litter control shall be exercised to prevent the scattering of wind-borne debris, and a working plan for the cleanup of litter shall be submitted to the Township.
 - (9) The unloading, processing, transfer and deposition of solid waste shall be continuously supervised by a qualified facility operator.
- d. Waste. Waste means a heavy industrial Use involving the sorting, storage and disposal of goods and by-products. Facilities may have disposal plans, and chemical disposition plans.

2. Light Industry. A Use involving the production of goods from raw materials or the assembly of finished products that can result in limited negative external effects, noise, and other non-noxious by-products. Light Manufacturing Uses include all Craftsman Industrial Uses [Subpart (F)2] and those Uses identified in Table 3.06, Typical Industrial Use Categories. The following supplemental Use regulations apply:
 - a. Additional Application Information. The Zoning Officer may request additional information to ensure proper evaluation of such application. Such information may include ventilation plans, materials characteristics, drainage plans, waste disposal plans, and chemical disposition plans.

3. Brewery, Distillery, Winery. A facility for the production, packaging and sampling of alcoholic beverages – including beer, wine, cider, mead and distilled liquors for retail or wholesale distribution, for sale or consumption on- or off-premises, and which produces 100,000 gallons or more of such beverages per year. The Brewery, Distillery, Winery must be licensed by the Pennsylvania Liquor Control Board and any successor agency of the Commonwealth. The additional supplemental regulation applies:
 - a. A Brewery, Distillery, Winery shall have at least one (1) loading berth, with an additional berth when the gross floor area exceeds 50,000 square feet.

4. Outdoor Storage Yard. A Lot used primarily for the outdoor storage of construction equipment parts, materials and supplies, and parking of wheeled construction equipment. This Use does not include associated on-site offices. The following supplemental Use regulations apply:
 - a. An Owner's office shall be located within a quarter mile of the Outdoor Storage Yard location.
 - b. The Outdoor Storage Yard shall be secured and screened from view of the front Lot line. Screening shall include a galvanized security link fence with privacy slats and be a minimum of eight (8) feet high. Except for the ingress/egress locations, the fence's outside perimeter shall be screened from public view by a continuous four (4) foot wide opaque evergreen buffer planting that is a minimum of ten (10) feet high at maturity.
 - c. Loose materials shall not be stacked higher than twenty (20) feet.
 - d. Loose materials shall at a minimum be stored in a three (3)-sided shelter and shall be covered.
 - e. Materials shall be set back a minimum of five (5) feet from any Lot line.

5. Transportation Facilities. A facility that functions either as: a depot for train, bus, or limousine service, which may include maintenance facilities and Vehicle storage; or an airport. This is a distinct Use from Transit Station, which is primarily dedicated to passenger boarding and alighting. It is also distinguished from Transportation and Utilities, which primarily relates to rights-of-way. Transportation facilities includes such Uses as bus or rail terminals, rail yards, and bus or limousine fleet storage.

6. Yard Waste Composting Facility. A facility which yard waste and natural wood waste is received and processed to produce compost for off-site Use. Retail and wholesale of bulk compost, mulch, and earth products shall be permitted as an Accessory Use to a yard waste composting facility. The term does not include composting by a single-family lot owner for

personal Use. The following supplemental Use regulations apply:

- a. Minimum Lot size: Five (5) acres.
 - b. Setbacks.
 - (1) The minimum composting activity setback shall be one hundred (100) feet from any property line abutting a non-residential Use or zoning district.
 - (2) The minimum composting activity setback two hundred (200) feet from any property line abutting a residential Use or zoning district.
 - (3) The minimum Building setback shall be twenty-five (25) feet.
 - (4) The minimum parking setback shall be twenty-five (25) feet.
 - c. Operations.
 - (1) Compliance. A Yard Waste Composting Facility shall at all times be in full compliance with the statutes of the Commonwealth of Pennsylvania and the rules and regulations of the Department of Environmental Protection and the provisions of this Part. In the event that any of the provisions of this Part are less restrictive than any present or future rules or regulations of the Department of Environmental Protection, the more restrictive Department of Environmental Protection regulations shall supersede and control.
 - (2) Hazardous Waste Disposal. Hazardous waste as included on the list of hazardous waste as maintained by the Department of Environmental Protection shall not be disposed of in a composting facility.
 - (2) Management. A Yard Waste Composting Facility shall be under the direction at all times of an experienced individual who is qualified to operate a composting facility.
 - (3) Site Maintenance. The entire area shall be kept clean and orderly.
 - d. Site Access. Access to the site shall be limited to those posted times when an attendant is on duty. In order to protect against indiscriminate and unauthorized dumping, every composting facility shall be protected by locked barricades, fences, gates or other positive means designed to deny access to the area at unauthorized times or locations.
 - e. Parking Requirements. One (1) space per employee plus one (1) space per acre.
7. Warehouse / Distribution. A Use involving large-scale indoor storage of goods, packaging of goods, and distribution typically between production and the market. May include a small ancillary retail facility. Warehouse/Distribution Uses also include substantial commercial vehicle access, storage, and intermodal exchanges. Warehouse/Distribution Uses includes such Uses as those identified in Table 3.07, Typical Industrial Uses.

Table 3.07, Typical Industrial Uses.

Typical Light Industrial Uses	Typical Warehousing/Distribution Uses
Any Craftsman Industrial Use [Subpart (G)2] with or without retail outlet and with significant distribution	Contractor – Landscape and Construction
Agricultural Processing, unless otherwise listed	Exterminating and Disinfecting Service
Aircraft Assembly and Testing	Food Distribution Facility, with or without public market
Apparel, Finished Products from fabric	Freight Forwarding Service
Automobile, Truck, Boat, Recreational Vehicle and Trailer Manufacturing	Fuel Distribution
Bicycle Manufacturing	Mail and Parcel Sorting & Distribution
Biomaterials	Mail Order House and Warehousing
Cotton Wadding	Newspaper Distribution Facilities
Electrical Fixtures	Packing and Crating
Electronic/Electrical Equipment/Component Manufacturing	Personal Storage
Engines and Motors Manufacturing/Rebuilding	Petroleum Bulk Station
Lasers and Optics	RV and Large Equipment Storage Yard
Laundering, Dry Cleaning, Dyeing	Recycling Center (Collection & Sort)
Lumber Mill	Tow or Impound Lot
Machinery Manufacturing	Truck Terminal or Parking Facilities
Medical Equipment Manufacturing	Vehicle Staging and Storage (Ambulance, Bus, Limousine, Livery, Taxi, etc.)
Metal Products Manufacturing	Warehousing and Storage (Refrigeration or General)
Mobile/Manufactured Homes Manufacturing	Water Distribution
Motor Testing	Wholesale Trade of Goods
Pharmaceuticals	
Plumbing and Heating Products	
Printing, Publishing and Allied Industries	
Stone Cutting and Distribution	
Tool and Die Shop	

§27-307 Accessory Uses

(A) General Provisions.

1. Accessory Uses Allowed. Accessory Uses as listed in Table 3.01, Table of Permissible Uses, are allowed only in connection with the lawfully established Principal Uses.
2. Allowed Uses. Allowed Accessory Uses are limited to those expressly regulated in this Chapter as well as those that, in the Determination of the Zoning Officer, satisfy the following criteria:
 - a. They are customarily found in conjunction with the subject Principal Use(s) or Principal Structure;
 - b. They are subordinate and clearly incidental to the Principal Use(s) of the property; and
 - c. They serve a necessary function for the comfort, safety or convenience of occupants of the Principal Use(s).
3. Accessory Structures. Refer to Part 4, Supplemental Regulations.
4. Time of Construction and Establishment. Accessory Uses may be established only after the Principal use of the subject property is in place.
5. Location. Accessory Uses must be located on the same Lot as the Principal Use to which they are accessory, unless otherwise expressly stated

(B) Accessory Uses.

1. Accessory Dwelling Unit. A Dwelling Unit that is associated with and is incidental to another Dwelling Unit on the same Lot which serves as the Lot's Principal Use. The following supplemental Use regulations apply:
 - a. A property Owner must file a Zoning Permit for an accessory dwelling unit prior to its recognition as an Accessory Dwelling Unit. The property proposed for an Accessory Dwelling Unit must contain one (1), but no more than one (1), residential Structure occupied as a one-unit Dwelling.
 - b. The property must be Owner-occupied, either in the Principal Structure or principal Dwelling Unit, or in the accessory Dwelling
 - c. The Accessory Dwelling Unit shall be located either:
 - (1) in a newly constructed Accessory Dwelling Unit Structure;
 - (2) in an existing detached accessory Structure occupied, or formerly occupied, on the first floor by a garage, barn, or similar Accessory Use; or
 - (3) in a Principal Structure, including a Tiny Home, as defined in Part 6 of this Ordinance, provided that there is a separate entrance to the exterior or to an unconditioned porch type space.

- d. With the exception of a Tiny Home as defined in Part 6 of this Ordinance, the Usable Floor Area of the Accessory Dwelling Unit shall not exceed fifty (50) percent of the Usable Floor Area of the principal dwelling unit or one thousand (1,000) square feet, whichever is less. Exterior patios, decks, porches, and staircases providing interior access from the principal unit to the Accessory Dwelling Unit will not be counted toward the Usable Floor Area of the Accessory Dwelling Unit.
 - e. Parking. Parking for the Accessory Dwelling Unit must be provided on-site in accordance with the Off-Street Parking and Loading requirements specified in Part 4, Supplemental Regulations.
 - f. Pedestrian Access. An all-weather surface path to the Accessory Dwelling Unit shall be provided from the Street Frontage.
 - g. The orientation of the proposed Accessory Dwelling Unit shall, to the maximum extent practical, maintain the privacy of residents in adjacent Dwellings as determined by the physical characteristics surrounding the Accessory Dwelling Unit including landscaped screening, fencing, and window and door placement.
 - h. A separate numeric address for the Accessory Dwelling Unit is prohibited.
 - i. No new, separate utility connection may be installed for the Accessory Dwelling Unit in a Principal Structure, unless more than one utility connection already serves the Lot, to the location of the proposed Accessory Dwelling Unit, at the time of the application for the Accessory Dwelling Unit.
 - j. At any one time, the number of dwellers in an Accessory Dwelling Unit shall be limited to:
 - (1) One (1) adult and minor children related to said adult by blood, marriage, adoption, custodianship, or guardianship; or
 - (2) Two (2) adults (in total) and minor children related to at least one of the adults by blood, marriage, adoption, custodianship, or guardianship.
 - k. Wastewater Disposal. Certification that the Accessory Dwelling Unit can adequately connect to the existing sewer line or septic system is required. If it is determined that the existing septic tank cannot handle additional capacity from the Accessory Dwelling Unit, plans for a separate on lot disposal system shall be submitted and approved. Provided that the primary dwelling is connected to the public sewer system, an Accessory Dwelling Unit shall connect or tie into the primary dwelling's sewer line.
 - l. Lot Non-severability. The Accessory Dwelling Unit may not be conveyed, or the title to the Accessory Dwelling Unit be transferred separate and apart from the rest of the property.
 - m. Mechanical Equipment. Mechanical equipment shall be located on the ground or contained within an Accessory Dwelling Unit and may not be located on the roof.
2. Short-Term Rental. The Accessory Use of a Building (except a Hotel, Motel or Bed and Breakfast) where, for compensation, temporary lodging is provided for the transient guests

and meals are not provided. The supplemental standards specified under §27-306(A)3 shall apply.

3. Accessory Solar Energy System (ASES).

a. ASES shall be permitted as a Use by right in all zoning districts.

b. Exemptions.

(1) ASES with an aggregate collection and/or focusing area of ten (10) square feet or less are exempt from this Chapter.

(2) ASES constructed prior to the effective date of this Chapter shall not be required to meet the terms and conditions of this Chapter. Any physical modification to an existing ASES whether or not existing prior to the effective date of this Part that materially alters the ASES shall require approval under this Chapter. Routine maintenance or like-kind requirements do not require a permit.

c. The ASES layout, design, installation, and ongoing maintenance shall conform to applicable industry standards, such as those of the American National Standards Institute (ANSI), Underwriters Laboratories (UL), the American Society for Testing and Materials (ASTM), Institute of Electrical and Electronics Engineers (IEEE), Solar Rating and Certification Corporation (SRCC), Electrical Testing Laboratory (ETL), Florida Solar Energy Center (FSEC) or other similar certifying organizations, and shall comply with the PCC as enforced by the Township and with all other applicable fire and life safety requirements. The manufacturer specifications for the key components of the system shall be submitted as part of the application.

d. Upon completion of installation, the ASES shall be maintained in good working order in accordance with standards of the Township codes under which the ASES as constructed. Failure of the property Owner to maintain the ASES in good working order is grounds for appropriate enforcement actions by the Township in accordance with applicable ordinances.

e. All on-site utility, transmission lines, and plumbing shall be placed underground to the extent feasible.

f. The Owner of an ASES shall provide the Township written confirmation that the public utility company to which the ASES will be connected has been informed of the customer's intent to install a grid connection system and approved such connection. Off-grid systems shall be exempt from this requirement.

g. The display of advertising is prohibited except for reasonable identification of the manufacturer of the system.

h. Glare.

(1) All ASES shall be placed such that concentrated solar radiation or glare does not project onto nearby Structures or roadways.

(2) The Applicant has the burden of proving that any glare produced does not have significant adverse impact on neighboring or adjacent uses either through siting or mitigation, pursuant to Subpart (B)4.6.4.10.

- i. Prior to the issuance of a Zoning Permit, applicants must acknowledge in writing that the issuing of said permit for a solar energy system shall not and does not create in the property Owner, its, his, her or their successors and assigns in title or, create in the property itself; (a) the right to remain free of shadows and/or obstructions to solar energy caused by development of adjoining or other property or the growth of any trees or vegetation on such property; or (b) the right to prohibit the development on or growth of any trees or vegetation on such property; or (c) the right to prohibit the development on or growth of any trees or vegetation on such property.

- j. Decommissioning.
 - (1) Each ASES and all solar related equipment shall be removed within twelve (12) months of the date when the Use has been discontinued or abandoned by system Owner and/or operator, or upon termination of the useful life of same.
 - (2) The ASES shall be presumed to be discontinued or abandoned if no electricity is generated by such solar collector for a period of twelve (12) continuous months.

- k. Permit Requirements.
 - (1) Zoning Permit applications shall document compliance with this Part and shall be accompanied by drawings showing the location of the system on the Building or property, including property lines. Permits must be kept on the Premises where the ASES is constructed.
 - (2) The zoning/Building permit shall be revoked if the ASES, whether new or pre-existing, is moved or otherwise altered, either intentionally or by natural forces, in a manner which causes the ASES not to be in conformity with this Chapter.
 - (3) The ASES must be properly maintained and be kept free from all hazards, including but not limited to, faulty wiring, loose fastenings, being in an unsafe condition or detrimental to public health, safety or general welfare. In the event of a violation or any of the foregoing provisions, the Zoning Officer shall give written notice specifying the violation to the Owner or the ASES to conform or to remove the ASES.

- l. A Roof mounted or wall mounted ASES may be located on a principal or accessory Building. Ground mounted ASES are not permitted in any district.

- m. ASES mounted on Roofs or walls of any Building shall be subject to the maximum Height regulations specified for principal and accessory Buildings within each of the underlying zoning districts.

- n. Wall mounted ASES shall comply with the setbacks for principal and accessory Structures in the underlying zoning districts.

- o. Solar panels shall not extend beyond any portion of the Roof edge.

- p. Roof mounted solar panels shall be located only on rear or side-facing Roofs as viewed from any adjacent Street unless the Applicant demonstrates that, due to solar access limitations, no location exists other than the Street-facing Roof, where the solar energy system can perform effectively.
 - q. The Applicant shall provide evidence that the plans comply with the PCC and adopted Building code of the Township that the Roof or wall is capable of holding the load imposed on the Structure.
4. Carport, Portable or Temporary. A covered space, open on three or more sides, used for the storage in which automobiles, boats, campers, trailers or other similar items within said Structure, is not placed on a permanent foundation and can be easily removed from or moved on the property, accessory to the property's Principal Use. The following supplemental regulations apply:
- a. May not be placed within any required front or side Yards.
 - b. Must have adequate tie-downs or be fastened into the ground sufficiently to withstand high winds.
 - c. Must be placed no closer than five (5) feet from the Setback line for any Rear Yard or Side Yard.
5. Community Garden. Permitted as an Accessory Use pursuant to the provisions specified under Subpart 3.07(C)1 of this Chapter.
6. Drive-Through Facility. A facility that provides or dispenses products or services, through an attendant or an automated machine, to persons remaining in vehicles that are in designated stacking aisles. A Drive-Through Facility is accessory to primary Service or Commercial Uses, such as a financial institution, personal service shop, retail store, eating establishment or gas stations. In these guidelines, a drive-through facility does not include a car wash, parking garage kiosks, or gas pump islands. The following Use regulations apply:
- a. Lot Size. Lot sizes shall be large enough to efficiently and safely serve the operations of the Vehicle Drive Through Facility while accommodating all necessary elements of good and efficient site design of Vehicle Drive-through Facilities.
 - b. Number. No more than one (1) Drive Through Facility may be permitted per Lot.
 - c. Placement.
 - (1) Buildings with a Vehicle Drive-through Facility shall be located as close as possible to the Street line or corner Street frontages for corner sites, to help frame the Street edges. The siting of the Building relative to the Street shall consider the existing and future development on the Street or in the neighborhood.
 - (2) Sites with multiple commercial Buildings on the property, Drive-Through Facilities shall be located internal to the site away from corners, intersections of Streets or from the Street frontages, to reduce the visibility of vehicle drive-through traffic on the site from Street view.

d. Site Access.

- (1) Access driveways to Vehicle Drive-through Facilities shall be located as far away as possible from Street intersections and corners and designed in accordance with the applicable Street design standards.
- (2) The number of access driveways into a site shall be minimized to reduce conflicts between turning vehicles and other users of the Street, reduce curb cuts and interruptions to the sidewalk.
- (3) Vehicle queuing lanes must be separated from all aisles, must not result in additional curb cuts along the same Street frontage and must not have direct ingress and egress from any Street.
- (4) Vehicle queuing lanes must not be directly accessible from a Street.
- (5) Vehicle queuing lanes must not obstruct or interfere with parking spaces, pedestrian aisles or walkways and loading or service areas.

e. Parking.

- (1) Surface parking areas shall be located at the side or the rear of the Building, away from the public Street.
- (2) Parking areas shall not be located between the Building and the Street.
- (3) Parking areas where possible shall avoid having pedestrians cross driveways or vehicle queuing lanes to enter the Building.
- (4) The parking areas shall not conflict with the ingress and egress of the vehicle queuing lanes. This can be achieved by locating the parking areas away from the vehicle queuing lanes or clearly delineating the parking areas with appropriate barriers and signage.
- (5) Larger parking areas shall be separated into smaller well-defined sections, using a combination of hard and soft landscaping to avoid large paved surfaces in parking areas.
- (6) The use of Impervious Surfaces for paved areas in the parking Lot shall be minimized. The use of pervious surfaces in combination with soft landscaped areas to contribute to the appearance and environmental sustainability of the site is encouraged.

7. Electric Vehicle Charging Station (Levels 1, 2, and 3). A parking area that is served by Electric Vehicle Charging (EVCS) equipment for the purpose of transferring electric energy to a battery or other energy storage device in an Electric Vehicle. The following supplemental regulations apply:

- a. All EVCS regulations authorized by this Chapter shall be read in conjunction with the Parking and Loading standards specified in Subsection §27-307(B)17 of this Chapter and in the Township Subdivision and Land Development Ordinance (Chapter 22 of the Township Municipal Code).

- b. A Property Owner may not install any EVCS on a property until a Zoning Permit has been issued by the Township to the Property Owner.
 - c. The design and installation of EVCS shall conform to the design standards specified in the Township Subdivision and Land Development Ordinance (Chapter 22 of the Township Municipal Code).
 - d. Electric Vehicle Make Ready System.
 - (1) All new, expanded and reconstructed parking areas may provide for the electrical capacity necessary to accommodate the future hardware installation of EVCS through an Electric Vehicle Make Ready System.
 - (2) Property Owners may apply for a Zoning Permit for an Electric Vehicle Make Ready System at the time of construction or renovation of appropriate charging areas.
 - (3) A Property Owner who installs an Electric Vehicle Make Ready System rather than an EVCS may not qualify for a reduction to the parking space provision requirements specified in the Township Subdivision and Land Development Ordinance (Chapter 22 of the Township Municipal Code) until the time the EVCS facility is installed.
8. Farm Stand. An Accessory Use to an Agricultural Operation or Community Garden Use that sells only agricultural commodities which that Person or Persons have produced at least fifty (50) percent of on the tract of land on which the Farm Stand is set up, or on land owned by the Person or Persons who produced the agricultural commodities, if those agricultural commodities are produced on other land. The following Use regulations apply:
- a. Area. Farm Stands shall not exceed three hundred (300) square feet of floor area.
 - b. A Community Garden may have one (1) temporary Farm Stand selling and/or distributing agriculture and horticultural products produced on site for no more than two (2) consecutive days on two (2) different occasions during a calendar year. Such stand shall be attended during all hours of sales and/or distribution.
9. Home Child Care. Supplementary, temporary care of children, unrelated to the caregiver, on a regularly recurring basis for a portion of one (1) or more days in the week and provided in the home of the caregiver. The following supplemental Use regulations apply:
- a. Limited Attendees. More than six (6) and fewer than thirteen (13) children may be cared for at a time. Six (6) or fewer children is considered a Home Occupation. Thirteen (13) or more children is considered a Child Day Care Center.
 - b. Outdoor Play Area. Home Child Care shall include a fenced outdoor play Area.
 - c. Accessory Use. Home Child Care may only be an Accessory Use to the Principal use of Household Living.
 - d. Revocation. The Zoning Officer shall have discretion to revoke a Zoning Permit for Home Child Care if such Use is a Nuisance to neighboring properties.
 - e. Limited Number. The number of Home Child Care Accessory Uses on any zoning Lot shall not exceed one (1).

10. Home Occupation. A Use that is clearly subordinate and incidental to the Principal Use as a residence and is conducted in a Dwelling Unit by permanent residents thereof by one or more members of the occupying household and does not alter the exterior of the Building or its appearance.
- a. Included Uses. Home Occupation includes the following and other uses deemed similar by the Zoning Officer: accountant, artist, attorney, author, computer operator or programmer, child care of six (6) or fewer children, designer (computer, graphic, architect, interior, etc.) home crafts, seamstress or tailor, sales Person or representative (no on-site retail or wholesale transactions), tutoring, and instruction of craft and fine art.
 - b. Excluded Uses. Home Occupation excludes such Uses, as otherwise defined in these regulations, Civic and Institutional Uses; Retail Uses; Service Uses other than photography studio, tailor or seamstress, therapeutic massage establishment (licensed proprietor).
 - c. The following supplemental Use regulations apply:
 - (1) Advertisement. Offering, displaying or advertising any commodity or service for sale on the Premises is prohibited, except that an identification Sign is permitted in accordance with the regulations of Part 5, Signs.
 - (2) Outside Storage. No materials or products shall be stored outside of a Building.
 - (3) Area. The customary home occupation shall not occupy more than twenty-five (25) percent of the Usable Floor Area of a Dwelling Unit in which the Home Occupation is operated.
 - (4) Employees. Employment is limited to any member of the immediate household residing in the Dwelling Unit plus one Person not residing in the Dwelling Unit.
 - (5) Hours of Operation. Permitted hours of operation are 7 AM to 6 PM, Monday – Friday, and 8 AM – 5 PM on Saturdays.
 - (6) Limited Attendees. Up to four (4) attendees may be served or instructed at a time, except as provided for in Home Child Care.
 - (7) Residence. The operator of the Home Occupation shall reside in the Dwelling Unit in which the Home Occupation operates.
 - (8) Physical Appearance. The appearance of the Structure shall conform to the general form, function, and character of the area it is located.
 - (9) Vehicles. No more than one (1) motor Vehicle shall be used in connection with a Home Occupation.
 - (a) The Vehicle shall be of a type ordinarily used for conventional private passenger transportation, such as a passenger automobile, van, or pickup truck not exceeding a payload capacity of one (1) ton.

- (b) The Vehicle shall not be designed to carry more than twelve (12) Persons.
 - (c) Parking of the vehicle must be accommodated on site.
- 11. Keeping of Chickens and Honeybees. The keeping of Chickens and Honeybees for non-commercial purposes shall be permitted as an Accessory Use to the Principal Use in the CV, RN, and SN zoning districts and shall abide by the following regulations:
 - a. General.
 - (1) The keeping of Chickens and Honeybees under this Chapter shall be permitted in residential zones when in compliance with the provisions of this Part.
 - (2) The keeping of Chickens and Honeybees shall not be for commercial purposes.
 - b. Keeping of Chickens.
 - (1) General. A permittee may not engage in commercial: (1) chicken breeding; (2) sale of chickens; (3) egg producing; or (4) fertilizer production.
 - (2) Number. The maximum number of chickens allowed is six (6) per residential Lot.
 - (3) Type. Chickens must be hens. Roosters and English Gamecocks are prohibited.
 - (4) Coops.
 - (a) Chicken coops shall:
 - (i) Have a solid roof.
 - (ii) Be solid on all sides.
 - (iii) Have adequate ventilation.
 - (iv) Provide protection from predators.
 - (v) Be designed to secure the chickens.
 - (vi) Be readily accessible for cleaning.
 - (b) Coops may be either:
 - (i) Commercially built/designed; or
 - (ii) Built by the owner.
 - (c) Coops must provide ten (10) square feet per chicken.

- (5) Pens.
- (a) Pens shall permit at least (10) square feet of area per chicken.
 - (b) Pens must be constructed in a way to prevent chickens from roaming free and keep predators from getting into the pen.
 - (c) The Pen must be accessible by the hens from their Coop when they are not secured in the Coop.
 - (d) Location.
 - (i) Pens and Coops shall be located in the backyard only and at least twenty-five (25) feet from any Street.
 - (ii) Any part closer than ten (10) feet from any property line shall be screened by closed fencing or solid hedge.
 - (iii) The Pen may not be closer than five (5) feet from any property line.
 - (iv) No part of the Pen may be less than fifteen (15) feet from any neighboring house.
- (6) Living Conditions.
- (a) Chickens shall have access to feed and clean water at all times.
 - (b) Feed shall be secured to prevent rodents or other pests from accessing the feed.
 - (c) Chickens shall have adequate bedding.
 - (d) Coops shall be cleaned and bedding added weekly.
 - (e) Pens shall be cleaned at regular intervals.
 - (f) A Veterinarian shall be identified and used for any necessary medical care.
- (7) Disposition of Deceased Chickens.
- (a) Chicken carcasses shall be disposed of in compliance with (3 Pa. C.S. §2352) and no person shall slaughter a Chicken in a residential zone.
- (8) Disposal of Waste Material. All waste shall be disposed of in a proper manner as follows.
- (a) Appropriate waste disposal may be any of the following:
 - (i) Waste is to be double bagged and placed into municipal waste; or

- (ii) Waste is to be placed into a designated container to be taken to the municipal compost facility.
- (b) Owners may compost the waste themselves.
- (c) An owner may give the waste to another person who composts (4) Where the waste is composted the owner shall:
 - (i) Notify any person using the material to compost that the waste contains Chicken excrement.
 - (ii) Notify any person given compost that the compost was made from Chicken waste.
- (d) Waste may not be disposed of by dumping in any location.

c. Keeping of Honeybees.

- (1) General. The keeping of one (1) or more colonies of the common domestic honeybee, *Apis Mellifera*, shall be permitted as an Accessory Use to a permitted primary use when in compliance with the Pennsylvania Bee Law, 3 Pa. C.S.A. §2101 et seq., as amended. Additionally, all beekeepers shall maintain their colonies per the *Voluntary Best Management Practices for Maintaining European Honey Bee Colonies in the Commonwealth of Pennsylvania* as provided and as may be amended by the Pennsylvania Apiary Advisory Board. Colonies include a hive and its equipment and appurtenances, including bees, comb, honey, pollen, and brood. The following supplemental use regulations apply.
- (2) Maximum Number of Colonies.
 - (a) Any Lot containing a residential Use shall be limited to two (2) colonies. One additional colony is permitted for everyone thousand (1,000) square feet of Lot Area over ten thousand (10,000) square feet, and an absolute maximum of ten (10) colonies.
 - (b) The following exception shall be made for colonies located on Rooftops: There shall be no limitation on the number of colonies located on Rooftops in the Downtown, Institutional, and Mixed-Use Commercial zoning districts.
- (3) Colony Size. No colony shall exceed twenty (20) cubic feet in volume.
- (4) Location.
 - (a) Yards. Shall be located in a Rear or Side Yard on any Lot with a Residential or Community Garden Use. No colony shall be located closer than fifteen (15) feet from any property line, public Sidewalk or principal Building on an abutting Lot. No colony shall be located within fifty (50) feet of a pre-existing swimming pool or a pre-existing kenneled animal.

- (5) Flyway Barrier. A flyway barrier of at least six (6) feet in Height must shield any part of a property line within twenty-five (25) feet of a colony, unless the base of the colony is located more than six (6) feet above the ground.
 - (a) A required flyway barrier shall consist of a wall, fence, dense vegetation, or a combination thereof.
 - (b) The barrier shall be positioned to transect both legs of a triangle extending from an apex at the colony to each end point of the part of the property to be shielded.
 - (6) Farm Stand. No sales of honey shall occur on the Lot containing the honeybee colony, except in the case of a honey bee colony located on an Agricultural Operation or Community Garden where there is a Farm Stand, in which case the operator of the honey bee colony shall be permitted to sell honey at the Farm Stand.
 - (7) State Registration Required. All persons keeping bees in the Township shall apply for a certificate of registration for beekeeping pursuant to the Pennsylvania Bee Law, 3 Pa. C.S.A. §2101 et seq., as amended.
 - (8) Education Certification. Written evidence shall be provided to the Township from each and every individual engaged in beekeeping activities shall have completed a beekeeping education course/program with a minimum of eight (8) hours of instruction or has a letter of validation from an officer of the PA State Beekeepers Association, an officer of a local bee club, or a certified Master Beekeeper.
 - (9) Water. A supply of fresh water shall be maintained in a location readily accessible to all bee colonies on the site throughout the day to prevent bees from congregating at neighboring swimming pools or other sources of water on nearby properties.
 - (10) Nuisance. It shall be unlawful for any beekeeper to keep any hive in such a manner as to cause any unhealthy condition or purposefully interfere with the normal use of adjoining properties. By way of example and not limited to, the following activities are hereby declared a nuisance and therefore unlawful:
 - (a) The use of receptacles for honeybees that does not comply with the Pennsylvania Bee Law, 3 Pa. C.S.A. §2101 et seq., as amended.
 - (b) Hive placement and related bee movement such that the bees, without provocation, interfere with the reasonable freedom of movement of persons in a public right-of-way, or the location of bees have a proven impact to the general safety, health, and welfare of the general public.
12. Keeping of Livestock. The keeping of equine, bovine, or swine class, including goats, sheep, mules, horses, hogs, cattle, and other grazing animals, and all ratites, including, but not limited to, ostriches, emus, and rheas for non-commercial purposes shall be permitted as an

Accessory Use to the Principal Use in the CV, RN, and SN zoning districts and shall abide by the following regulations:

- a. The keeping of any livestock that existed lawfully prior to the effective date of this Ordinance that is not permitted under this title may be continued as a Nonconforming Use, except that if the Nonconforming Use is discontinued for one year or more it shall then be deemed abandoned and any future keeping of animals shall be in conformity with this Ordinance.
- b. Table 3.08 specifies the requirements based on the size of animal for the Keeping of Livestock as an Accessory Use to the Principal Use in the CV, RN, and SN zoning districts.
- c. Exceptions to these standards must be presented by the Property Owner through an alternative animal management plan to be heard by the Planning Commission. Approval of the plan by the Committee shall be considered a Special Exception and shall be subject to all required conditions. If an approved plan is violated or causes situations that become a Nuisance to adjoining Property Owners, the Conditional Use shall be subject to revocation by the code enforcement or animal control officer.

Table 3.08, Keeping of Livestock Requirements.

Livestock Group Type	Livestock Group Description ¹	Minimum Lot Size	Minimum Setback
Group 1	Animals whose average adult weight is less than 10 lbs. shall be permitted at an animal density of 12 per acre, with a maximum number of 50 animals.	3 acres	Up to 25 animals = 25' Above 25 animals = 50'
Group 2	Animals whose average adult weight is between 10 and 65 lbs. shall be permitted at an animal density of two per acre, with a maximum number of 20 animals.	3 acres	Up to 2 animals = 50' Above 2 animals, a 75'
Group 3	Animals whose average adult weight is greater than 65 lbs. shall be permitted at an animal density of 1 per acre. No more than 5 Group 3 animals are permitted.	3 acres	75'

¹See Table 1 Standard Animal Weights – <https://www.clintoncountypa.com/home/showpublisheddocument/2980/637387022614930000>

- d. Living Conditions.
 - (1) Livestock shall have access to feed and clean water at all times.
 - (2) Feed shall be secured to prevent rodents or other pests from accessing the feed.

- (3) Livestock shall have adequate bedding.
- (4) Livestock pens shall be cleaned and bedding added weekly.
- (5) A Veterinarian shall be identified and used for any necessary medical care.
- (6) All outdoor pasture/recreation areas shall be enclosed with fencing to prevent the escape of the animals; such fencing must be set back at least ten (10) feet from all property lines.

e. Disposition of Deceased Livestock.

- (1) Livestock carcasses shall be disposed of in compliance with (3 Pa. C.S. §2352) and no person shall slaughter Livestock in any residential zone.

f. Disposal of Waste Material. All waste shall be disposed of in a proper manner as follows.

- (1) Appropriate waste disposal may be any of the following:
 - (a) Waste is to be double bagged and placed into municipal waste;
 - OR
 - (b) Waste is to be placed into a designated container to be taken to a municipal compost facility.
- (2) Owners may compost the waste themselves.
- (3) An owner may give the waste to another person who composts. Where the waste is composted the owner shall:
 - (a) Notify any person using the material to compost that the waste contains Livestock excrement.
 - (b) Notify any person given compost that the compost was made from Livestock waste.
- (4) Waste may not be disposed of by dumping in any location.

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

- a. The business activity shall be compatible with the residential use of the property and surrounding residential uses.
- b. The business shall employ no employees other than family members residing in the dwelling.

- c. There shall be no display or sale of retail goods and no stockpiling or inventory of a substantial nature.
 - d. There shall be no outside appearance of a business Use, including, but not limited to, parking, signs or lights.
 - e. The business activity may not Use any equipment or process which creates noise, vibration, glare, fumes, odors or electrical or electronic interference, including interference with radio or television reception, which is detectable in the neighborhood.
 - f. The business activity may not generate any solid waste or sewage discharge, in volume or type, which is not normally associated with residential Use in the neighborhood.
 - g. The business activity shall be conducted only within the dwelling and may not occupy more than twenty-five (25) percent of the habitable floor area.
 - h. The business may not involve any illegal activity.
14. Outdoor Café. Tables and chairs for patrons of Drinking and Eating Establishments located outdoors and directly adjacent to the Structure containing the Principal Use. The following supplemental Use regulations apply:
- a. The Outdoor Café (including outdoor seating areas) may be permitted as an Accessory Use to an existing restaurant, delicatessen, or food store provided vehicular and pedestrian circulation is not unreasonably restricted pursuant to the Encroachment requirements specified in Part 4, Supplemental Regulations.
 - b. Location.
 - (1) The Outdoor Café may be located anywhere on the Lot, or on the adjacent Right-of-Way, provided that, if it is located in the right of way, a minimum of five (5) feet of Sidewalk shall remain available and obstacle-free for passing pedestrians.
 - (2) The Outdoor Café shall be located directly adjacent to the Principal Use.
 - (3) The Outdoor Café not associated with additional construction and located fully on the Lot are subject to administrative approval by the Zoning Officer.
 - (4) The Outdoor Café is not subject to Building Line requirements or Front Yard or corner side setbacks.
 - c. Limited outside Sidewalk sales of perishable and consumable items (produce, ice cream, newspapers, magazines, soft drinks, etc.) may be permitted in conjunction with an Outdoor Café provided that the outdoor display and sale is approved pursuant to the supplemental regulations outlined for “Outdoor Display and Sale of Merchandise” below; and
 - d. If the Outdoor Café does not consistently comply with all conditions listed in this subsection and its Use and Occupancy Permit, or if the Use becomes a nuisance for

any reason as determined by the Zoning Officer, the Zoning Officer may order such Use terminated. For purposes of this subsection a “nuisance” shall not be deemed limited to the existence of the conditions referenced in Part 5(l) but shall instead be deemed to include any condition considered a nuisance under applicable law.

- e. This subsection applies to any and all Uses of land or Structures, including existing Uses and Structures.
 - f. Cover. The Outdoor Café may have a covering or overhead enclosure and shall be open-air.
15. Outdoor Display and Sales. The Outdoor Display and Sales of merchandise or other items offered for sale or advertisement of a Principal Retail or Service Use. The following supplemental Use regulations apply:
- a. Outdoor displays may not extend more than five (5) feet from the Building Façade and in no instance shall merchandise or other items for sale or advertisement be located beyond an established Street Line. In the case of Street Lines and Building Lines being coincident, there shall be no outdoor display;
 - b. Merchandise or other items displayed as the Accessory Use shall be restricted to those items or merchandise which are sold at the Principal Use;
 - c. If associated with a Principal Use on a Corner Lot, only a single Frontage shall be utilized for accessory outdoor display purposes;
 - d. Merchandise or other items, and all temporary Structures used for outdoor display, shall be removed and stored indoors from dusk to dawn; and
 - e. Notwithstanding any provision of this Part, the public way, Street, Sidewalk, Curb, and all means of ingress and egress to the Structure containing the Principal Use shall be maintained free of obstructions, merchandise or other items. A minimum of five (5) feet of Sidewalk shall remain available and obstacle-free for passing pedestrians.
16. Outdoor Wood-Fired Boilers. Outdoor Wood-Fired Boilers (OWB) are permitted subject to the following conditions and requirements:
- a. Zoning District. OWBs are permitted as an Accessory Use in the CV, RN, SN, and IN districts.
 - b. Emissions Standards. All outdoor wood-fired boilers must meet EPA Phase 2 Emission Standards. Non-Phase 2 OWBs acquired through real estate transactions are exempt from this requirement.
 - c. Number. The number of OWBs shall be limited to one (1) per Lot.
 - d. Setbacks. OWBs shall be installed in accordance with the following minimum setbacks:
 - (1) Front. Forty (40) feet.
 - (2) Side. Ten (10) feet.

- (3) Rear. Ten (10) feet.
- e. OWBs shall not be located in the front yard between the principal Building and a public Street.
- f. Stack Height. OWBs must have a permanently installed stack that extends at least ten (10) feet above the ground and is installed according to manufacturer's specifications.
- g. Types of Fuel Permitted. All OWBs shall operate using only the following fuels:
 - (1) Clean wood.
 - (2) Wood pellets made from clean wood.
 - (3) Home heating oil, natural gas or propane that complies with all applicable sulfur limits and is used as a starter or supplemental fuel for dual fired outdoor wood-fired boilers
 - (4) Other types of fuel approved in writing by PADEP upon receipt of a written request.
- h. Solid Waste Disposal. During the entire period of Use, every Owner of an OWB shall have a current contract with a licensed solid waste hauler and shall Use its services for disposal of all household trash. Upon request, every Owner and user of an OWB shall present proof of current waste disposal contract to the Township.
- i. An OWB shall not be used as a waste incinerator.
- j. use of Starter Fluids. use of starter fluids such as lighter fluid, gasoline, and. other chemicals to ignite an OWB is prohibited.
- k. Safety. All OWBs shall be equipped with a properly functioning Spark Arrestor.
- l. Months of Operation. use of OWBs shall be limited to (September 1 to May 31 each winter season).
- m. Decommissioning. All OWBs shall be removed within twelve (12) months of the date when the Use has been discontinued or abandoned by the Owner or operator or upon termination of the useful life of same. The OWBs shall be presumed to be discontinued or abandoned if the unit has not been in operation for a period of twelve (12) months.
- n. Nuisance. The use of an OWB shall not cause a nuisance, as defined by Subpart (I) to neighboring or other property, as determined by the Zoning Officer.
- o. All storage of materials to be burned in the OWB shall be kept five (5) feet away from the OWB.
- p. Vegetation. An area not less than twenty (20) feet in any direction around the OWB shall be kept free of any vegetation with the exception of grass no higher than four (4) inches in Height.

- q. Installation. Use and operation of an OWB must comply with manufacturer's specifications as well as all applicable local, county, state and/or federal laws, regulations and codes.
 - r. Administration.
 - (1) An Applicant shall obtain a Zoning Permit prior to installation of an OWB.
 - (2) Owners of Non-Phase 2 OWBs shall register the device with the Township within sixty (60) days of the effective date of this Chapter.
 - s. Permit Requirements.
 - (1) Zoning Permit applications shall document compliance with this Chapter and shall be accompanied by drawings showing the location of the OWB on the property, including property lines and setbacks. Permits shall be kept on the property where the OWB is located.
 - (2) The Zoning Permit shall be suspended or revoked if the OWB is not operated in accordance with this Chapter. A suspended permit may be reinstated once the condition resulting in the suspension is remedied and reasonable assurances are given that such condition will not reoccur.
17. Parking. Parking as an Accessory Use in conjunction with an adjacent Principal Use on the Lot.
- a. Parking Lot. A parking Lot is a Paved Surface used solely for the parking of Vehicles, intended for Use by the occupants in an adjacent Building on the Lot. A parking Lot may be uncovered or covered by a Renewable Energy Structure.
 - b. Parking Structure. An Accessory Structure used solely for the parking of Vehicles, intended for Use by the occupants in an adjacent Building on the Lot. The following supplemental Use regulations apply:
 - (1) Location. An accessory parking Structure shall be located as follows:
 - (a) Parking Structures shall be located in the Rear Yard only and shall be screened from view from the front of the Lot or the primary Street to the Principal Use Structure.
 - (2) Height. The maximum Height of parking Structure shall be no greater than regulatory Height of the Principal Use Structure.
18. Signs. Signs, as regulated under Part 5 of this Chapter, are an Accessory Use to the Principal Use.

§27-308 Temporary Uses

(A) General.

1. Temporary Uses are limited to those expressly regulated in this Chapter as well as those that in the Determination of the Township Commissioners are deemed appropriate as a Temporary Use.
2. A Temporary Use that is conducted annually or on a similar recurring basis as determined by the Township and has received Special Exception approval from the Township Zoning Hearing Board. The temporary Use may be permitted to recur thereafter with approval from the Zoning Officer provided that the event location, format, and operations have not substantially changed from the original approval and that the conditions established in the original approval are deemed applicable. All other Temporary Uses shall receive Special Exception approval for each occurrence.

(B) Temporary Uses.

1. Farmers Market. A public market administered by a market manager and held multiple times per year to connect and mutually benefit farmers, communities, and shoppers. The Farmers Market shall allow as vendors predominantly local farmers, farmers' cooperatives and producers selling any of the following: whole produce; value-added agricultural products such as jams, jellies, and pickles; prepared food; all agricultural and horticultural products including but not limited to whole produce, plants, flowers, meats, dairy products, and other food-related products. The following Use regulations apply.
 - a. The Applicant shall indemnify, save harmless, and defend (if requested) the Township and the Owner(s) of any private or public property upon which the Farmers Market will be held and their respective officers, agents, and employees from any and all claims, suits, or actions for injuries, death and/or property damage arising out of the Temporary Outdoor Event where the claim, suit, or action was caused by the Applicant, its officers, agents, and employees, the event participants, support staffs, event officials, volunteers, medical support, technical support, media vehicles, event communications staffs, the traveling public, general public, or spectators.
 - b. A certificate of insurance must be provided showing: (a) general liability insurance for bodily injury and property damage in the minimum amount of \$250,000.00 per Person and \$1,000,000.00 per occurrence to cover any loss that might occur as a result of the Permitted use of the local and state rights of way or private property that might otherwise arise out of or be connected with the Farmers Market; (b) occurrence-based coverage; and (c) the Township and applicable public and private Landowners named as the additional insured. The Applicant warrants the information in the insurance certificate is accurate.
 - c. Written permission for use of any private property must be obtained from the Owner(s), or other Person with authority to grant same, and be submitted to the Zoning Officer.
 - d. The farmers' market is of a temporary nature, namely, in operation only one day or two (2) days per week between the maximum hours of 8 AM and 8 PM.
 - e. A minimum Lot Area of one hundred (100) square feet per stand shall be provided.

- f. Farmers Market Vendors must obtain a Retail Food License from the Pennsylvania Department of Agriculture to operate a food facility at a farmers' market, whether the market is inside or outside. Each individual stand is considered its own retail food facility and must obtain its own license to operate.
2. Mobile Food Facility. A movable retail food facility, such as a stand, vehicle, cart, basket, box or similar Structure, from which food is stored, prepared, processed, distributed or sold and the facility:
- a. Physically locates at one (1) site or location for no more than fourteen (14) consecutive days, in one calendar year, regardless of whether or not the facility operates continuously during that time period.
 - b. Is not licensed as a Temporary Retail Food Facility under the Retail Food Facility Safety Act §5703(g)(2).
 - c. A Mobile Food Facility shall meet the Part 2 Food Services requirements of the Township Municipal Code and applicable licensing requirements of the Pennsylvania Department of Agriculture.
3. Model Home and/or Subdivision Sales Office. A Building Structure used for the temporary conduct of the sales of dwelling units proposed for construction and sale within an approved subdivision. The following supplemental regulations shall apply:
- a. Such use shall be located in a subdivision that is owned by or held in trust for the subdivision developer proposing to erect the dwelling units for sale and/or proposing to operate the sales office.
 - b. Such use shall be permitted for a period not to exceed thirty (36) months from the date of approval for the sales offices and/or model homes. A time extension may be granted upon the issuance of a new Zoning Permit.
 - c. The use shall be removed, and the use shall be discontinued on or before the original termination date set forth under the Zoning Permit, upon expiration of the extension granted by the Zoning Officer, or after six (6) months following sale or occupancy of all lots in the subdivision other than the model homes, whichever occurs first.
4. Temporary Construction Site Trailer. A Manufactured Home or industrialized housing type Structure used only for office facilities or for storage of construction-related equipment or materials. The following Use regulations shall apply:
- a. Minimum Off-Street Parking Calculations. A hard paved or stone mud-free parking area shall be provided containing one (1) parking stall, ten (10) feet x twenty (20) feet in size for each ten (10) Lots in the subdivision. Access Aisles shall be a minimum twenty (20) feet in width.
 - b. Temporary Construction Site Trailers may be established via the Township Zoning Permit process, when purposed for an approved construction project.
 - c. Temporary Construction Site trailers shall observe the minimum Setback requirements imposed upon the Township approved Principal Use of the subject Lot.
 - d. Temporary Construction Site trailer permits shall be subject to renewal on a yearly basis.

- e. Temporary Construction Site trailers shall not serve as sleeping quarters.
 - f. Temporary Construction Site trailers when used as occupied contractor, lease or sales offices shall be equipped with appropriate skirting or safety fence/mesh material to prevent children and animals from crawling under said Structure.
 - g. A Temporary Construction Site Trailer may serve as a temporary lease or sales office until a model housing unit is complete, provided the following criteria are met:
 - (1) A hard paved or stone (mud-free) driveway and parking Lot Area shall be provided containing one (1) parking stall, ten (10) feet x twenty (20) feet in size, for each ten (10) Lots in the subdivision.
 - (2) A Pennsylvania Department of Transportation Highway Occupancy or Township Street Occupancy Permit shall be required if the parking Lot Area's driveway accesses such roads.
 - (3) The temporary sales operation shall only be permitted between 8:00 a.m. and 5 p.m.
 - h. If restroom facilities do not exist in the Temporary Construction Site Trailer, an adequate number of portable toilets shall be provided.
 - i. No combustible materials shall be stored in the Temporary Construction Site Trailer.
 - j. All Temporary Construction Site Trailer shall be removed within forty-eight (48) hours of the completion of construction or the expiration of the Zoning Permit for the construction to which it is related, whichever occurs first.
 - k. The construction and/or installation of a Temporary Construction Site Trailer shall comply with the Pennsylvania Uniform Construction Code.
5. Temporary Food Service Facility. A retail food facility which is either (1) a Mobile Food Facility; or (2) a physically Permanent Retail Food Facility and is issued a Temporary Retail Food Facility License under the Retail Food Facility Safety Act §5703(g)(2). A Temporary Food Service Facility operates no more than fourteen (14) calendar days per year or operates at a fair, festival or other event of no more than fourteen (14) days.
6. Temporary Outdoor Event. A Temporary Outdoor Event such as a carnival, circus, Street celebration, race, bazaar, market, procession, assemblage, or other similar outdoor event. Such events may be on a Street, open space, or other public space in which public access is wholly or partially restricted. The event may include the sale of goods. The following Use regulations apply:
- a. The Applicant shall indemnify, save harmless, and defend (if requested) the Township and the Owner(s) of any private or public property upon which the event/activity will be held and their respective officers, agents, and employees from any and all claims, suits, or actions for injuries, death and/or property damage arising out of the Temporary Outdoor Event where the claim, suit, or action was caused by the Applicant, its officers, agents, and employees, the event participants, support staffs, event officials, volunteers, medical support, technical support, media vehicles, event communications staffs, the traveling public, general public, or spectators.

- b. A certificate of insurance must be provided showing: (a) public liability insurance for bodily injury and property damage in the minimum amount of \$250,000.00 per Person and \$1,000,000.00 per occurrence to cover any loss that might occur as a result of the Permitted use of the local and state rights of way or private property that might otherwise arise out of or be connected with the event; (b) occurrence-based coverage; and (c) the Township and applicable public and private Landowners named as the additional insured. The Applicant warrants the information in the insurance certificate is accurate.

- e. The event location or route shall be appropriately secured with proper security and safety measures taken to protect the event participants, support staffs, event officials, volunteers, medical support, technical support, media vehicles, vehicle escort services, maintenance and protection services, the traveling public, event communications staffs, the general public, and spectators. Proper emergency medical services shall be provided. Local fire departments, the general public, and the traveling public shall be notified in advance of the event.

- f. Written authorization from the Pennsylvania Department of Transportation via a Special Event Permit granting the Applicant permission Use the Right-of-Way of a public roadway. The Applicant shall provide the Township with a complete copy of the Special Event Permit and associated documentation. All information shall be submitted to the Zoning Officer.

- g. Written permission for use of any private property must be obtained from the Owner(s), or other Person with authority to grant same, and be submitted to the Zoning Officer.

PART 4 SUPPLEMENTAL REGULATIONS

Purpose. The purpose of these supplemental regulations is to set specific conditions for various Uses, classification of Uses, or areas where problems are frequently encountered, and to aid applicants in the permitting process. Use requirements contained elsewhere in this Chapter apply to all Uses and Structures, whether or not specifically listed in this Part. Likewise, the provisions of this Part shall not be interpreted as a waiver of the application of Township PCC requirements or any other requirements of the Township or the Commonwealth of Pennsylvania. Certain of the following supplemental regulations or provisions thereof, to the extent specified therein, are applicable to any and all Uses of land or Structures, including existing Uses and Structures.

§27-401 Accessory Buildings

- (A) An Accessory Building shall be located and constructed according to the Building Form Requirements specified for each zoning district under Part 2 of this Chapter.
- (B) A single Lot may have more than one (1) Accessory Building provided they meet the standards specified in the subsection.
- (C) Location.
 - 1. Accessory Buildings constructed at the same time may be located in pairs or groups on contiguous lots in the required rear or side Yard along the common side Lot Line or rear Lot Line.
 - 2. The accessory Building shall not be erected or substantially altered within any front yards.
 - 3. An accessory Building may be erected within one of the side yards or within the rear yard provided:
 - (a) Such accessory Building shall be not less than ten (10) feet farther back than the rear-most portion of the principal Building.
 - (b) Where such side or rear yard is along an Alley, the accessory Building shall be located not less than five (5) feet from the Alley.
 - (c) Where such side or rear yard is adjacent to another lot, the accessory Building shall be not less than three (3) feet from any lot line.
 - (d) When an accessory Building is erected within the side or rear yard adjacent to a side Street on a corner lot, the accessory Building shall be not less than the required front yard depth from the exterior side lot line.
- (D) No accessory Building shall project nearer to the Street on which the principal Building fronts than such principal Building. Should topographic conditions be such that practical difficulties would be caused by this requirement with respect to the location of garages, the Township Board of Commissioners may authorize the erection of such garages under the following conditions:
 - 1. If the natural slope is from ten percent (10%) to twenty percent (20%) within twenty-five (25) feet of the Street line, the Commissioners may permit a garage not closer than ten (10) feet to the Street line; and

2. Where such slope exceeds twenty percent (20%) a garage may be permitted not closer than five (5) feet to the Street line.

§27-402 Accessory Structures

(A) Fences and Walls.

1. General Requirements.

- a. A Zoning Permit shall be obtained for the erection of all fences and walls. Normal maintenance of fences and walls or replacement of like materials shall be excluded from the permit process.
- b. No fence or wall shall obstruct the flow of stormwater, except as part of a Township-approved stormwater system.
- c. Fences and walls shall not be permitted within any right-of-way, drainage or stormwater management easement, Clear Sight Triangle area, within the site visibility area adjacent to railroads, or below the one hundred (100) year Floodplain of any lake, river, or wetland.
- d. To avoid creating any possible no-maintenance zone(s), perimeter fences and walls shall be installed along and up to a property line but within the property limits, except, however, when a fence is shared by adjoining properties it shall be installed on the property line.
- e. Unless otherwise required by the Chapter, fences and freestanding walls (other than a necessary retaining wall) shall not exceed six (6) feet in height for Rear Yard applications and shall not exceed forty-eight (48) inches in height for Front Yard fences. Front Yards shall be measured from the principal face of a Dwelling.
- f. Fences and walls (other than a necessary retaining wall) may be erected, altered, and maintained within Yard areas in accordance with the following height restrictions:
 - (1) Front Yard shall not exceed four (4) feet in height.
 - (2) Side or Rear Yard shall not exceed six (6) feet in height.
 - (3) Along Corner Lots, no fence or wall within the Front Yard Setback shall exceed four (4) feet in height along the Street of address or six (6) feet in height along any other Street frontage, provided further that no fence or wall shall obstruct any Clear Sight Triangle, as defined in Susquehanna Township Subdivision and Land Development Ordinance (Chapter 22 of the Township Municipal Code).
 - (4) In the CB and IN zoning districts, fences of wood, metal or masonry exceeding eight (8) feet shall require a Special Exception from the Zoning Hearing Board. The fencing shall be limited to side and rear Lot lines.
 - (5) Retaining walls with required fencing or railings, required to support changes in site grades shall be excluded from these requirements.

2. Maintenance and Materials.

- a. Any fence or wall shall be durably constructed and well-maintained. Privacy fences shall be constructed so that the finished side of the fence faces toward abutting properties and rights-of-way unless the fence is not visible from adjoining property. Fences and walls that have deteriorated shall be replaced or removed.
- b. All fences shall be constructed of materials normally manufactured for, used as, and, recognized as, fencing materials such as: wrought iron or other decorative metals suitable for the construction of fences, fired masonry, concrete, stone, chain link, metal tubing, wood planks, and vinyl or fiberglass composite manufactured specifically as fencing materials. Fence materials shall be materials approved for exterior use and are weather and decay-resistant.
- c. A fence shall not be constructed out of rope; string; fabric; Junk; Junk Vehicles; appliances; tanks; barrels; wire products including, but not limited to, chicken wire, hog wire, wire fabric, and similar welded or woven wire fabrics; chain; netting; cut or broken glass; paper; corrugated metal panels; galvanized sheet metal; plywood; or fiberglass panels in any fence or any other materials that are not manufactured specifically as residential fencing materials. No landowner shall construct a residential fence of used, damaged, or unsafe materials.
- d. Electric fences, except for in-ground pet fencing, are prohibited in all zoning districts.
- e. Barbed wire fences are prohibited in all zoning districts except, where the need is clearly demonstrated by the owner / proprietor for commercial and industrial uses.
- f. Razor fences are prohibited in all zoning districts.

(B) Porches, Porticos, Patios, and Decks.

- 1. Roof Additions. Where there is an existing front or rear patio or deck that extends into a restricted setback area, the same may be covered by an awning or roof that may extend into the Setback area to no greater extent than the existing patio or deck.
- 2. Replacement. Where an existing Porch, Portico, patio, or deck that protrudes into a setback area must be replaced or reconstructed for maintenance reasons or due to deterioration, the same construction may extend into the setback area to an extent no greater than the previously existing Porch, Portico, patio, or deck.
- 3. Rear Setback. Where there is less than ten (10) feet from the rear of a residential Structure to the setback line, a previous Porch, patio, or deck may be built onto the rear of a residential Structure extending no more than ten (10) feet into a rear setback provided the Porch, patio, or deck still allows a setback of at least ten (10) feet and so long as the same meets all coverage, side yard and other requirements specified by Part 2 of this Chapter, with the condition that any Porch, patio, or deck shall not be elevated beyond the existing level of the first-floor entryway to the residential Structure.
- 4. Porches and Portico Design.
 - a. Minimum Depth. New front Porches and Porticos including the replacement of existing said Structures that can be constructed to be a minimum of six (6) feet in depth and meet PCC requirements may be exempted from the requirements

specified in Subpart (B)a of this Subpart. The minimum depth requirement ensures the Porch Structure allows for the placement of seating furniture plus sufficient room for passage.

- b. Enclosures. Porches may be semi-enclosed using weather resistant mesh insect screening material.

(C) Roof and Wall Features. Cantilevered and projecting architectural features including chimneys, bay windows, balconies, cornices, eaves, rain gutter, Signs (where permitted under Part 5 of this Chapter), display windows, and solar collectors may project into a required setback only as allowed by the PCC.

(D) Wind Powered Systems.

- 1. Windmills, wind wheels, and wind energy conversion systems (WECS) shall be permitted in the CV, RN, CB, and IN zoning districts subject to the following conditions:
 - a. The Structure supporting the wind rotor unit, including any necessary guideposts and supporting cables, shall be independent of any occupied Structure and located a minimum distance of the tower height plus ten (10) feet from any occupied dwelling, and shall not be more than one and one half (1.5) times the maximum principal Building height limits specified Part 2 of this Chapter.
 - b. The minimum distance between the tower and any property line shall be not less than two (2) times the height of the tower.
 - c. The minimum distance between grade and the lowest point of the rotor blade shall be twenty (20) feet.
 - d. All electric line/utility wires shall be buried underground.
 - e. Any mechanical equipment associated and necessary for operations, including a Building for batteries and storage cells, shall be enclosed with a six (6) foot high fence. The supporting Structure shall also be enclosed with a six (6) foot fence, unless the base of the tower is not climbable for a distance of twelve (12) feet.
 - f. When a Building is necessary for storage cells or related mechanical equipment, the Building shall not exceed one hundred forty (140) square feet in area, nor eight (8) feet in height and must be located at the base of the supporting Structure.
 - g. One windmill/wind wheel/WECS shall be permitted per property.
 - h. The resultant energy harnessed from the wind shall be used on the property it is located on and not used as a commercial enterprise.
 - i. The supporting Structure and generating unit shall be kept in good repair and sound condition. Upon abandonment of Use, the supporting Structure and related Structures shall be dismantled and removed from the property within sixty (60) days.
 - j. The applicant shall demonstrate that any noise from the wind generating unit shall not exceed forty-five (45) dB(A), measured at the property line.

§27-403 Building Demolition

- (A) Purpose and Applicability. The purpose of these regulations is to:
1. Protect Preferably Preserved Significant Buildings within the Township by providing advance notice of their proposed Demolition, which constitute or reflect distinctive features of the architectural, cultural, political, economic, or social history of the Township;
 2. Encourage owners of such Preferably Preserved Significant Buildings to preserve, rehabilitate, or restore such Buildings, rather than Demolish them; and
 3. Promote the public welfare by making the Township a more attractive place in which to live.
- (B) Significant Buildings or Structures Inventory. The Planning Commission, in consultation with the Dauphin County Historical Society and Township Commissioners, shall maintain a current inventory of Significant Buildings or Structures located within the Township. The inventory shall identify each Significant Building or Structure by parcel, including the Dauphin County Tax Assessment parcel identification number.
- (C) Proposed Demolition of Significant Building or Structure. All Zoning Permit applications for Demolition will be reviewed by the Zoning Officer and Building Code Official who will determine if the application concerns a Significant Building or Structure as inventoried under Subpart (B)2 above. If the application concerns a Significant Building or Structure, the Applicant shall comply with the procedures and requirements specified in subparagraph (B)4 below, as applicable.
- (D) Application Procedure. A request to Demolish a Preferably Preserved Significant Buildings shall comply with the zoning permit application procedures specified under §27-109 of this Chapter.

§27-404 Corner Lots

- (A) On a corner Lot, front yards are required on both Street frontages, and one Yard other than the front yards shall be deemed to be a rear Yard and the other or others, side yards.

§27-405 Donation Containers, Unattended

- (A) The following regulations apply to donation containers that accept new or gently used clothing items:
1. Size. The donation Container may not be larger than seven (7) feet tall, six (6) feet wide or six (6) feet long.
 2. Maximum Number. Donation containers are limited to a maximum of two (2) per property located within the Side Yard and Rear Yard areas and may not exceed a Use area within these locations of one hundred twenty (120) square feet.
 3. Location and Placement. Donation containers are only permitted on civic, institutional, and commercial properties forty thousand (40,000) square feet or greater and may only be placed on such properties with written permission from the Property Owner. Such written permission must be made available to the Township for review upon request.
 4. Maintenance.
 - a. Donation container items must be collected on a regular basis or within forty-eight (48) hours following a Property Owner's request.

- b. Donated items or any refuse may not be left outside the containers for more than twenty-four (24) hours and must be removed by the box owner/operator or Property Owners.
5. Identification. Each donation container must be properly identified and labeled with the following information:
- a. Name and telephone number of the owner/operator.
 - b. Entity responsible for collecting donated items and any refuse left outside the container.
 - c. Type of donated items accepted and a statement prohibiting liquids and dumping.

§27-406 Encroachments

(A) The following regulations are intended to assist applicants and business owners in establishing attractive and safe encroachments that benefit both the business community and the citizens that enjoy those public spaces:

1. General Requirements.

- a. The Township's goal is to maintain the highest standards of accessibility and safety while achieving an attractive and functional design within its mixed use and commercial areas;
- b. In general, encroachments shall complement public Use and improvements. In no case shall encroachments exclude the public from any public Sidewalk or Street;
- c. Allowed encroachments shall comply with all requirements of this Chapter; and
- d. This subsection applies to any and all Uses of land or Structures, including existing Uses and Structures.

2. Location and Dimensional Requirements.

- a. Encroachments may be allowed where it can be determined by the Zoning Officer that the Encroachment would not result, individually or cumulatively, in a narrowing of the Sidewalk such that important functional attributes of the Township, (e.g., ability of pedestrians to stroll side-by-side and to pass comfortably for significant stretches, lingering and window shopping) are not jeopardized. The location and dimensions of any item located in a public place shall meet the minimum guidelines set forth herein and any other applicable local, state or federal law or regulation;
- b. Encroachments must maintain a clear path of no less than five (5) feet. The Zoning Officer may permit paths of travel of less than five (5) feet in instances where safe access can be determined;
- c. Encroachments shall not block safe access to businesses, parking spaces, bike stalls, or other spaces required by local, state or federal Building or safety codes;
- d. Encroachments shall not encroach into the areas near corners of Sidewalks or where crosswalks are present. This area shall be defined with a fifteen (15) foot setback area, beginning near the crosswalk or curb cuts;

- e. Tables shall not exceed forty-two (42) inches in width at the greatest dimension;
- f. Chairs shall not extend into the required accessible minimum walkway width of five (5) feet at any time. Chairs must be at a scale appropriate to the size of the table or space available for seating;
- g. Portable outdoor heating devices and permanently mounted heating devices shall be reviewed by the Zoning Officer for safety and require either a Use and Occupancy Permit or Zoning Permit as applicable; and
- h. Township Board of Commissioners shall review any items placed in the public right-of-way;
- i. Encroachments shall not intrude onto other private properties.

3. Maintenance and Operational Requirements.

- a. Maintenance of encroachments shall be the sole responsibility of the owner of the property upon which the Encroachment occurs.
- b. Any item permitted to be placed in the public right-of-way shall be maintained in a safe manner so as not to obstruct pedestrian access to public Sidewalks, access ramps or doorways. Movable items, such as chairs, shall always be positioned to prevent obstruction of access routes. The permitted item shall always be relocated to the appropriate location if moved by patrons.
- c. All materials shall be well maintained without stains, rust, tears or discoloration. Materials that show signs of significant wear/age shall be replaced.
- d. All encroachments shall be constructed of durable fade resistant materials.

4. Outdoor Displays. Outdoor displays shall be limited to single items or object displays or a few examples of items or goods sold in the store and must comply with all other standards specified herein.

5. Umbrellas and Outdoor Furniture. Umbrellas shall be installed and maintained to provide pedestrian clearance by maintaining seven (7) feet of clearance from the Sidewalk to the lowest edge of the umbrella. Umbrellas shall not exceed a maximum height of nine (9) feet from the base to the top portion of the pole.

6. Planters and Landscaping.

- a. Private planters shall be kept to a minimum and shall be placed against Buildings to accent Building entrances and openings. Private planters shall complement but not interfere with or be placed adjacent to Township-maintained planters located along the Street curb. Planters shall not be used to define seating areas or otherwise cordon off public Sidewalk for private Use.
- b. Plant material shall be of high quality and shall always be maintained in a viable condition; and
- c. Debris or litter caused by planters or nearby landscaping shall be maintained or cleaned by the responsible business or property Owner. Debris, stains or litter shall be cleaned or removed by the responsible business or property Owner;

7. Other Encroachment Types. Other types of encroachments, not anticipated by this Chapter, may be considered and permitted by the Township, but must comply with the purpose and intent of these requirements.

§27-407 Exceptions to Building Height Requirements

- (A) Height regulations specified in the Building Form Regulation requirements for each zoning district specified in Part 2 of this Chapter 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, silos, and ornamental or necessary mechanical appurtenances.

§27-408 Exceptions to Lot Area Requirements

- (A) Unless the Lot area regulations of the zoning district in which they are located require greater lot areas or width, the following regulations shall apply:
 1. Lots not served by sanitary sewer system or other systems approved by the Pennsylvania Department of Environmental Protection shall be not less than one hundred (100) feet wide at the Building setback line nor less than one (1) acre in area, per dwelling unit.
 2. The area, width and depth of Lots shall provide adequate open space for off-street loading, unloading and/or parking space. When necessary, septic tanks and drain fields shall be provided with open space in addition to the other required open space.
 3. On a Lot held in single and separate ownership which does not fulfill the regulations for the minimum area and the yard dimensions for the district in which it is located, a Building may be erected, altered and used thereon providing the yard space is not less than the minimum specified herein, and further that the proposed sanitary sewer system and water system is approved by the Pennsylvania Department of Environmental Protection.

§27-409 Exceptions to Yard Requirements

- (A) Permitted Obstructions. Cornices or cantilevered roofs may project not more than three (3) feet into a required Yard. Belt courses, windowsills and other ornamental features may project not more than six (6) inches into a required Yard. Fences or walls not over eight (8) feet in height may be erected anywhere on the Lot, except as set forth in Subpart (C). Fences or walls with a height in excess of eight (8) feet shall conform to the requirements set forth herein for Buildings. Paved areas (other than such as are needed for access to the Buildings on the Lot) shall not project within fifteen (15) feet of a Street line or five (5) feet of a Lot Line.
- (B) Porches and Porticos. Front Porches and Porticos shall be exempt from Front Yard requirements when the Building otherwise complies with all Yard restrictions of this Chapter.
- (C) Existing Set-Back. No proposed principal Building need have a set-back greater than the average of the two existing principal Buildings with the greatest set-backs located within two hundred (200) feet on each side of the said proposed Building, on the same side of the Street, within the same block, and the same zoning district.

§27-409 Geothermal Energy Systems

- (A) Geothermal Energy Systems. Open-Loop Geothermal Energy Systems and any system not meeting the definition of a Closed-Horizontal-Loop Geothermal Energy System or closed-vertical-loop geothermal energy system are prohibited in the Township. Closed-horizontal-loop geothermal energy systems and closed-vertical-loop geothermal energy systems, as specifically defined, are

permitted as accessory structures and accessory uses in all zoning districts if the following criteria are met:

1. The design and installation of geothermal energy systems and related boreholes for geothermal heat pump systems shall conform to applicable industry standards, including those of the ANSI, the IGSHPA, ASTM, the AR1, or other similar certifying organizations, and shall comply with the Building Code and with all other applicable Township requirements. The manufacturer's specifications shall be submitted as part of the application. The installer must have at least one representative who is certified by the International Ground Source Heat Pump Association (IGSHPA).
2. In all closed-loop geothermal energy systems relying upon circulating fluids, only nontoxic, biodegradable circulating fluids, such as food-grade propylene glycol, shall be permitted. No dye shall be permitted.
3. Setbacks.
 - a. A geothermal energy system shall not be considered an accessory structure for purposes of determining the number of accessory structures permitted on each property.
 - b. Unless otherwise specified, underground geothermal systems shall be located a minimum distance of ten (10) feet from any property line.
 - c. Minimum well and borehole isolation distances shall be provided as follows in Table 4.01.

Table 4.01, Isolation Distances.

Isolation Distance From	Borehole and Geothermal Supply and Geothermal Return Well (feet)
Lakes, ponds, streams or other surface waters	50
Storm drains, retention basins, stabilization ponds or stormwater management facilities	25
Preparation area or storage area of hazardous spray materials, fertilizers or chemicals, salt piles	100
Gravity sewer lines and drains carrying domestic sewage or industrial waste	50 or according to easement
Existing water and forced sewer buried utilities and/or utility trenches	Outside existing easement or, if no easement exists, no less than 50 feet from the utility or trench center line
Septic tanks, aerobic tanks or holding tanks	50
Subsurface sewage disposal systems, elevated sand mounds, other sewage disposal fields	100
Dedicated public right-of-way	20

4. Site Plan. The construction documents submitted with the application for a Zoning Permit shall be accompanied by a site plan showing the size and location of new well construction, proposed buildings, existing and proposed on-lot sewage treatment systems, and existing structures on the site, distances from lot lines, as applicable, flood hazard areas, Floodways, and design flood elevations; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition or abandonment, the site plan shall show construction

to be demolished or abandoned and the location and size of existing structures and construction that are to remain on the site or plot. The municipal official is authorized to waive or modify the requirement for a site plan when the application for permit is for alteration or repair or when otherwise warranted.

5. *Construction Requirements.* All boreholes must be dug, cased, and sealed in accordance with all applicable PA DEP regulations and protocol.
 - a. *Grouting.* Geothermal heating and/or cooling system vertical heat exchange boreholes containing loop pipes may be filled with approved grout or bridging or fill materials from their total depth up to a minimum depth of fifty (50) feet below grade. These vertical heat exchange boreholes must be filled with only approved grout from a minimum depth of fifty (50) feet below grade up to the ground surface. If the annular space around the loop pipes from a minimum depth of fifty (50) feet below grade up to the ground surface is free from standing water, the approved grout may be emplaced without pressure pumping through a tremie pipe.
 - b. *Completion Report.* Upon completion of the well or borehole, submit two copies of PA DCNR's water well completion report Form 8700-FM-TG-5001S, as may be amended, to the Zoning Officer and one copy of this form to the owner. If a geothermal well is constructed, a report shall be filed with the Township by the driller indicating the well was constructed in accordance with this Chapter.
 - c. *Construction Standard.* All materials and construction practices shall conform to the requirements stated in Closed-Loop/Geothermal Heat Pump Systems Design and Installation Standards, such as, but not limited to, standards for pressure testing, heat transfer fluids, etc. All materials and construction practices shall effectively prevent contamination of groundwater.

6. *Abandonment.* If the geothermal system remains nonfunctional or inoperative for a continuous period of one year, the system shall be deemed to be abandoned and shall constitute a public nuisance. The owner shall remove the abandoned system at his/her expense after a demolition permit has been obtained in accordance with the following:
 - (a) The heat pump and any external mechanical equipment shall be removed.
 - (b) Pipes or coils below the land surface shall be filled with grout to displace the heat transfer fluid. The heat transfer fluid shall be captured and disposed of in accordance with applicable regulations. The top of the pipe, coil or boring shall be uncovered and grouted.
 - (c) All abandoned wells shall be reported to PA DCNR on its forms and a copy provided to the municipality. If available, the original driller's log should be included along with the details of the well abandonment procedure. A photograph should be taken of the site, and a reference map should be made to locate the abandoned well.

§27-410 Minimal Habitable Floor Area

- (A) The minimum habitable floor area shall be in accordance with the PCC.
- (B) Where PCC regulations do not provide minimal habitable floor area standards, the following minimums shall apply.

1. Single-Family Dwelling Units (detached, semi-detached, or attached units). 700 square feet.
2. Multifamily Dwelling Units. 400 square feet.
3. Efficiency or Studio Apartments (dwelling unit for one person). 300 square feet.

§27-411 Neighborhood Design Development

(A) Purpose. The purpose of Neighborhood Design Development (NDD) is to:

1. Implement design elements of the Susquehanna Township Comprehensive Plan.
2. Accommodate existing and future medium- density residential neighborhood developments served by public water and public sewer, by providing a range of options to encourage single-family residential communities and neighborhoods of various styles, densities, and designs.
3. Encourage innovation and promote flexibility, economy and ingenuity in the design and layout of Buildings, sites, and streetscapes (i.e., key design elements), so as to create attractive and more cohesive residential neighborhoods with unique and identifiable senses of place.

(B) Standards. Figure 4-1 outlines the NDD's building form regulations.

FIGURE 4-1

NDD-3



A. USE (See Table 3.01, Table of Permissible Uses)

B. BUILDING CONFIGURATION

Principal Building	2-3 stories 35' height max
Outbuilding	1-2 stories
Impervious Coverage	75% max
• Building Coverage	65% max
• Vegetative Coverage	25% min
Lot Width	45' min
Lot Depth	80' min
Lot Area	6000 SF min
Lot Density	5 units per acre max

C. SETBACKS - PRINCIPAL BUILDING

(c.1) Front Setback Principal	5'-25'
(c.2) Corner Lot Secondary Street Front Setback	5'-25'
(c.3) Side Setback	7' min
(c.4) Rear Setback	15' min
(c.5) Front Entry Garage	Must be recessed minimum 5' and meet these conditions: • use a decorative door with windows (min. 10% of door area) • length of the garage facade does not exceed 50% of the total length of the building's front facade • the non-garage portion of the front facade is articulated and emphasized more than the garage.

D. SETBACKS - OUTBUILDING

(d.1) Front Setback	18' min AND must be equal to or behind the Front Facade Principal (c.1)
(d.2) Side Setback	10' min.
(d.3) Rear Setback	5' min.

E. PRIVATE FRONTAGES

Porch	Permitted
Side Porch	Permitted
Fence	Permitted
Terrace or Forecourt	Not permitted
Scoop	Not permitted
Shopfront & Awning	Not permitted
Arcade	Not permitted

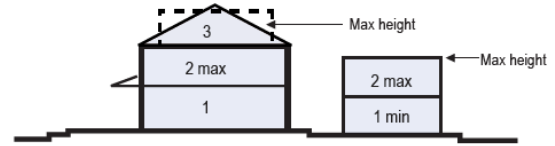
F. PARKING PLACEMENT

(f.1) Parking shall be accessed from the secondary street where possible.

1st Layer: To minimum front setback (c.1)	Driveways may not exceed 12' in width.
2nd Layer: To outbuilding setback (d.1)	Parking permitted on driveway, not to exceed 24' in width.
3rd Layer: Behind Principal Building	Parking permitted.

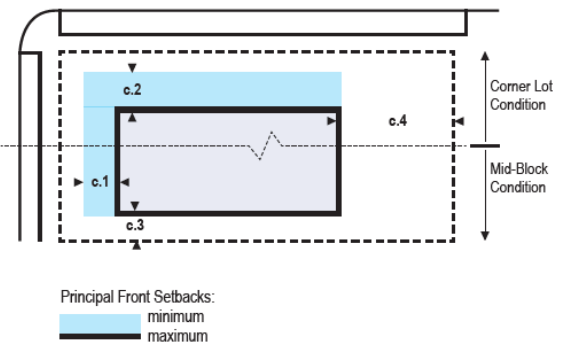
BUILDING CONFIGURATION

- Ground floor stories may be a maximum height of 14'.
- Raised basements are not permitted.



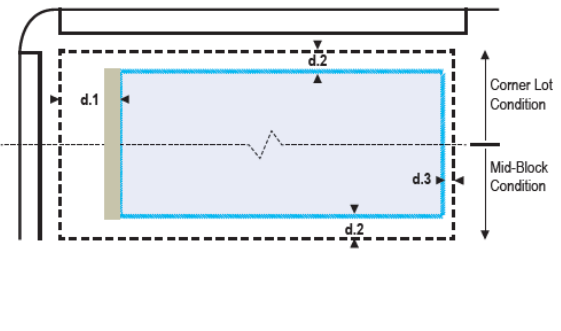
SETBACKS - PRINCIPAL BLDG

- The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as specified width in the table (C)



SETBACKS - OUTBUILDING

- The Elevations of the Outbuilding shall be distanced from the Lot lines as specified width in the table (D) and shown as:
 — MINIMUM
 — PROTRUSION
- Front facing garages may protrude up to 4' in front of the Front Facade if conditions (d.4) are met.



PARKING PLACEMENT

- Parking spaces may be provided within the third Layer as shown in the diagram.
- Trash containers shall be stored within the third Layer.

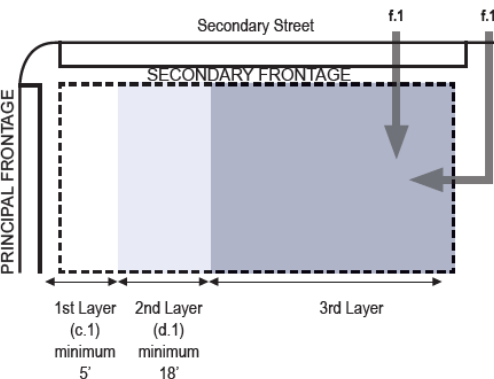
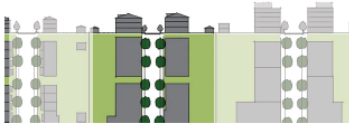


FIGURE 4-1

NDD-3



G. BUILDING TYPOLOGIES

Residential Typology	Single Family Residential
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H. VERTICAL FORM

Principal Facade	Building frontage that faces a public street and meets setback requirement.
Minimum height to setback	2 stories

I. MASSING

(i.1) Principal facade width	n/a
(i.2) Vertical articulation	Create a primarily vertical expression to buildings through the use of windows, doors, pilasters, piers, columns, arches, terraces, porches, porticos, stoops, balconies, colonnades, arcades, or similar elements. Windows, door openings, or other fenestration shall be primarily vertical in proportion.
(i.3) Roof form	Vary the rooflines of buildings through the use of dormers, gables, turrets or similar elements.
(i.4) Roof terrace	Permitted in the rear only.

J. FRONT FACADE TREATMENT

Varied Articulation Visible on Front Facade	All front facades shall include one or more architectural treatments listed in (I.3) and (I.4) so as to create variety and provide visual interest to otherwise blank expanses of the wall.
Varied Materials Visible on Front Facade	Incorporate at least 2 decorative architectural and accent building materials, including brick, stone, cementitious siding, enhanced vinyl siding, board and batten siding or other decorative architectural material.
Varied Roofline Visible on Front Facade	Articulated facades and articulated rooflines shall be provided along the building's front facade.

K. ENTRANCE AND ACCESS

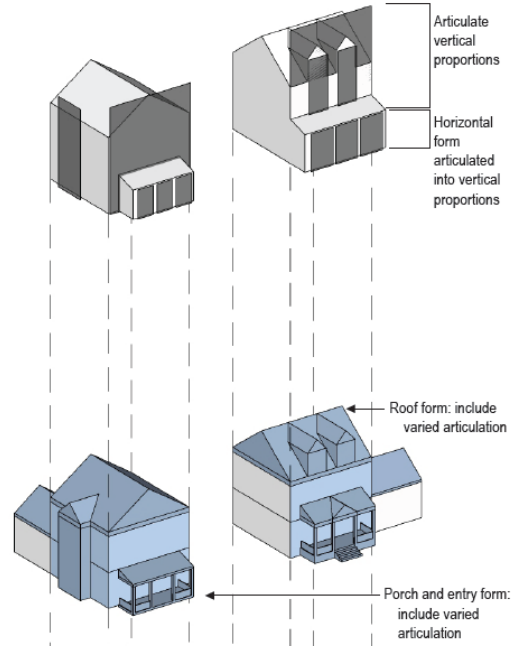
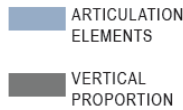
Primary Entrance orientation	All primary entrances must be located on the Principal Facade. Corner lots shall have at least 1 entrance on the Principal Frontage street.
Visibility	All light fixtures attached to the building's front facade shall be decorative.

L. FRONT YARD TREATMENT

Landscape Standards	Low decorative fences, walls, hedges or other landscape treatments shall be installed and maintained in the front yards to provide attractive edges along the streetscape.
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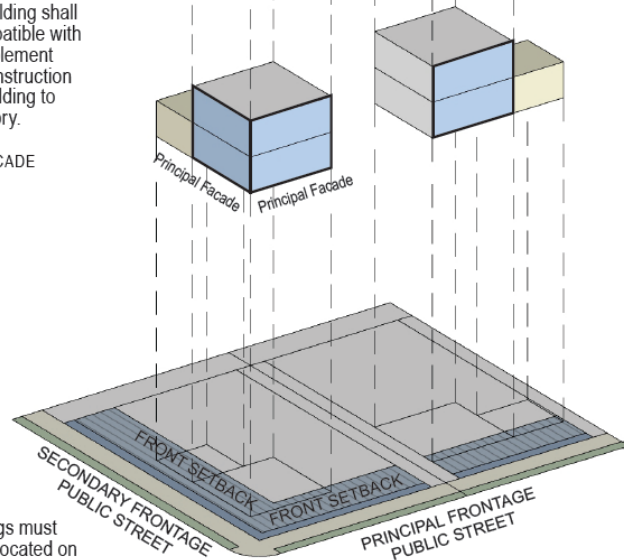
FRONT FACADE TREATMENT

- Vertical articulation of openings uses windows and doors with a height:width ratio of 2:1 per opening.
- Wider openings can achieve vertical expression through moulding, mullions, and multiple panes that create vertical areas within the opening.
- Vertical articulation of walls uses other architectural treatment to emphasize bay rhythms and wall planes with a height:width ratio of 1.5:1 or greater.
- Articulation refers to changes in plane, material, or color, horizontal banding, or other design features.
- The Principal Facade shall refer to all facades oriented towards a public street and located within permitted Front Setback.



MASSING

- Any accessory building shall be similar to, compatible with or otherwise complement the design and construction of the principal building to which it is accessory.

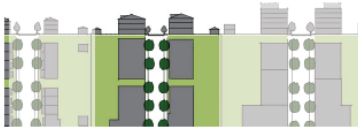


ENTRY

- All primary buildings must have an entrance located on the Principal Facade.
- Entrances are recommended locations for articulation and massing variation such as porches, porticos, and items listed in (i.2).

FIGURE 4-1

NDD - SUBDIVISION



SITEWIDE STANDARDS

- All proposed building site and streetscape design elements within a neighborhood design development shall be based upon a consistent and cohesive design aesthetic for the neighborhood design development.

A. CONDITIONS OF ELIGIBILITY

Tract size minimum	20 acres
Required utilities available	Public sewer and public water

B. BLOCK DESIGN

Block size	500' max distance between intersecting roads
Block depth	Blocks that front 3 or more roads shall have minimum 1 side with a max. 300' length.
Block geometry	Rectangular blocks with interconnected street networks and 90 degree intersections are preferred. Other geometries due to topography, natural constraints, curved streets for traffic calming, park space, and other considerations will all be permitted but the plan will need to show the DRC that interconnectivity is provided.

C. STREETScape

Streetscape design elements	(1) The existing street and pedestrian systems shall be extended into a new neighborhood design development.
	(2) Pedestrian systems such as sidewalks, walkways, trails and crosswalks shall be installed and maintained throughout the neighborhood design development
	(3) The streetscape shall be embellished with nearby buildings, sidewalks, walkways, trails, crosswalks, street trees and decorative streetlights (poles and fixtures).
	(4) Buildings, lots, open space and neighborhoods shall be linked through pedestrian systems.
	(5) Sidewalks, walkways or trails shall be maintained along both sides of all streets.
	(6) All new sidewalks shall be at least six feet zero inches in width (6'0")
	(7) Crosswalks shall be at least six feet zero inches in width when they cross streets.
	(8) In lieu of installing decorative streetlights within the rights-of-way along streets, decorative post lights (poles and fixtures) shall be permitted within the front yards. The decorative post lights shall include automatic dusk-to-dawn sensors.
	(9) All neighborhood design development identification and directional signs shall be based upon a consistent and cohesive design aesthetic for the neighborhood design development.

D. LOT VARIATION

Variation along each block	Front setback of principal buildings on the lot along a streetscape is required. Color and architectural and accent materials, or proportions thereof, used on the front facades; or Rooflines or architectural features and treatments.
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E. MAINTENANCE

Trails, Decorative streetlights (poles and fixtures), Street trees, Decorative post lights within the front yards, Alleys	Where used, all the following shall be installed and maintained in accordance with the Subdivision and Land Development Ordinance.
Open space	Ownership and maintenance of reserved central open space shall be in accordance with § 27-2116.

F. PUBLIC SPACE

In addition to the required recreation requirements set forth in § 22-1007 of the Subdivision and Land Development Ordinance:	Must include a public space within a ¼ mile of all properties. (a) The central open space area shall be conveniently accessible by sidewalk, walkway or trail from all buildings in the neighborhood design development. (b) The central open space shall have a minimum contiguous area of one acre or, if improved to provide a gathering area of at least 300 square feet, a minimum area of one-half an acre. (c) Existing healthy native species trees and shrubs, and water features, should be preserved within the central open space. (d) Street trees shall be provided along the perimeter of central open space that border streets in accordance with the Subdivision and Land Development Ordinance. (e) All portions of the central open space, except for those areas under sidewalks, walkways, trails, water, furnishings, and recreational structures, shall be landscaped with trees, shrubs, ground cover, or grass. (f) Ownership and maintenance of reserved central open space shall be in accordance with § 27-2116.
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SUBMISSION REQUIREMENTS

A. At the time of preliminary and final plan submission, the applicant shall submit the following documents demonstrating compliance and consistency with the key design elements set forth in Subsection 4.

(1) Building and Site Layout Details: shall include the proposed building and site design elements set forth in Subsection 4A, as applicable.

(a) Conceptual building elevations depicting principal buildings' front facades shall be contemplated. An elevation of every building, architectural feature, and material, or every combination thereof, shall not be required, but the elevations shall be generally representative of the buildings, architectural features and styles, and materials contemplated.

(2) Streetscape Plan: shall include the proposed streetscape design elements set forth in Subsection 4B, as applicable.

B. The Design Review Committee ("DRC") shall have the opportunity to review and comment on the proposed building and site layout details and streetscape plan submissions (prior to review by the Susquehanna Township Planning Commission) in order to provide informal comments to the applicant.

4. Key Design Elements. The applicant shall establish legally enforceable provisions controlling the applicable key design elements of the buildings, sites and streetscapes in accordance with the standards for NDD-3 (I), (J), (K), and (L).

APPROVAL REQUIREMENTS

The Design Review Committee ("DRC") shall have the opportunity to review and comment on the proposed building and site layout details and streetscape plan submissions (prior to review by the Susquehanna Township Planning Commission) in order to provide informal comments to the applicant.

All permits submitted under the NDD must be compliant with the DRC approvals.

§27-412 Nuisances

(A) The following Nuisance performance standards and restrictions shall apply for all non-residential Uses in any of the zoning districts.

1. Control of Smoke, Dust, Dirt, Fumes, Vapors, Gases and Odors. The Pennsylvania Air Pollution Control Act [Act of Jan. 8, (1960) 1959, P.L. 2119, No. 787] standards shall be used to control the emission of smoke, dust, dirt, fly ash, fumes, vapors, gases, or odors.
2. Noise.
 - a. At no point along a Residential or Mixed Use District or one hundred twenty-five (125) feet from the plant or operation property line shall the sound pressure level of any operation or plant (except as otherwise noted herein) exceed the decibel limits in the octave bands designated in Table 4-4 below:
 - b. Sound levels shall be measured with a sound-level meter and associated octave band filter, manufactured in compliance with the standards prescribed by the American Standards Association.

Table 4-4, Noise Level Standards

Octave Bands Frequency (cycles per second)	Maximum Permitted Sound Level (Decibels) Along Residential District Boundaries or 125 feet from Industrial Use property line	Maximum Permitted Sound Level (Decibels) Along Commercial District Boundaries or 125 feet from Industrial Use property line
0 to 75	72	79
75 to 150	67	74
150 to 300	61	68
300 to 600	56	62
600 to 1,200	50	56
1,200 to 2,400	45	51
2,400 to 4,800	41	47
Above 4,800	38	38

- c. Exemptions. The following shall be exempt from noise performance standards:
 - (1) Noises of construction or maintenance activities;
 - (2) Noises of safety signals, warning devices, and emergency pressure relief valves;
 - (3) Transient noises of moving sources such as transportation Vehicles, including trains and aircraft; and
 - (4) Other noises not under the direct control of the property user; and
 - (5) The use of outdoor public address systems for any purpose shall be approved by the Zoning Officer.
3. Vibration. Any Use creating intense earth-shaking vibrations such as are created by a heavy drop forge shall be set back a minimum of two hundred fifty (250) feet from contiguous

zoning districts. No perceptible vibrations shall be permitted at the property line. Vibration caused by maintenance and construction activities is exempt.

4. Glare and Heat.

- a. All Uses shall minimize the production of light, heat or glare that is perceptible beyond any property line of the Lot from which the light, heat or glare is produced;
- b. Glare, whether direct or reflected, such as from spotlights or high temperature processes, and as differentiated from general illumination, shall be not visible beyond the Lot line of the Lot on which the Use is located;
- c. Exterior lighting, other than that essential for the safety and convenience of the users of the premises shall be prohibited. All exterior lighting shall be shielded in such manner that the maximum level of light (i.e., measured in foot candles) is zero at common, adjacent residential Lot lines and 0.5 at common, adjacent non-residential Lot lines.
- d. Except for within commonly owned properties under unified management such as commercial centers, no direct or sky-reflected glare, whether from floodlights or from temperature processes such as combustion or welding or otherwise, to be visible at the Lot line of the subject property shall be permitted. Furthermore, there shall be no transmission of heat or heated air to be discernible (by a healthy observer such as the Zoning Officer or designee at the Lot line.

5. Fire Hazards. No activity or operation shall be established which fails to meet requirements of National Fire Protection Association (NFPA) Life Safety 101: Fire Code standard.

6. Radiation of Electrical Emissions, Radioactivity or Electrical Disturbance. Activities that may emit dangerous radioactivity beyond closed areas shall comply with State and Federal Codes. No electrical disturbances (except from domestic household appliances) shall be permitted to affect adversely, at any point, any equipment other than that of the creator of such disturbance.

7. Electric, Diesel, Gas or Other Power. Every Use requiring power shall be so operated that any service lines, substation, etc., shall conform to the highest applicable safety requirements. They shall be constructed, installed, etc., so that they will be an integral part of the architectural features of the Building or, if visible from abutting residential properties, shall be concealed by evergreen planting; and

8. Sewage and Waste Treatment. All methods of sewage and industrial waste treatment and disposal shall be approved by Susquehanna Township Authority or applicable provider and be in accordance with all applicable regulations.

§27-413 Obstruction to Vision

- (A) Walls, fences, Signs, or other Structures shall not be erected or altered, and hedges, trees or other plant material shall not be planted or maintained, which may cause danger to traffic on a Street or road by obstructing the view.
- (B) On corner lots, there shall be provided and maintained a Clear Sight Triangle in accordance with Subdivision and Land Development Ordinance (Chapter 22 of the Township Municipal Code). At all Street intersections in all zoning districts, no obstructions to vision exceeding thirty (30) inches in height above curb level shall be erected or maintained on any Lot within the Clear Sight Triangle

formed by the Street lines of such Lot and a line drawn between points along such Street lines thirty (30) feet distant from their point of intersection.

§27-414 Public Utility Structures

- (A) Public utility Structures shall be permitted in any district without regard to the Use and are regulations, provided, however, that Buildings or Structures erected for these utilities shall be subject to the following regulations.
1. Front, side, and rear yards shall be provided in accordance with the regulations of the district in which the facility is located.
 2. Height shall be as required by the Building Form Regulations specified by zoning district under Part 2 of this Chapter.
 3. Unhoused equipment shall be enclosed with a chain link fence six in height topped with barbed wire.
 4. Housed equipment, when the equipment is totally enclosed within a Building, no fence or screen planting shall be required, however, the yard areas shall be in conformity with the district in which the facility is located.
 5. Screen Planting. The required fence for the unhoused equipment shall be surrounded by an evergreen planting as approved by the Township Planning Commission.
 6. The external design of the Building or Structure shall be in conformity with the Buildings in the governing zoning districts specified in Part 2 of this Chapter.
 7. Access for unhoused equipment, where vehicular access is across the front yard, the gate shall be constructed of solid materials having not less than fifty (50) percent solid in ratio to open space.
 8. Plans of the facility shall be submitted to the Township Planning Commission for review and approval.

§27-415 Parking and Loading Requirements

(A) General Requirements.

1. Off-Street parking spaces, open or enclosed, are a permitted Accessory Use subject to the following provisions:
 - a. The parking and loading design and engineering requirements specified in the Township Subdivision and Land Development Ordinance (Chapter 22 of the Township Municipal Code) shall apply.
 - b. All required parking spaces under this Chapter must be located on the Lot area, unless the applicant meets the Joint Parking Facilities requirements specified in the Township Subdivision and Land Development Ordinance (Chapter 22 of the Township Municipal Code).
 - c. Off-Street parking and loading spaces as required by this Part shall be provided for all new Buildings, additions to Buildings, expansions of Use and changes in Use;

- d. No part of any required Front, Side or Rear Yard Setback shall be used for off-street parking requirements except for that part of the Yard that is occupied by a driveway leading to a garage or parking area or as otherwise needed to require a back-up area for end stalls; and
 - e. A garage or carport may be located wholly or partly inside the walls of the principal Building or attached to the outer walls. The garage may be constructed under a Yard or Court provided that the level of such Yard or Court shall conform to the general level of the other yards or courts on the Lot. The space above an underground garage shall be deemed to be part of the open space of the Lot on which it is located.
- 2. Off-Street parking facilities shall be provided to lessen congestion in the Streets. The facilities required shall be available to patrons throughout the hours of operation of the particular business or Use for which such facilities are provided. The term “parking space” includes either covered garage space or uncovered parking space located off the public Right-of-Way.
 - 3. Residential off-street parking space shall consist of a parking Lot, Driveway, garage, or combination thereof and shall be located on the Lot it is intended to serve.
 - 4. Outdoor parking spaces shall not be deemed to be part of the Lot on which it is located, unless designated as overflow parking in accordance with this Chapter.

§27-416 Protection of Solar Access

- (A) No Accessory Structures or vegetation shall be located to block a solar collector's access to the solar energy on an abutting lot in accordance with the following restrictions.
 - 1. No solar collector shall be shaded between the hours of 10:00 AM and 3:00 PM.
 - 2. These regulations do not apply to Accessory Structures or vegetation existing on an abutting Lot at the time of installation of the solar energy collection system.
- (B) A statement that a solar energy collection system is to be installed on a lot shall be filed and recorded with the Township on the day of the permit for the solar system is issued. The date of installation shall be the date of recordation. The solar facility must be completed, and the Zoning Officer shall be notified within one calendar year from the date of installation.

§27-417 Rooftop-Mounted Equipment and Appurtenances

For all non-residential uses, mixed uses, and multifamily dwelling uses, all rooftop-mounted equipment and other similar appurtenances such as stairwells, air-conditioning units, large vents, heat pumps, and mechanical equipment shall, to the maximum extent feasible, be inconspicuously sited on the roof, screened via use of parapets, walls, fences, landscaping, or other approved screening, or integrated to be within the roof form, such that views from adjacent Street rights-of-way (excluding alleys) are minimized. All architectural features to be used to screen rooftop equipment shall be designed to be architecturally compatible with the principal Building (including design, materials, and colors).

§27-418 Supplementary Regulations Applying to Non-Residential Uses

(A) Height Regulations.

1. Where a Lot has frontage on two or more Streets or other public rights-of-way, the height limitation shall apply only as measured from the curb level along the Street or way with a higher elevation above sea level.
2. Structures such as chimneys, flues, towers, and spires shall be exempt from height limitations provided they occupy not more than twenty (20) percent of the roof area.

(B) Waiver of Yards. No side Yard or rear Yard shall be required where such Yard abuts an operating railroad right-of-way.

(C) Courts. The minimum dimension of an inner court shall not be less than twice the height of all surrounding walls. However, in no case shall an inner court have a dimension of less than thirty (30) feet. (The height of walls surrounding an inner court shall be measured from finished grade at the base thereof, to the top of such wall, except that, in the case of roofs with a slope exceeding five (5) inches vertical to twelve (12) inches horizontal, the height shall be measured to the mean point between the top of said wall and the highest point of the roof). The minimum dimension of an outer court shall be twenty (20) feet, and its depth shall not exceed its width.

§27-419 Swimming Pools

(A) No Zoning Permit shall be granted for the installation or construction of any such swimming pool unless the Township Engineer or Pennsylvania Department of Environmental Protection has certified that the drainage of such pool is adequate and will not interfere with any domestic water facilities, any sanitary sewage facilities or any Streets.

(B) Fencing. Any such pool with a surface area of one hundred fifty (150) square feet or more or a depth in excess of two (2) feet shall be completely surrounded by a fence or wall that is not less than four (4) feet in height. All gates or doors opening through said fence shall be erected, maintained, and provided with a self-closing, self-locking gate to prevent unauthorized use of the pool and prevent accidents. However, if said pool is located more than three and one-half (3.5) feet above the ground level, then a fence is not required, provided that all points of access to said pool are adequately removed or secured when not in Use.

(C) A Swimming Pool shall not involve any Commercial Use if it is an Accessory Use to a principal residential Use;

(D) The design and construction of all Swimming Pools shall be in accordance with the PCC; and

(E) A Swimming Pool shall be within the principle setbacks. A contiguous pool patio that is concrete, pavers, bricks, or other hard impervious non-combustible material that is flush with the surrounding grade shall not be required to meet principle setbacks.

§27-420 Trash Dumpsters, Commercial

(A) In addition to the other applicable requirements of the Township, commercial trash dumpsters shall be governed by the following provisions:

1. Setbacks. Trash Dumpsters shall be located in accordance with the following setbacks:
 - a. Ten (10) feet from any residentially zoned or used property;

- b. Five (5) feet from any non-residentially zoned or used property;
- c. Twenty (20) feet from any public Street; and
- d. Twenty-five (25) feet from any residential unit.

2. Service Access.

- a. Placement of trash dumpsters and enclosures shall be planned and constructed in a manner that allows unobstructed access to each trash dumpster and the unobstructed opening of the gates during the disposal process.
- b. Trash dumpsters shall not be located in such a manner that the service Vehicle will block any public Street or Alley.
- c. When trash dumpsters are to be serviced from an Alley, enclosures shall be angled thirty (30) degrees and recessed off the Alley approximately six (6) feet (recessing the enclosure is necessary so that gates do not open into the Alley so as to obstruct traffic and so that a Clear Sight Triangle can be achieved).

3. Screening and Minimum Size.

- a. All trash dumpsters shall be enclosed on three (3) sides by a six (6) foot tall enclosure to ensure that that the trash area is:
 - (1) Not visible from the Street, and
 - (2) Not visible from any single- or two-family home within fifty (50) feet.
- b. Each screened enclosure shall provide a minimum ten (10) foot interior length and width subject to the following requirements:
 - (1) Each enclosure shall provide a minimum of twelve (12) inches of clear space between each side of the trash dumpster (including lifting flanges) and the adjacent wall surface of that enclosure, or any other trash dumpsters within that same enclosure; and
 - (2) Commercial trash dumpsters may be sized appropriately based on specific Use requirements.
- c. Permitted materials for trash enclosures include materials that provide solid, opaque screening, such as:
 - (1) Masonry (such as concrete block, brick, or stone);
 - (2) Chain link with privacy slats; or
 - (3) Vinyl fencing.

4. Service Gates.
 - a. All screened trash dumpster enclosures shall have gates and their construction shall be of sturdy metal frame and hinges with an opaque facing material consisting of wood or other solid material. Metal or plastic slats inserted in chain link are permitted and shall be maintained.
 - b. Service gates shall incorporate gate stops and latches that are functional in the fully open and closed positions.
 - c. Gates that swing out from the container shall be set back from the property line at least a distance equal to the width of the gate. Hinge assemblies shall be strong and durable so that access and servicing gates function properly and do not sag.

5. Applicability. This subsection applies to any and all Uses of land or Structures, including existing Uses and Structures; provided that, the requirements of this subsection shall not apply to any dumpster temporarily located on property for the receipt of construction or demolition waste during ongoing construction, renovation, demolition, or similar activities.

§27-421 Unenclosed Storage

- (A) Recreational Vehicles, Boats, Campers, Trailers, School Buses and Trucks. In CV, RN, SN, UN, and CTR zoning districts, no boats, campers, Recreation Vehicles, trailers, and/or trucks with more than two (2) axles, except personal pickup trucks, shall be stored or parked within any front Yard. Vehicles stored on the side or rear Yard must be at least five (5) feet from the property line. No such vehicle shall be allowed to be parked in multiple family residential developments unless a remote screened storage area is provided for these purposes.

- (B) Motor Vehicles. In the CV, RN, SN, UN, and CTR zoning districts, the following is prohibited:
 1. The outdoor storage of any Motor Vehicle that is inoperable, more than five (5) years old, and left unattended on public property for more than forty-eight (48) hours.
 2. The outdoor storage of any Motor Vehicle that has remained illegally on public property for more than forty-eight (48) hours.
 3. The outdoor storage of any Motor Vehicle that has remained on private property without the consent of the owner or person in control of the property for more than forty-eight (48) hours.
 4. The outdoor storage of any Motor Vehicle left unattended on in a public right-of-way or easement for more than forty-eight (48) hours.
 5. The outdoor storage of Motor Vehicle parts and accessories including, but not limited to, engine, transmission, electrical, suspension parts, as well as tires, hubcaps, and other Motor Vehicle parts on private property with the exception of permitted Automobile Service and Outdoor Storage Yard Uses as defined in Part 3 of this Chapter.

- (C) Screening and Buffering. In all zoning districts, outside storage areas shall be screened from any public Street or pedestrian walkway, any abutting residential Use, and any adjoining residential district in accordance with the requirements specified in the Subdivision and Land Development Ordinance (Chapter 22 of the Township Municipal Code).

- (D) Industrial and Commercial Districts and Uses. All yards used for the storage of any material needed for the operation or conduct of industrial or commercial enterprise shall be enclosed by a solid wall, uniformly painted or colored fence, or evergreen screen planting on all sides which face upon a lot in a more restricted zone or adjacent to a residential Use and in accordance with the requirements specified in the Subdivision and Land Development Ordinance (Chapter 22 of the Township Municipal Code).
- (E) Residential and Mixed-Use Districts. The stockpiling of tire, metal pipes, automobile parts, and similar objects or materials shall be stored in a garage or an enclosed storage Structure in the CV, RN, SN, UN, and CTR zoning districts.
- (F) Trash, Garbage, Refuse, or Junk. Except as provided in Part 13 Chapter 2 of the Township Municipal Code, the outdoor accumulation of trash, garbage, refuse, or junk for a period exceeding 15 days is prohibited.
- (G) Dumpsters. All trash dumpsters shall be located within a side or rear yard, screened from adjoining roads and properties in accordance with the buffer and screening requirements of the Subdivision and Land Development Ordinance (Chapter 22 of the Township Municipal Code) and completely enclosed within a masonry or fenced enclosure equipped with a self-latching door or gate.
- (H) Furniture (including landscape Structures-gazebos and arbors), Yard swings, waterscape and art forms that are designed and made for outside Use, shall be maintained in good condition, and are not deteriorated. Barbecue grills, outdoor equipment (spa, hot tub, deck, Federal Communications Commission (FCC) approved satellite dish antennas, animal enclosures, patio covers), and children's playground equipment and toys may be allowed in Rear Yards; however, children's playground equipment and toys and outdoor equipment, other than spa and hot tub, may also be allowed in Side Yards. A spa or hot tub is allowed in a Side Yard provided that is screened by a minimum six (6) foot blind fence made of vinyl, wood, or composite materials.
- (J) No flammable or explosive liquids, solids or gases shall be stored in bulk above ground, except for tanks of fuel (1) directly connected to energy or heating devices or (2) used in conjunction with active agricultural or construction activities. A list of such liquids, solids or gases stored on site shall be supplied to the appropriate fire companies serving the Township.
- (K) No Structure or land shall be used or developed, and no Structure shall be located, extended, converted or structurally altered unless the applicant takes all reasonable measures to minimize the impacts of the above ground and underground storage of heating oil, gasoline, diesel fuel, chemical solutions, hazardous materials, or other substances which, if released, would constitute pollutants to surface water or groundwater or environment. It shall be within the sole discretion of Township Board of Commissioners, by majority vote, to determine what constitutes a "reasonable measure". The applicant shall also demonstrate compliance with all applicable regulations of the U.S. Environmental Protection Agency, Pennsylvania Department of Environmental Protection, and the Pennsylvania State Police, Fire Marshall Division, including notification and registration requirements.

§27-422 Yard/Garage Sales

- (A) In addition to the other applicable requirements of the Township, Yard/Garage Sales shall also be governed by the following provisions:
 - 1. A Yard/Garage Sale shall not involve the sale of new merchandise, excepting only custom craft items.
 - 2. A Yard/Garage Sale may be conducted no more than four (4) times per year and last no longer than 48 hours each.

3. See Part 5 for Yard/Garage Sale Sign regulations.

§27-423 Yard Requirements

- (A) Where the Street or Streets (or private road) upon which the lot abuts is less than fifty (50) feet in width, the front yard depth and the width of the side yard abutting the Street (or private road) shall be measured from a line parallel to and twenty-five (25) feet from the center line of the Street (or private road).
- (B) Front Yards.
 1. Front Setback of Buildings on Built-up Street.
 - a. When a vacant Lot is situated between two Lots, each occupied by a principal Building within twenty-five (25) feet of the side Lot line of such vacant Lot and which extends into the required front Yard, the minimum front Yard setback of the vacant lot shall be the average depth of the front Yards of the adjacent occupied Lots.
 - b. When a vacant lot is situated between one lot, occupied by a principal Building within twenty-five (25) feet of the side lot line of such vacant lot and which extends into the required front yard, the minimum front yard setback of the vacant lot shall be the average depth of the front yard of the adjacent occupied lot and the front yard required for the district in which such vacant lot is located. In these cases the second vacant lot from the original occupied lot shall have at least the minimum front yard depth required in the district.
 2. Parking shall be prohibited in front yards in residential districts, except on paved areas or impervious driveways in areas beyond pedestrian sidewalks or, where pedestrian sidewalks do not exist, beyond the public right-of-way portion of the front yard.
 3. Basketball hoops may be located no closer than fifteen (15) feet to any front lot line or street line, and no closer than twelve (12) feet to any side lot line or a distance equal to the minimum side setback, whichever is less. (See Figure 4-2.)
 4. Gardening shall not exceed a maximum area of one hundred (100) square feet and located no closer than fifteen (15) feet to any front lot line or street line Composting is not permitted in any front yard. (See Figure 4-3).
 5. Reverse Frontage Lots or Through-Lots. A front setback shall be required from each Street on reverse frontage or through- lots.
- (C) Yard Requirements for Corner Lots. On a corner lot, both yards abutting the Street shall have a width equal to the depth of the front yard required in the district and shall be subject to all front yard requirements of this Chapter. The rear yard shall be the yard opposite the yard designated by the Property Owner as the front and shall meet rear yard requirements. The opposing yard from the other front yard shall meet side yard requirements.
- (D) Projections in Yards.
 1. Cornices, eaves, gutters, bay windows or chimneys may project into the front, side or rear yard of a lot, not more than twenty-four (24) inches.

2. Apparatus or architectural Structures needed for the efficient operation of solar energy systems, including but not limited to overhangs, insulating walls and roofs, solar collectors or reflectors may project not more than four feet into any required yard.

(E) Interior Yards. For lots containing more than one Building on a single lot, the following interior yard spacing requirements shall be met:

1. Front to front: seventy (70) feet.
2. Front to side: fifty (50) feet.
3. Front to rear: seventy (70) feet.
4. Side to rear: thirty (30) feet.
5. Side to side: fifteen (15) feet.
6. Rear to rear: fifty (50) feet.
7. Corner to corner: twenty (20) feet.

Figure 4-2, Basketball Hoop Placement

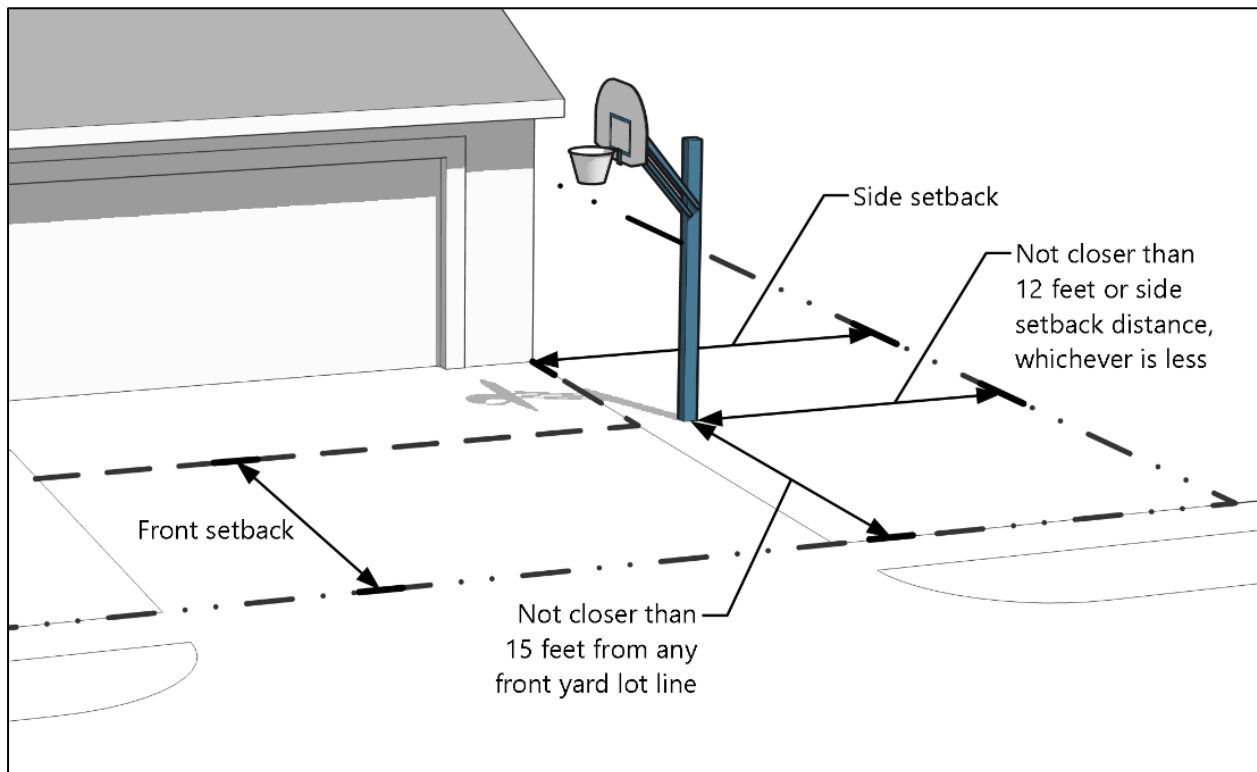
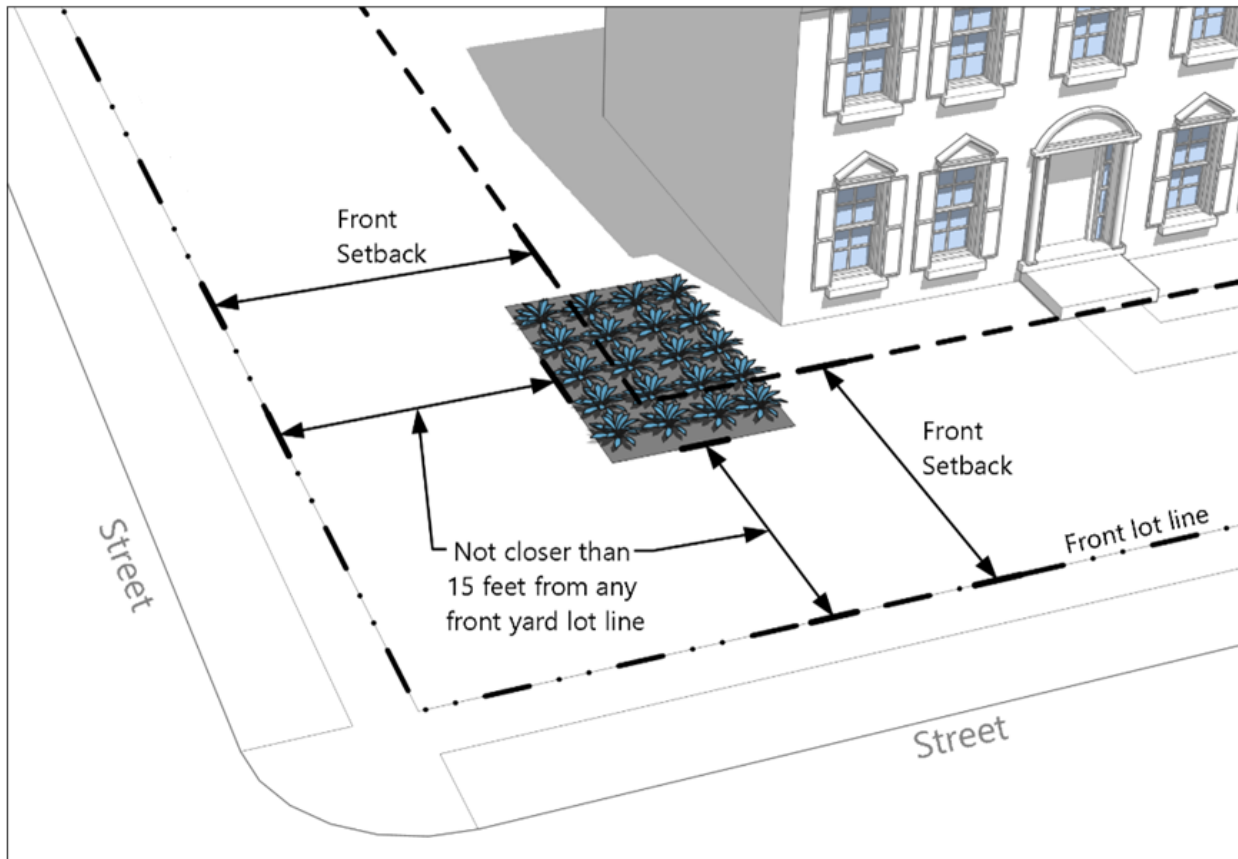


Figure 4-3, Garden Placement Standard



PART 5 SIGNS

§27-501 General

- (A) Purpose. Signs perform an important function in identifying and promoting properties, businesses, services, residences, events, and other matters of interest to the public. The intent of this Part is to regulate all signs within the Township to ensure that they are appropriate for their respective uses, in keeping with the appearance of the affected property and surrounding environment, and protective of the public health, safety, and general welfare by:
1. Setting standards and providing uniform, scientifically based controls that permit reasonable use of signs and preserve the character of the Township;
 2. Prohibiting the erection of signs in such numbers, sizes, designs, illumination, and locations as may create a hazard to pedestrians and motorists;
 3. Avoiding excessive conflicts from large or multiple signs, so that permitted signs provide adequate identification and direction while minimizing clutter, unsightliness, and confusion;
 4. Establishing a process for the review and approval of sign permit applications; and
 5. Ensuring sign design that builds on quality designed development and visual environment the Township seeks to promote as stipulated in the *Sustainable Susquehanna 2030 Comprehensive Plan*.
- (B) Applicability. Any sign erected, altered, or maintained after the effective date of this Chapter shall conform to the regulations specified in this Chapter.
- (C) Violations. Any of the following shall be a violation of this Part and shall be subject to the enforcement remedies and penalties provided by this Chapter, by the other provisions of the Township Municipal Code, and by State and Federal law:
1. To install, create, erect, or maintain any Sign in a way that is inconsistent with any plan or permit governing such Sign or the Lot on which the Sign is located;
 2. To install, create, erect, or maintain any Sign requiring a permit without such a permit;
 3. To fail to remove any Sign that is installed, created, erected, or maintained in violation of this Part, or for which the Sign Permit has lapsed; or
 4. To continue any such violation. Each such day of a continued violation shall be considered a separate violation when applying the penalty portions of this Chapter. Each Sign installed, created, erected, or maintained in violation of this Chapter shall be considered a separate violation when applying the penalty portions of this Chapter.

§27-502 Defined Words and Terms.

- (A) Defined Words and Terms. Words and terms used in this Part shall have the meanings given in this Part. Unless expressly stated otherwise, any pertinent word or term not part of this listing but vital to the interpretation of this Chapter, shall be construed to have their legal definition, or in absence of a legal definition, their meaning as commonly accepted by practitioners including civil engineers, surveyors, architects, landscape architects, and planners.

ABANDONED SIGN – A Sign which has not identified or advertised a current business, service, Owner, product, or activity for a period of at least one hundred eighty (180) days, in the case of Off-Premise signs, or at least three hundred sixty (360) days in the case of On-Premise signs.

ADDRESS SIGN – A Sign that designates the Street number and/or Street name for identification purposes, as designated by the United States Postal Service.

ANIMATED SIGN – A Sign depicting action, motion, or light or color changes through electrical or mechanical means.

AWNING – A cloth, plastic, or other nonstructural covering that projects from a wall for the purpose of shielding a doorway or window. An Awning is either permanently attached to a Building or can be raised or retracted to a position against the Building when not in Use.

AWNING SIGN – Any Sign painted on, or applied to, an Awning. See Figure 5-1.

Figure 5-1, Awning Sign



BALLOON SIGN – A lighter-than-air, gas-filled balloon, tethered in a fixed location, which contains an advertisement message on its surface or attached to the balloon in any manner.

BANNER – Any cloth, bunting, plastic, paper, or similar non-rigid material attached to any Structure, staff, pole, rope, wire, or framing which is anchored on two or more edges or at all four corners. Banners are temporary in nature and do not include Flags.

BEACON LIGHTING – Any source of electric light, whether portable or fixed, the primary purpose of which is to cast a concentrated beam of light generally skyward as a means of attracting

attention to its location rather than to illuminate any particular Sign, Structure, or other object.

BILLBOARD – See OFF-PREMISE SIGN.

CANOPY – A Structure other than an Awning made of fabric, metal, or other material that is supported by columns or posts affixed to the ground and may also be connected to a Building.

CANOPY SIGN – Any Sign that is part of or attached to a Canopy.

CHANGEABLE COPY SIGN – A Sign or portion thereof on which the copy or symbols change either automatically through electrical or electronic means, or manually through placement of letters or symbols on a panel mounted in or on a track system. The two types of changeable-copy signs are Manual Changeable Copy Signs and Electronic Changeable Copy Signs, which include: Message Center Signs, Digital Displays, and Tri-Vision Boards.

CHANNEL LETTER SIGN – A Sign consisting of fabricated or formed three-dimensional letters, individually applied to a wall, which may accommodate a light source.

CLEARANCE – The distance above the walkway, or other surface if specified, to the bottom edge of a Sign. This term can also refer to a horizontal distance between two objects.

DIGITAL DISPLAY – The portion of a Sign message made up of internally illuminated components capable of changing the message periodically. Digital displays may include but are not limited to LCD, LED, or plasma displays.

DIRECTIONAL SIGN – Signs designed to provide direction to pedestrian and vehicular traffic into and out of, or within a site.

FESTOON LIGHTING – A type of illumination comprised of either: (a) a group of incandescent light bulbs hung or strung overhead or on a Building or other Structure, or (b) light bulbs not shaded or hooded or otherwise screened to prevent direct rays of light from shining on adjacent properties or rights-of-way.

FLAG – Any Sign printed or painted on cloth, plastic, canvas, or other like material with distinctive colors, patterns, or symbols attached to a pole or staff and anchored along only one edge or supported or anchored at only two corners.

FLASHING SIGN – A Sign whose artificial illumination is not kept constant in intensity at all times when in Use and which exhibits changes in light, color, direction, or animation. This definition does not include electronic message centers signs or digital displays that meet the requirements set forth herein.

FOOT CANDLE – A unit of incident light (on a surface) stated in lumens per square foot and measurable with an illuminance meter, a.k.a. foot candle or light meter. One (1) foot candle is equal to one (1) lumen per square foot

FREESTANDING SIGN – A Sign supported by Structures or supports that are placed on, or anchored in, the ground; and that is independent and detached from any Building or other Structure. The following are subtypes of freestanding signs:

1. **GROUND SIGN** – A Freestanding Sign permanently affixed to the ground at its base, supported entirely by a base Structure, and not mounted on a pole or attached to any part of a Building. (Also known as Monument Sign).
2. **POLE SIGN** – A Freestanding Sign that is permanently supported in a fixed location by a Structure of one or more poles, posts, uprights, or braces from the ground and not supported by a Building or a base Structure.

FRIEZE – Refers to any long, narrow, horizontal panel or band used for decorative purposes on the exterior walls of Buildings.

GAS STATION CANOPY – A freestanding, open-air Structure constructed for the purpose of shielding service station islands from the elements.

GAS STATION CANOPY SIGN – Any Sign that is part of, or attached to, the vertical sides of the gas station canopy Roof Structure. For the purposes of this Chapter, gas station canopy signs shall be considered Wall Signs.

GOVERNMENT/REGULATORY SIGN – Any Sign for the control of traffic or for identification purposes, Street Signs, Warning Signs, railroad crossing signs, and signs of public service companies indicating danger or construction, which are erected by or at the order of a public officer, employee or agent thereof, in the discharge of official duties.

HOLIDAY DECORATIONS – Signs or displays including lighting which are a non-permanent installation celebrating national, state, and local holidays, religious or cultural holidays, or other holiday seasons. (Also known as seasonal decorations) **Illumination:** A source of any artificial or reflected light, either directly from a source of light incorporated in, or indirectly from an artificial source.

HOME OCCUPATION SIGN – A Wall Sign that is used for a Home Occupation Use as defined in §27-307(B)8 of this Chapter.

ILLUMINATION – A source of any artificial or reflected light, either directly from a source of light incorporated in, or indirectly from an artificial source.

ILLUMINATION, EXTERNAL – Artificial light, located away from the Sign, which lights the Sign, the source of which may or may not be visible to persons viewing the Sign from any Street, sidewalk, or adjacent property. **Internal Illumination:** A light source that is concealed or contained within the Sign and becomes visible in darkness through a translucent surface. Message center signs, digital displays, and signs incorporating neon lighting shall not be considered internal illumination for the purposes of this Chapter.

INCIDENTAL SIGN – A Sign that displays general site information, instructions, directives, or restrictions that are primarily oriented to pedestrians and motor vehicle operators who have entered a property from a public Street. These signs shall not contain any commercial advertising.

INCIDENTAL WINDOW SIGN – Signs displayed in the window displaying information such as the business' hours of operation, credit institutions accepted, commercial and civic affiliations, and similar information. These signs shall be informational only and shall not contain a commercial message.

INFLATABLE SIGN – A Sign that is an air-inflated object, which may be of various shapes, made of flexible fabric, resting on the ground or Structure and equipped with a portable blower motor that provides a constant flow of air into the device.

INTERACTIVE SIGN – An electronic or animated Sign that reacts to the behavior or electronic signals of motor vehicle drivers. **Legibility:** The physical attributes of a Sign that allow for an observer’s differentiation of its letters, words, numbers, or graphics.

LIMITED DURATION SIGN – A type of non-permanent Sign that requires a longer display time (1-year display limit) than a Temporary Sign (30-day display limit). Limited Duration Signs include signs relating to commercial/industrial real estate sales, construction, or other similar types of signs.

LUMINANCE – A photometric measure of the luminous intensity per unit area of light travelling in a given direction.

MANUAL CHANGEABLE COPY SIGN – A Sign or portion thereof on which the copy or symbols are changed manually through placement or drawing of letters or symbols on a Sign face. **Marquee:** A permanent Structure, other than a Roof or canopy, attached to, supported by, and projecting from a Building and providing protection from the elements.

MARQUEE SIGN – Any Sign attached to a marquee for the purpose of identifying a Use or product. If attached to a theater, performing arts center, cinema, or other similar Use, it may also advertise films or productions.

MECHANICAL MOVEMENT SIGN – A Sign having parts that physically move rather than merely appear to move as might be found in a digital display. The physical movement may be activated electronically or by another means but shall not include wind-activated movement such as used for Banners or Flags. Mechanical movement signs do not include digital signs that have changeable, programmable displays.

MEMORIAL SIGN – A memorial plaque or tablet, including grave markers or other remembrances of persons or events, which is not used for a commercial message.

MENU SIGN – A permanent Sign for displaying the bill of fare available at a restaurant, or other Use serving food, or beverages.

MESSAGE CENTER SIGN – A type of illuminated, changeable copy Sign that consists of electronically changing alphanumeric text often used for gas price display signs and athletic scoreboards.

MESSAGE SEQUENCING – The spreading of one message across more than one Sign Structure.

MONUMENT SIGN – A Freestanding, Ground Sign that is mounted generally flush with the surrounding grade. It may not be attached to a Pole or Pylon, nor raised by mounting on a man-made berm, wall, or similar Structure.

MULTIDIMENSIONAL SIGN – A Sign that consists of, or have attached to it, one or more three-dimensional or irregularly shaped objects. See Figure 5-2.

Figure 5-2, Multidimensional Sign Example
Livonia, MI Big Boy Restaurant Sign



MULTIFACETED SIGN – A Sign having more than one (1) Sign Face.

MULTI-TENANT SIGN – A Freestanding Sign used to advertise businesses that occupy a shopping center or complex with multiple tenants.

MURAL – A large picture/image (including but not limited to painted art) which is painted, constructed, or affixed directly onto a vertical Building wall, which may or may not contain text, logos, and/ or symbols.

NEON SIGN – A Sign illuminated by a neon tube, or other visible light-emitting gas tube, that is bent to form letters, symbols, or other graphics.

NONCONFORMING SIGN – A Sign that was legally erected and maintained at the effective date of this Chapter, or amendment thereto, that does not currently comply with Sign regulations of the district in which it is located.

OFF-PREMISE SIGN – An Outdoor Advertising Sign whose message directs attention to a specific business, product, service, event or activity, or other commercial or noncommercial activity, or contains a non-commercial message about something that is not sold, produced, manufactured, furnished, or conducted on the Premises upon which the Sign is located. (Also known as a Billboard).

OFFICIAL TRAFFIC SIGN – Official highway route number signs, Street name signs, directional signs and other traffic signs erected and maintained on public highways and roads in the interest of public safety or for the regulation of traffic.

ON-PREMISE SIGN – A Sign whose message and design relate to an individual business, profession, product, service, event, point of view, or other commercial or non-commercial activity sold, offered, or conducted on the same property where the Sign is located.

OUTDOOR ADVERTISING SIGN – See OFF-PREMISE SIGN.

PENNANT – A triangular or irregular piece of fabric or other material, commonly attached in strings or strands, or supported on small poles intended to flap in the wind.

PERMANENT SIGN – A Sign attached or affixed to a Building, window, or Structure, or to the ground in a manner that enables the Sign to resist environmental loads, such as wind, and that precludes ready removal or movement of the Sign and whose intended Use appears to be indefinite.

PERSONAL EXPRESSION SIGN – An On-Premise Sign that expresses an opinion, interest, position, or other non-commercial message.

POLE SIGN – See FREESTANDING SIGN.

PORTABLE SIGN – A Sign designed to be transported or moved and not permanently attached to the ground, a Building, or other Structure. Portable Signs include Sandwich Board Signs and Vehicular Signs.

1. **SANDWICH BOARD SIGN** – A type of freestanding, portable, temporary Sign consisting of two faces connected and hinged at the top and whose message is targeted to pedestrians (Also known as A-frame Sign).
2. **VEHICULAR SIGN** – A Sign affixed to a Vehicle in such a manner that the Sign is used primarily as a stationary advertisement on which the Vehicle sits or is otherwise not incidental to the Vehicle's primary purpose.

PRIVATE DRIVE SIGN – A Sign indicating a Street or drive which is not publicly owned and maintained and used only for access by the occupants of the development and their guests.

PROJECTING SIGN – A Building-mounted, double-sided Sign with the two faces generally perpendicular to the Building wall, not to include signs located on a Canopy, Awning, or Marquee.

PUBLIC SIGN – A Sign erected or required by government agencies or utilities, including traffic, utility, safety, railroad crossing, and identification signs for public facilities.

PYLON SIGN – See FREESTANDING POLE SIGN.

REFLECTIVE SIGN – A Sign containing any material or device which has the effect of intensifying reflected light.

REVOLVING SIGN – A Sign which revolves in a circular motion, rather than remaining stationary on its supporting Structure.

ROOF SIGN – A Building-mounted Sign erected upon, against, or over the Roof of a Building.

SANDWICH BOARD SIGN – See PORTABLE SIGN.

SCOREBOARD – A Sign contained within an athletic venue and intended solely to provide information to the attendees of an athletic event.

SECURITY SIGN – An On-Premise Sign regulating the use of the Premises, such as a “no trespassing,” “no hunting,” or “no soliciting” Sign. Also known as Warning Sign.

SHIELDED – The description of a luminaire from which no direct glare is visible at normal viewing angles, by virtue of its being properly aimed, oriented, and located and properly fitted with such devices as shields, barn doors, baffles, louvers, skirts, or visors.

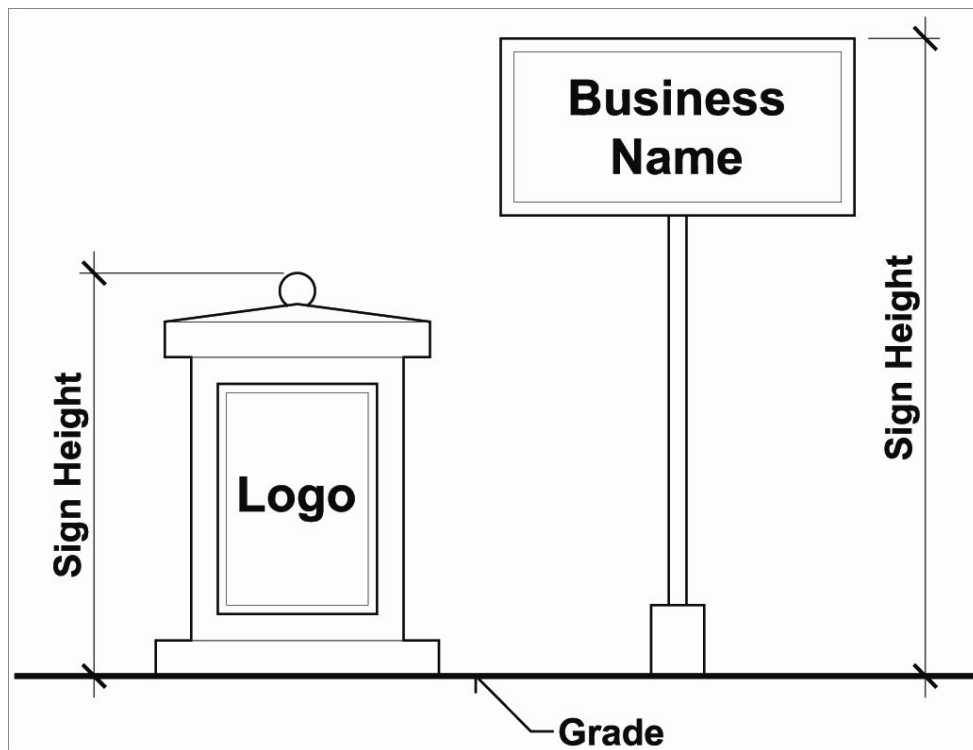
SIGN – Any device, Structure, fixture, painting, emblem, or visual that uses words, graphics, colors, illumination, symbols, numbers, or letters for the purpose of communicating a message. Sign includes the Sign faces as well as any Sign supporting Structure.

SIGN AREA – The total dimensions of a Sign surface used to display information, messages, advertising, logos, or symbols.

SIGN FACE – The part of the Sign that is or can be used for the Sign area. The Sign area could be smaller than the Sign Face.

SIGN HEIGHT – Shall be measured as the distance from the highest portion of the Sign to the mean finished grade of the Street closest to the Sign. See Figure 5-3.

Figure 5-3, Sign Height Measurement



SIGN MODIFICATION – An alteration to any element of a Sign, including the Sign Area, Sign Face, Sign Height, Sign Supporting Structure, or the painting, emblem, or visual elements that uses words, graphics, colors, illumination, symbols, numbers, or letters for the purpose of communicating a message.

SIGN SUPPORTING STRUCTURE – Poles, posts, walls, frames, brackets, or other supports holding a Sign in place.

SNIPE SIGN – A Sign tacked, nailed, posted, pasted, glued, or otherwise attached to trees, poles, stakes, fences, public benches, streetlights, or other objects, or placed on any public property or in the public Right-of-Way or on any private property without the permission of the property Owner.

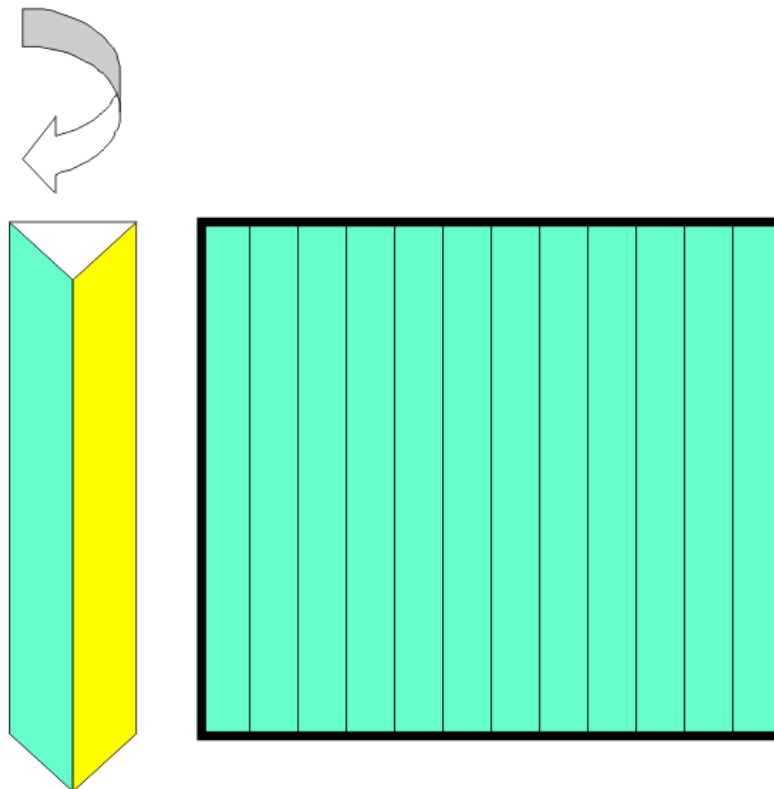
STREAMERS – A display made of lightweight, flexible materials, consisting of long, narrow, wavy strips hung individually or in a series, with or without a logo or advertising message printed or painted on them and typically designed to move in the wind.

STREET POLE BANNER – A Banner suspended above a public sidewalk and attached to a single Street Pole. These signs shall not contain any commercial advertising.

TEMPORARY SIGN – A type of non-permanent, Sign that is located on private property that can be displayed for no more than thirty (30) consecutive days at one time.

TRI-VISION BOARDS – An Off-Premise Sign with a slatted face that allows three different copy messages to revolve at intermittent intervals. See Figure 5-4.

Figure 5-4, Tri-Vision Board



VENDING MACHINE SIGN – A Sign displayed on a vending machine indicating the name of the product being sold and/or the price of such product.

VEHICULAR SIGN – See Portable Sign.

WARNING SIGN – A type of Sign that indicates a potential hazard, obstacle, or condition requiring special attention.

WALL SIGN – A Building-mounted Sign that is either attached to, displayed on, or painted on an exterior wall in a manner parallel with the wall surface. A Sign installed on a false or mansard Roof is also considered a wall Sign. (Also known as: Fascia Sign, parallel Wall Sign, or Band Sign)

WINDOW SIGN – Any Sign that is applied, painted, or affixed to a window, or placed inside a window, within three (3) feet of the glass, facing the outside of the Building, and easily seen from the outside. Customary displays of merchandise or objects and material without lettering behind a store window are not considered signs.

§27-503 Prohibited Signs

The following Signs are prohibited within the Township:

- (A) Abandoned signs.
- (B) Animated signs, flashing signs, or signs that scroll or flash text or graphics.
- (C) Any Banner or Sign of any type suspended across a public Street, without the permission of the Owner of the property and road.
- (D) Any Sign containing information which states or implies that a property may be used for any purpose not permitted under the provisions of the Township Zoning Chapter.
- (E) Any signs that imitate, resemble, interfere with, or obstruct official traffic lights, signs, or signals.
- (F) Any Sign that promotes illegal activity.
- (G) Vehicular Signs. This regulation does not include the use of business logos, identification or advertising on vehicles primarily and actively used for business purposes and/or personal transportation.
- (H) Mechanical movement signs, including revolving signs.
- (I) Pennant strings and streamers.
- (J) Pole Signs.
- (K) Inflatable devices or balloon signs, except for balloons used in temporary, non-commercial situations.
- (L) Interactive Signs.
- (M) Signs which prevent free ingress or egress from any door, window, fire escape, or that prevent free access from one part of a Roof to any other part. No Sign other than a safety Sign shall be attached to a standpipe or fire escape.

- (N) Signs which emit smoke, visible vapors, particulate matter, sound, odor or contain open flames.
- (O) Reflective signs or signs containing mirrors.
- (P) Roof Signs.
- (Q) Signs Constituting a Traffic Hazard.
 - 1. No Sign shall be placed, displayed, or illuminated so as to obstruct or impair driver vision and traffic flow.
 - 2. A Sign shall not obstruct the view of any official traffic Sign, traffic signal, or traffic marking.
 - 3. Signs that, by reason of their location, shape, size, or color, approximate official highway signs, warning signs, or regulatory devices are prohibited.
- (R) Signs incorporating beacon or festoon lighting.
- (S) Snipe Signs. Signs shall only be attached to utility poles in conformance with state and utility regulations and the requirements of this Chapter.
- (T) Signs erected without the permission of the property Owner, except for those authorized or required by local, state, or federal government.
- (U) Signs that exhibit statements, words, or pictures of obscene or pornographic subjects as determined by the Township.

§27-504 Signs Exempt from Permit Requirements

The following signs shall be allowed without a Zoning Permit and shall not be included in the Determination of the type, number, or area of permanent signs allowed within a zoning district, provided such signs comply with the regulations in this Part, if any.

- (A) Street Address Signs. Street Address Signs shall be designed and installed pursuant to the street address requirements specified in the Subdivision and Land Development Ordinance (Chapter 22 of the Township Municipal Code).
- (B) Art and Murals provided such signs do not contain any commercial messaging.
- (C) Directional Signs provided they do not contain any written commercial messaging.
 - 1. Area. No single directional Sign shall exceed four (4) square feet in area.
 - 2. Height. Directional signs shall have a maximum Height of five (5) feet
 - 3. Illumination. Directional signs shall be non-illuminated.
- (D) Flags and Flagpoles shall not be located within any Right-of-Way.
 - 1. Height. Flags shall have a maximum Height of thirty (30) feet.
 - 2. Size.
 - a. Residential Use Properties. Maximum Flag size is twenty-four (24) square feet.

- b. Non-residential Use Properties. Maximum Flag size is thirty-five (35) square feet.
- 3. Flags containing commercial messages may be used as permitted freestanding or projecting signs, and, if so used, the area of the Flag shall be included in, and limited by the computation of allowable area for signs on the property.
- 4. Flags up to three (3) square feet in area containing noncommercial messages are considered personal expression signs and are regulated in accordance with §27-505(A)9.
- (E) Legal Notices.
- (F) Government/Regulatory Signs.
- (G) Holiday and Seasonal Decorations.
- (H) Incidental signs, including Incidental Window Signs.
- (I) Official Traffic Signs.
- (J) Memorial signs, public monument or historical identification Sign erected by the Township, including plaque signs up to three (3) square feet in area.
- (K) Personal Expression Signs of any Sign type, including Flags, provided they:
 - 1. Do not exceed three (3) square feet in area per side;
 - 2. Are non-commercial in nature;
 - 3. Are not illuminated; and
 - 4. Are not placed within the public right of way.
- (L) Public Signs. Signs erected or required by government agencies or utilities, including traffic, utility, safety, railroad crossing, and identification or directional signs for public facilities.
- (M) Private Driveway Signs. Private Driveway Signs shall be designed and installed pursuant to the street address requirements specified in the Subdivision and Land Development Ordinance (Chapter 22 of the Township Municipal Code).
- (N) Residential real estate sales.
- (O) Security and Warning Signs. - These limitations shall not apply to the posting of conventional “no trespassing” signs in accordance with state law.
 - 1. Residential Uses. Signs not to exceed two (2) square feet in area.
 - 2. Non-residential Uses. Maximum of one (1) large Sign per property, not to exceed five (5) square feet in area.
 - 3. All other posted security and warning signs may not exceed two (2) square feet.
- (P) Signs advertising the variety of crop growing in a field. Such signs shall be removed after the growing season.

- (Q) Signs inside a Building, or other enclosed facility, which are not meant to be viewed from the outside and are located greater than three (3) feet from the window.
- (R) Signs or emblems of a religious, civil, philanthropic, historical, or educational organization that do not to exceed four (4) square feet in area.
- (S) Signs that are a permanent architectural feature of a Building or Structure, existing at the time of adoption of this Chapter.
- (T) Temporary Signs in accordance with §27-506(D).
- (U) Vending Machine Signs.

§27-505 General Sign Requirements

(A) Sign Location.

1. No Sign shall be placed in such a position as to endanger pedestrians, bicyclists, or traffic on a Street by obscuring the view or by interfering with official Street signs or signals by virtue of position or color.
2. No Sign may occupy a Clear Sight Triangle.
3. Signs and their supporting Structures shall maintain clearance and noninterference with all surface and underground utility and communications lines or equipment.

(B) Permits.

1. Signs requiring a Permit as specified in this Part shall obtain a Zoning Permit prior to the placement, construction, erection, or modification of a Sign.
2. No Zoning Permit may be obtained unless a fully completed Zoning Permit application is submitted to the Township and, following review of the same, the Zoning Officer determines that the application complies with the requirements of this Part.
3. Permits to Construct or Modify Signs. Signs requiring a Zoning Permit shall be erected, installed, or created only in accordance with a duly issued and valid Zoning Permit from the Zoning Officer.
4. Permit for New Sign or for Sign Modification. An application for construction, creation, or installation of a new Sign or for modification of an existing Sign shall be accompanied by detailed drawings to show the dimensions, design, Structure, and location of each Sign. One application and permit may include multiple Signs on the same Lot.
5. Inspections. Upon expiration of the time permitted for construction, creation, or installation of a Sign in an issued Zoning Permit, the Zoning Officer shall cause an inspection of the Sign for compliance with the application for such permit and supporting materials with this Chapter and all other Township Ordinances. If the construction is not substantially complete at the time of inspection, the permit shall remain lapsed. If the construction is substantially complete but not in full compliance with the application for such permit and supporting materials, this Chapter, and all other Township Ordinances, the Zoning Officer shall give the Owner or applicant notice of the deficiencies and extend the Zoning Permit an additional thirty (30) days from the date of inspection for the deficiencies to be corrected. If the deficiencies are not corrected by such date, the permit shall lapse. If a Zoning Permit has

lapsed, no work shall be performed upon the Sign unless and until a new Zoning Permit is obtained.

6. Time of Compliance, Nonconforming Signs and Signs Without Permits. Except as otherwise provided herein, the Owner of any Lot or other Premises on which exists a Sign for which there is no current and valid Zoning Permit, shall be obligated to remove such Sign or, in the case of a nonconforming Sign, bring it into conformity with the requirements of this Chapter within one (1) year of the Effective Date of this Chapter.

(C) Sign Materials and Construction. Every Sign shall be constructed of durable materials, using noncorrosive fastenings; shall be structurally safe and erected or installed in strict accordance with the PCC; and shall always be maintained in safe condition and good repair so that all Sign information is clearly legible.

(D) Sign Area.

1. The area of a Sign shall mean the area of all lettering, wording, and accompanying designs, logos, and symbols. The area of a Sign shall not include any supporting framework, bracing or trim which is incidental to the display, provided that it does not contain any lettering, wording, or symbols.
2. Where the Sign consists of individual letters, designs, or symbols attached to a Building, Awning, wall, or window, the area shall be that of the smallest rectangle which encompasses all the letters, designs, and symbols.
3. Multifaceted Signs. In computing square foot area of a double-faced sign, only one side shall be considered, provided both faces are identical and parallel. Otherwise, all sides shall be considered in calculating the sign area.
4. Multidimensional Signs. Signs that consist of, or have attached to them, one or more three-dimensional or irregularly shaped objects, shall have a Sign area of the sum of two adjacent vertical Sign faces of the smallest cube encompassing the Sign or object.
5. If elements of a Sign are movable or flexible, such as a Flag or Banner, the measurement is taken when the elements are fully extended and parallel to the plane of view.
6. The permitted maximum area for all signs is determined by the Sign type and its residential and non-residential Use applications.

(E) Sign Height.

1. Sign Height shall be measured as the distance from the highest portion of the Sign to the mean finished grade of the Street closest to the Sign. In the case of a Sign located greater than one hundred (100) feet from a public Street, Height shall be measured to the mean grade at the base of the Sign.
2. Clearance for freestanding and projecting signs shall be measured as the smallest vertical distance between finished grade and the lowest point of the Sign, including any framework or other structural elements.
3. The permitted maximum height for all signs is determined by the Sign type and its residential and non-residential Use applications.

(F) Sign Spacing. The spacing between Sign Structures shall be measured as a straight-line distance between the closest edges of each Sign.

(G) Sign Illumination.

1. Signs may be illuminated, unless otherwise specified herein, consistent with the following standards:

a. Light sources to illuminate signs shall neither be visible from any Street Right-of-Way, nor cause glare hazardous or distracting to pedestrians, vehicle drivers, or adjacent properties.

b. No more than 0.5 foot-candle of light shall be detectable at the boundary of any abutting property.

c. Hours of Operation.

(1) Signs on non-residential properties may be illuminated from 5 AM (Eastern Standard Time, EST) until 11 PM (EST), or one-half (1/2) hour past the close of business of the facility being identified or advertised, whichever is later.

(2) Signs shall provide an automatic timer to comply with the intent of this Subpart.

e. Message Duration. The minimum length of time each message may be displayed on a Message Center Sign, digital display, or Tri-Vision Board Sign is four (4) seconds. Transitions from one message to another message shall appear instantaneous as perceived by the human eye.

f. Only the United States and the Pennsylvania state flags shall be permitted to be illuminated from dusk till dawn and each flag shall be illuminated by a source or sources with a beam spread no greater than necessary to illuminate the flag.

2. Types of Illumination.

a. External. Externally illuminated signs are subject to the following regulations:

(1) The source of the light must be concealed by translucent covers.

(2) External illumination shall be by a steady, stationary light source, shielded and directed solely at the Sign. The light source must be static in color.

b. Internal. Internally illuminated signs are subject to the following regulations:

(1) Internal illumination, including neon lighting, must be static in intensity and color.

(2) Message Center Signs are permitted in accordance with the regulations contained in Subpart (G)3.

(3) Digital Display Signs are permitted in accordance with the regulations contained in Subpart (G)4.

3. Message Center Signs are subject to the following regulations, in addition to all other illumination requirements established in this Part.
 - a. Sign Type. Message Center Signs are permitted in the form of Ground Mounted and Wall Signs as regulated under Subpart §27-506.
 - b. Height. A Message Center Sign shall have the same Height limits as other permitted signs of the same type and location.
 - c. Maximum Number. Where permitted, one (1) message center Sign is permitted per Street frontage, up to a maximum of two (2) message center signs per property.
 - d. Message Display.
 - (1) No message center Sign may contain text which flashes, pulsates, moves, or scrolls. Each complete message must fit on one screen.
 - (2) The content of a message center Sign must transition by changing instantly (e.g., no fade-out or fade-in).
 - (3) Default Design. The Sign shall contain a default design which shall freeze the Sign message in one position if a malfunction should occur.
 - e. Conversion of a permitted non-message center Sign to a message center Sign requires the issuance of a Zoning Permit.
 - f. The addition of any message center Sign to a nonconforming Sign is prohibited.
 - g. Public Service Announcements. The Owner of every message center Sign shall coordinate with the local authorities to display, when appropriate, emergency information important to the traveling public including, but not limited to Amber Alerts or alerts concerning terrorist attacks or natural disasters. Emergency information messages shall remain in the advertising rotation according to the protocols of the agency that issues the information.
4. Digital Display Signs are subject to the following regulations in addition to all other requirements established in this Part.
 - a. Sign Type. Digital Display Signs are permitted in the form of Ground Mounted and Wall Signs in accordance with the regulations established under Subpart 5.06.
 - b. Height. A digital display shall have the same Height limits as for other permitted signs of the same type and location.
 - c. Maximum Number per Property. Where permitted, one (1) digital display Sign is permitted per property
 - d. Message Display.
 - (1) Any Digital Display containing animation, streaming video, or text or images which flash, pulsate, move, or scroll is prohibited. Each complete message must fit on one (1) screen.

- (2) One message/display may be brighter than another, but each individual message/display must be static in intensity.
 - (3) The content of a digital display must transition by changing instantly, with no transition graphics (e.g., no fade-out or fade-in).
 - (4) Default Design. The Sign shall contain a default design which shall freeze the Sign message in one position if a malfunction should occur.
- e. Conversion of a permitted non-digital Sign to a digital Sign requires the issuance of a Zoning Permit.
 - f. The addition of any digital display to a Nonconforming Sign is prohibited.
 - g. Public Service Announcements. The Owner of every digital Sign shall coordinate with the local authorities to display, when appropriate, emergency information important to the traveling public including, but not limited to Amber Alerts or alerts concerning terrorist attacks or natural disasters. Emergency information messages shall remain in the advertising rotation according to the protocols of the agency that issues the information.
5. Electrical Standards.
- a. Permits for illuminated Signs will not be issued without an approved electrical permit, if required. Applications for electrical permits shall be filed at the same time as the Zoning Permit application.
 - b. All work shall be completed in full compliance with the Township's Electrical Code as set forth in the PCC.
 - c. The electrical supply to all exterior signs, whether to the Sign itself or to lighting fixtures positioned to illuminate the Sign, shall be provided by means of concealed electrical cables. Electrical supply to Freestanding Signs shall be provided by means of underground cables.
 - d. The Owner of any illuminated Sign shall arrange for a certification showing compliance with the brightness standards set forth herein by an independent contractor and provide the certification documentation to the Township as a condition precedent to the issuance of a Zoning Permit.
6. Glare Control. Glare control shall be achieved primarily through the use of such means as cutoff fixtures, shields, and baffles, and appropriate application of fixture mounting Height, wattage, aiming angle, and fixture placement. Vegetation screens shall not be employed to serve as the primary means for controlling glare.

§27-506 Signs Requiring a Permit

(A) On-Premise Signs.

- 1. Wall Signs.
 - a. Location. Wall Signs are permitted in all zoning districts.
 - b. Sign Height.

- (1) Minimum. No portion of a Wall Sign shall be mounted less than eight (8) feet above the finished grade or extend out more than twelve (12) inches from the Building wall on which it is affixed. If the wall Sign projects less than three (3) inches from the Building wall on which it is affixed, the eight (8) foot Height requirement need not be met.
 - (2) Maximum. Wall Signs shall have a maximum Height equal to less than Eaveline.
 - c. Area.
 - (1) Residential. Permitted for Home Occupation Signs only at a maximum of two (2) square feet in area.
 - (2) Non-Residential. Not more than fifteen percent (20%) of the wall area.
 - d. Signs on Building Walls. The permitted Wall Sign may be placed on a wall that either does or does not face a public Street. The maximum allowable area for a Sign on one wall is not transferable to a wall with less length.
 - e. Additional Wall Sign Permitted on Corner or Double Frontage Lots. Lots with more than one Street Frontage shall be allowed to erect one additional Wall Sign on the secondary Street Frontage.
 - f. Additional Wall Sign Permitted to Face Side or Rear Parking Lot. Lots with parking to the side or rear of a Building shall be allowed to erect one additional Wall Sign facing the parking Lot, provided that at least fifty percent (50%) of the required parking for the establishment is located to the side or rear of the Building and an entrance to the establishment faces the parking Lot. The secondary Wall Sign may not be placed on the same Building wall as the primary Sign.
 - g. Location Requirements for Wall Signs. No portion of a Wall Sign may extend above the Roof line of a Building without a Parapet wall.
 - h. Wall Mounted Signs for Combined Developments. All establishments within Combined Developments shall Use as individual identification Signs, exclusively, Canopy/Awning or Wall Signs. No mixing of Sign types within a Combined Development shall be permitted, except that Canopies containing no Sign copy may be used in combination with Wall Signs.
 - i. Wall Signs on Historic Buildings. Wall Signs on Historic Buildings shall be placed within the Sign Frieze, or distinct place within which a Wall Sign was intended to be located, if the Building was designed for such. No Wall Sign shall extend beyond such space. If there is no Sign Frieze, the Wall Sign shall be placed below the typical second floor window area. The design and coloration of such Signs shall be compatible with the character of the Building.
 - j. Changeable Copy. Changeable Copy or “reader board” area and Electronic Message Board area are not permitted as Wall Signs.
2. Canopy or Awning Signs.
 - a. Location. Canopy or Awning Signs are permitted in the UN, CTR, CB, and IN zoning districts.

- b. A canopy or Awning without lettering or other advertising shall not be regulated as a Sign.
 - c. Canopy or Awning signs must be centered within or over architectural elements such as windows or doors.
 - d. No Awning or canopy Sign shall be wider than the Building wall or tenant space it identifies.
 - e. Sign Placement.
 - (1) Letters or numerals shall be located only on the front and side vertical faces of the Awning or canopy.
 - (2) Logos or emblems are permitted on the top or angled portion of the Awning or canopy up to a maximum of three (3) square feet. No more than one emblem or logo is permitted on any one Awning or canopy.
 - f. Sign Height. The lowest edge of the canopy or Awning Sign shall be at least eight (8) feet above the finished grade.
 - g. Any ground-floor Awning projecting into a Street Right-of-Way must be retractable.
 - h. Awnings above the ground floor may be fixed, provided they do not project more than four (4) feet from the face of the Building.
 - i. Multi-tenant Buildings. If the Awning or canopy Sign is mounted on a multi-tenant Building, all Awning or canopy signs shall be similar in terms of Height, projection, and style across all tenants in the Building.
3. Projecting Signs.
- a. Location. Projecting Signs are permitted in the UN, CTR, CB, and IN zoning districts.
 - b. No portion of a Projecting Sign shall project more than four (4) feet from the face of the Building.
 - c. The outermost portion of a Projecting Sign shall project no closer than five (5) feet from a curbline or shoulder of a public Street.
 - d. Sign Height. The lowest edge of a Projecting Sign shall be at least eight (8) feet above the finished grade.
 - e. Area. No single Projecting Sign shall exceed twenty-four (24) square feet in area.
4. Window Signs.
- a. Location. Window Signs are permitted in the UN, CTR, CB, and IN zoning districts.
 - b. Incidental window signs displaying pertinent business information such as the business' hours of operation and credit cards accepted, shall be excluded from area calculations for window signs.

5. Marquee Signs.
- a. Location. Marquee Signs are permitted in the CTR, CB, and IN zoning districts.
 - b. Such signs shall be located only above the principal public entrance of a Building facing a public Street or parking Lot.
 - c. No marquee shall be wider than the entrance it serves, plus two (2) feet on each side thereof.
 - d. No marquee shall extend closer to the curb than three (3) feet.
 - e. Sign Height.
 - (1) No portion of a marquee Sign shall extend vertically above the Eaveline.
 - (2) The lowest edge of the marquee Sign shall be at least ten (10) feet above the finished grade.
6. Ground Mounted Signs.
- a. Location. Ground Mounted Signs are permitted in the UN, CTR, CB, and IN zoning districts.
 - b. Size and Height.
 - (1) Non-Combined Developments. Ground Mounted Signs shall not exceed one (1) sq. ft. per two and one half (2.5) linear feet of Lot Frontage, not to exceed twenty-four (24) sq. ft. in Sign Area and be no greater than ten (10) feet in Height.
 - (2) Combined Developments. Ground Mounted Signs shall not exceed one (1) sq. ft. per two and one half (2.5) linear feet of Lot Frontage, not to exceed one hundred fifty (150) square feet and be no greater than ten (10) feet in Height.
 - c. Sign Placement.
 - (1) All Ground Mounted Signs shall be set back five (5) feet from the Right-of-Way, except for official traffic signs and government/regulatory signs.
 - (2) No Ground Mounted Sign may occupy an area designated for parking, loading, walkways, driveways, fire lane, Easement, cartway of the Right-of-Way or other areas required to remain unobstructed.
 - d. Base Landscaping for Ground Mounted Signs. All Ground Mounted Signs located within parking or vehicular Use areas, and not in Yard areas, shall stand in a bed of landscaping at least thirty (30) square feet in area. This area shall contain low growing materials such as ground covers, perennials, and evergreen shrubs.
 - e. Distance Requirements from Existing Ground Mounted Signs. No proposed Ground Mounted Sign shall be placed within fifty (50) feet of an existing Ground Mounted Sign.

- f. Ground Mounted Signs for Combined Developments. All Uses within a Combined Development (includes more than one establishment or business on a common parcel) shall share the permitted Ground Mounted Sign(s) for said Combined Development. Outparcels shall not be considered part of a Combined Development.
 - g. Changeable Copy. Changeable Copy or “reader board” area and Electronic Message Board area are permitted as On-Premise Ground Mounted Signs provided that the Changeable Copy or Electronic Message Board area does not exceed fifty percent (50%) of the total area of the Sign. Electronic Message Board area is included in the calculation of the total Sign area unless the board displays only time and temperature information, in which case the message area is allowed in addition to the maximum area of the Sign.
 - h. Drive-Through Menu Signs. Drive-through menu Signs shall be limited to a maximum size of thirty-two (32) square feet.
 - i. Additional Ground Signs. Lots with more than one Street Frontage shall be allowed to erect one Ground Mounted Sign per Frontage, provided that each Frontage is at least one hundred (100) feet in width at the Street Right-of-Way. No two (2) Ground Mounted Signs shall be placed on the same Street Frontage.
7. Manual Changeable Copy Signs. Manual Changeable Copy Signs are permitted only when integrated into a Freestanding, Marquee, Wall, or Portable Sign.

(B) Off-Premise Signs.

- 1. Locations Permitted. Off-Premise Signs are permitted only in the IN zoning District.
- 2. Size. Off-Premise Signs are subject to the size restrictions specified in Table 5-1 according to the posted speed limit of the road which the Off-Premise Sign faces.

Table 5-1, Off-Premise Sign Size Standards.

	Posted Speed Limit (MPH)			
	≤35	36-45	46-55	56-65
Maximum Sign Area (sq. ft.)	60	100	150	200

- 3. Height.
 - a. Off-Premise Signs shall have a maximum Height of thirty (30) feet
 - b. The lowest edge of an Off-Premise Sign shall be at least seven (7) feet above the finished grade.
- 4. Spacing. Off-Premise signs shall be:
 - a. Set back from the ultimate Right-of-Way a distance equal to the Height of the Off-Premise Sign or fifteen (15) feet, whichever is greater.
 - b. Located no closer than twenty-five (25) feet from any property line.

- c. Located no closer than fifty (50) feet from any Building, Structure, or On-Premise Sign located on the same property.
 - d. Located no closer than three hundred (300) feet from another Off-Premise Sign on either side of the road measured linearly.
 - e. Located no closer than five hundred (500) feet from any intersection, or interchange (on/off-ramp).
 - f. Located no closer than three hundred (300) feet from any property line abutting a public park, playground, religious institution, cemetery, school, or residential district.
 - g. Not attached to the external wall or otherwise affixed to any part of any Building and shall not extend over any public property or Right-of-Way.
 - h. Not located on sewer rights-of-way, or water, electric, or petroleum pipelines.
 - i. Not located on a bridge.
5. Number of Signs per Lot. There shall be no more than one Off-Premise Sign per Lot. Vertically or horizontally stacked signs shall not be permitted.
6. Content. Off-Premise signs shall not display any message or graphic of an obscene or pornographic nature as determined by the Township.
7. Double-Sided Off-Premise Signs. Signs may be single or double-sided, in accordance with §27-505(D).
8. Message Sequencing. Message sequencing is prohibited.
9. Construction and Maintenance.
- a. All plans for Off-Premise signs shall be certified by a licensed engineer registered in Pennsylvania.
 - b. All Off-Premise advertising signs shall be constructed in accordance with industry-wide standards established by the Outdoor Advertising Association of America and the Institute of Outdoor Advertising, or their successor organizations. All Off-Premise advertising signs shall be structurally sound and maintained in good condition and in compliance with the PCC.
 - c. The rear face of a single-face, Off-Premise advertising Sign shall be painted and maintained with a single neutral color as approved by the Township.
 - d. Every three years, the Owner of the billboard shall have a structural inspection made of the billboard by a licensed engineer registered in Pennsylvania and shall provide to the Township a certificate certifying that the billboard is structurally sound.
10. Identification of Sign Owner. All Off-Premise Signs shall be identified on the Structure with the name, address, and phone number of the Owner of such Sign.
11. Additional Regulations. All Off-Premise Signs shall comply with all applicable zoning regulations of the Township, and all municipal, state and/or federal regulations. In the event

any other applicable regulation conflicts with the provisions of this Part, the stricter regulation shall apply.

12. Application/Plan Requirements. Plans submitted for Off-Premise Signs shall show the following:

- a. The location of the proposed Sign on the Lot with the required Sign setbacks from the property line and ultimate Right-of-Way.
- b. The location and species of existing trees.
- c. The distance to the nearest existing Off-Premise Sign.
- d. The distance to the nearest Right-of-Way, property line, Building, Structure, On-Premise Sign, Off-Premise Sign, intersection, interchange, safety rest area, bridge, residential district, or institutional Use, sewer rights-of-way, and water, electric or petroleum pipelines.
- e. Site plan containing all the applicable requirements set forth in the Township Municipal Code.
- f. Certification under the seal by a licensed engineer that the Off-Premise Sign, as proposed, is designed in accordance with all federal, state, and local laws, codes, and professional standards.
- g. Written approval or authorization from the Property Owner of record.

13. Illumination and Changeable Copy of Off-Premise Signs.

- a. Off-Premise Signs may incorporate manual changeable copy signs.
- b. Off-Premise Signs may be illuminated, provided that:
 - (1) All light sources are designed, shielded, arranged, and installed to confine or direct all illumination to the surface of the Off-Premise Sign and away from adjoining properties.
 - (2) Light sources are not visible from any Street or adjoining properties.
- c. The following illumination types shall be permitted subject to the regulations in Subpart 5.05(G).
 - (1) Message Center Sign
 - (2) Digital Display
 - (3) External illumination
 - (4) Internal illumination
- d. Off-Premise signs may incorporate Tri-Vision Boards. The length of time each message of the Tri-Vision Board may be displayed before changing is based upon the visibility and posted speed limit unique to individual signs and adjacent road

conditions. The message duration for Tri-Vision Boards shall be calculated using the method described in Subpart 5.05(G)1.e, Message Duration.

15. Safety. The applicant bears the burden of proof to establish that the proposed Off-Premise Sign will not create a public health or safety hazard in the matter and location that it is proposed and in the manner by which it is to be operated.

(C) Limited Duration Signs.

1. Limited Duration Signs, as defined in this Part, located on private property are subject to the regulations set forth below. Limited Duration signs that comply with the requirements in this subsection shall not be included in the Determination of the type, number, or area of signs allowed on a property. Unless otherwise stated below, the requirements listed below shall apply to both commercial and non-commercial signs.

2. Size and Number.

- a. Non-Residential Use Properties.

- (1) Large Limited Durations Signs. One (1) large Limited Duration Sign is permitted on a non-residential Use property. If a property is greater than five (5) acres in size and has at least four hundred (400) feet of Street frontage or has more than ten thousand (10,000) square feet of floor area, one (1) additional large Limited Duration Sign may be permitted so long as there is a minimum spacing of two hundred (200) feet between the two (2) large limited duration signs.

- (a) Type.

- i. Ground Mounted Sign
- ii. Window Sign
- iii. Wall Sign

- (b) Area. Each large Limited Duration Sign shall have a maximum area of sixteen (16) square feet.

- (c) Height. Large limited duration signs that are freestanding shall have a maximum Height of eight (8) feet.

- (2) Small Limited Duration Signs: In addition to the large Limited Duration Sign(s) outlined above, one (1) small Limited Duration Sign is permitted per property in all nonresidential zones. If a property is greater than five (5) acres in size and has at least four hundred (400) feet of Street frontage or has more than 10,000 square feet of floor area, one (1) additional small Sign may be permitted.

- (a) Type.

- i. Ground Mounted Sign
- ii. Window Sign

iii. Wall Sign

(b) Area. Each small Limited Duration Sign shall have a maximum area of six (6) square feet.

(c) Height. Small limited duration signs that are freestanding shall have a maximum Height of six (6) feet.

b. Residential Use Properties.

(1) Large Limited Duration Sign. One (1) large Limited Duration Sign is permitted per property so long as the property is greater than five (5) acres in size and has at least four hundred (400) feet of Street frontage or has more than ten thousand (10,000) square feet of floor area.

(a) Type.

i. Ground Mounted Sign

ii. Window Sign

iii. Wall Sign

(b) Area. Each Large Limited Duration Sign shall have a maximum area of sixteen (16) square feet.

(c) Height. Large Limited Duration Signs that are freestanding shall have a maximum Height of eight (8) feet.

(2) Small Limited Duration Sign. One (1) Small Limited Duration Sign is permitted per property

(a) Type.

i. Ground Mounted Sign

ii. Window Sign

iii. Wall Sign

(b) Area. Each Small Limited Duration Sign shall have a maximum area of six (6) square feet.

(c) Height. Small Limited Duration Signs that are freestanding shall have a maximum Height of six (6) feet.

c. Permit Requirements.

(1) A permit for a Limited Duration Sign is issued for one (1) year and may be renewed annually.

(2) One (1) Sign is allowed per permit. An applicant may request up to two (2) permits per address but is subject to the size and number requirements set forth in this Part.

- (3) An application for a Zoning Permit must include:
 - (a) A description of the Sign indicating the number, size, shape, dimensions, and colors of the Sign, and the expected length of time the Sign will be displayed;
 - (b) A schematic drawing of the site showing the proposed location of the Sign in relation to nearby Building and Streets; and
 - (c) The number of signs on the site.

d. Installation and Maintenance.

- (1) All limited duration signs must be installed such that in the opinion of the Township Building official, they do not create a safety hazard.
- (2) All limited duration signs must be made of durable materials and shall be well-maintained.
- (3) Limited Duration Signs that are frayed, torn, broken, or that are no longer legible will be deemed unmaintained and required to be removed.

e. Illumination. Illumination of any Limited Duration Sign is prohibited.

(D) Temporary Signs.

- 1. Temporary Signs, as defined in this Part, located on private property, are exempt from standard permit requirements. Temporary Signs that comply with the requirements in this Subpart shall not be included in the Determination of the type, number, or area of signs allowed on a property.
- 2. Unless otherwise stated below, the requirements listed below shall apply to both commercial and non-commercial signs.

3. Size and Number.

a. Non-Residential Use Properties.

- (1) Large Temporary Signs. One (1) Large Temporary Sign is permitted per each non-residential Use property in the CB and IN zoning districts. If a property is greater than five (5) acres in size and has at least four hundred (400) feet of Street frontage or has more than ten thousand (10,000) square feet of floor area, one (1) additional large temporary Sign may be permitted so long as there is a minimum spacing of two hundred (200) feet between the two (2) large Temporary Signs.

(a) Type.

- i. Ground Mounted Sign
- ii. Window Sign
- iii. Wall Sign

iv. Banner

(b) Area.

i. Each large temporary freestanding, window, or wall Sign shall have a maximum area of sixteen (16) square feet.

ii. Each large temporary Banner shall have a maximum area of thirty-two (32) square feet.

(c) Height.

i. Large Temporary Signs that are freestanding shall have a maximum Height of eight (8) feet.

ii. Banners shall hang at a Height no greater than 24 feet.

iii. Small Temporary Signs: In addition to the large temporary Sign(s) outlined above, one (1) small temporary Sign is permitted per each non-residential Use property. If a property is greater than five (5) acres in size and has at least 400 feet of Street frontage or has >10,000 square feet of floor area, one (1) additional small Sign may be permitted so long as there is a minimum spacing of 200 feet between both sets of small Temporary Signs.

(d) Type.

i. Ground Mounted Sign

ii. Window Sign

iii. Wall Sign

(e) Area. Each small temporary Sign shall have a maximum area of six (6) square feet.

(f) Height. Small Temporary Signs shall have a maximum Height of six (6) feet.

b Residential Use Properties.

(1) Large Temporary Signs. One (1) large temporary Sign is permitted per residential property. The use of said sign is permitted only in the RN, SN, UN, and CTR zoning districts.

(a) Type.

i. Ground Mounted Sign

ii. Window Sign

iii. Wall Sign

iv. Banner

(b) Area.

- i. Each large temporary freestanding, window, or wall Sign shall have a maximum area of sixteen (16) square feet.
- ii. Each large temporary Banner shall have a maximum area of thirty-two (32) square feet.

(c) Height.

- i. Large Temporary Signs that are freestanding shall have a maximum Height of eight (8) feet.
- ii. Banners shall hang at a Height no greater than twenty-four (24) feet.

(2). Small Temporary Signs. One (1) small temporary Sign is permitted per residential property.

(a) Type.

- i. Ground Mounted Sign
- ii. Window Sign
- iii. Wall Sign

(b) Area. Each small temporary Sign shall have a maximum area of six (6) square feet

(c) Height. Small Temporary Signs shall have a maximum Height of six (6) feet.

4. Duration and Removal.

- a. Temporary Signs may be displayed up to a maximum of thirty (30) consecutive days, two (2) times per year.
- b. The Township or the property Owner may confiscate signs installed in violation of this Chapter.
- c. Neither the Township nor the property Owner is responsible for notifying Sign owners of confiscation of an illegal Sign.

5. Permission. The party posting the temporary Sign is solely responsible for obtaining the permission of the property Owner before posting their Temporary Sign.

6. Municipal Notification. Temporary Signs are exempt from the standard permit requirements but the date of erection of a temporary Sign must be written in indelible ink on the lower right-hand corner of the Sign.

7. Installation and Maintenance.
 - a. All Temporary Signs must be installed such that in the opinion of the Zoning Officer they do not create a safety hazard.
 2. All Temporary Signs must be made of durable materials and shall be well-maintained.
 3. Temporary Signs that are frayed, torn, broken, or that are no longer legible will be deemed unmaintained and required to be removed.
8. Illumination. Illumination of any temporary Sign is prohibited.

(E) Portable Signs.

1. General Provisions.
 - a. Illumination. Illumination of any portable Sign is prohibited.
 - b. Hours of Display.
 - (1) Signs shall not be displayed on any Premises before 6:00 AM and shall be removed each day at or before 10:00 PM. However, all portable signs must be taken in during hours of non-operation of the business being advertised.
 - (2) All portable signs must be taken in during inclement weather.
2. Sandwich Board or A-Frame Signs. Sandwich Board Signs that comply with the requirements in this subsection shall not be included in the Determination of the type, number, or area of signs allowed on a property.
 - a. Number. One (1) sandwich board Sign is permitted per establishment. For the purposes of this subsection, a parking garage or parking Lot shall be considered an establishment.
 - b. Area. Each Sign shall have a maximum area of seven (7) square feet per Sign face.
 - c. Height. Signs shall have a maximum Height of three and one-half (3.5) feet.
 - d. Sign Placement.
 - (1) If a Sign is located on a public or private sidewalk, a minimum of thirty-six (36) inches of unobstructed sidewalk clearance must be maintained between the Sign and any Building or other obstruction.
 - (2) The Sign must be located on the Premises, and within twelve (12) feet of the primary public entrance, of the establishment it advertises. For the purposes of this subsection, a public entrance includes a vehicular entrance into a parking garage or parking Lot.
 - (3) Portable signs shall be weighted, temporarily secured, or strategically placed to avoid being carried away by high winds.

e. Manual Changeable Copy.

- (1) Manual changeable copy signs are permitted when integrated into a sandwich board Sign.
- (2) Commercial messages must advertise only goods and services available on the Premises.

3. Vehicular Signs. Prohibited pursuant to §27-503 of this Chapter. This regulation does not include the use of business logos, identification or advertising on vehicles primarily and actively used for business purposes and/or personal transportation.

(F) Street Pole Banners.

1. General. Street Pole Banner Signs that comply with the requirements in this Subpart shall not be included in the Determination of the type, number, or area of signs allowed on a property.
2. Illumination. illumination of any Street Pole Banner is prohibited.
3. Area. Each Street Pole Banner shall have a maximum area of 12.5 square feet and a maximum width of three (3) feet. Up to two (2) Street Pole Banners are permitted per Street Pole.
4. Height.
 - a. When the Street Pole Banner's edge is less than eighteen (18) inches from the curb, the lowest edge of the Street Pole Banner shall be at least fourteen (14) feet above the finished grade.
 - b. When the Street Pole Banner's edge is greater than eighteen (18) inches from the curb, the lowest edge of the Street Pole Banner shall be at least eight (8) feet above the finished grade.
5. Location.
 - a. No Street Pole Banner shall extend beyond the curbline.
 - b. Street Pole Banners shall maintain a minimum of three (3) foot vertical clearance below any luminaries located on the pole measured from where the ballasts connect to the poles.
 - c. Street Pole Banners shall not interfere with the visibility of traffic signals or signs.
 - d. No Street Pole Banner shall be located on a pole that has traffic or pedestrian control signals.
 - e. Installation and Maintenance.
 - f. All Street Pole Banners must be made of lightweight and durable fabrics with wind slits.
 - g. Street Pole Banners that are frayed, torn, or faded so that they are no longer legible will be deemed unmaintained and will be required to be removed.

6. Permit Requirements.

- a. A Zoning Permit for a Street Pole Banner is issued for one (1) year and may be renewed annually.
- b. In addition to the Zoning Permit requirements specified under Subpart 1.09 of this Chapter, an application for a Street Pole Banner Zoning Permit must include the following:
 - (1) A diagram or map of the specific poles to be used for Street Pole Banner installation and the Streets on which the poles are located.
 - (2) A proof of the Street Pole Banner design, including the Banner's dimensions.
 - (3) If brackets are to be installed, submit specifications for the bracket installation system.
 - (4) Written authorization from the Street Pole Banner Owner permitting use of the Street Pole for the Banner installation.

PART 6 DEFINITIONS

§27-601 Rules of Interpretation

- (A) The following rules apply to the interpretation of this Chapter:
1. Words in the singular include the plural and those in the plural include the singular;
 2. Words used in the present tense include the future tense;
 3. The words “Person”, “Applicant”, “developer”, and “Owner” include a corporation, unincorporated association and a partnership, or other legal entity, as well as an individual engaged in the subject activity;
 4. The word “Building” includes Structure and shall be construed as if followed by the phrase “or part thereof”;
 5. The word “Watercourse” includes channel, creek, ditch, dry run, spring, Stream and river;
 6. The words “should” and “may” are permissive; the words “shall” and “will” are mandatory and directive;
 7. The word “Lot” includes the word plot or parcel; and
 8. 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.”

§27-602 Defined Words and Terms

- (A) Words and terms used in this Part shall have the meanings given in this Part. Unless expressly stated otherwise, any pertinent word or term not part of this listing but vital to the interpretation of this Chapter, shall be construed to have their legal definition, or in absence of a legal definition, their meaning as commonly accepted by practitioners including civil engineers, surveyors, architects, landscape architects, and planners.

ACCESS DRIVE – See DRIVEWAY.

ACCESSORY EQUIPMENT – Any equipment serving or being used in conjunction with a wireless communications facility or wireless support structure, including but not limited to utility or transmission equipment, power supplies, generators, batteries, cables, equipment buildings, cabinets, and storage sheds, shelters, or similar structures.

ACCESSORY STRUCTURE OR BUILDING – A structure or building detached from a principal building on the same lot and customarily incidental and subordinate to the principal building.

ADDITION – An extension or increase in the footprint, floor area, Height or other dimension of a Building or Structure.

ADULT BOOK STORES – An establishment having as a substantial or significant portion of its stock in trade, books, magazines, films for sale or viewing on Premises by use of motion picture devices or any other coin-operated means, and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing, or relating to “Specified Sexual Activities,” or “Specified Anatomical Areas,” or an establishment with a segment or section devoted to the sale or display of such material.

ADJACENT PROPERTY – Property that is contiguous with, or directly across a public Street or other Right-of-Way from, the boundaries of any side of the subject property.

ADULT BUSINESS – Shall mean:

1. Any commercial establishment, including but not limited to Adult Book Stores, Adult Motion Picture Theaters, Adult Mini-Motion Picture Theaters, Adult Entertainment Cabaret, or other adult entertainment establishments, in which is offered for sale as a substantial or significant portion of its stock in trade video cassettes, movies, books, magazines, or other periodicals or other media which are distinguished or characterized by their emphasis on nudity or sexual conduct or activities which if presented in live presentation would constitute adult entertainment;
2. Any commercial establishment that offers for a consideration physical contact in the form of wrestling or tumbling between Persons of the opposite sex;
3. Any commercial establishment that offers activities between male and female Persons and/or Persons of the same sex when one or more Persons are nude or Semi-Nude; and
4. Any commercial establishment that offers for a consideration nude human modeling.

ADULT ENTERTAINMENT CABARET – A public or private establishment that is licensed to serve food and/or alcoholic beverages, which features topless dancers, strippers, male or female impersonators, or similar entertainers.

ALLEY (or SERVICE DRIVE) – A minor Right-of-Way, publicly or privately owned, primarily for service access to the back or side of properties and not intended for general traffic circulation.

ALTERATIONS– As applied to a Building or Structure, any change or rearrangement in the Total Floor Area, or an enlargement, whether by extending on a side or by increasing in Height, or the moving from one location or position to another.

ALTERATIONS, STRUCTURAL – Any change in the supporting members of a Building or Structure, such as bearing walls, column, beams, or girders.

AMENDMENT – A change in Use in a district that includes revisions to this Chapter text or the official Zoning Map. The authority for any amendment lies solely with the Township Board of Commissioners.

ANTENNA — an apparatus designed for the purpose of emitting radiofrequency (RF) radiation, to be operated or operating from a fixed location pursuant to Federal Communications Commission authorization, for the provision of wireless service and any commingled information services.

APPEAL – For the purpose of this Chapter, an Appeal shall refer to a timely submitted and complete application on an application form prescribed by the Zoning Hearing Board for appeal of an order, requirement, Decision or Determination made by the Zoning Officer or rule or regulation adopted pursuant thereto.

APPLICANT – A Landowner or developer, as hereinafter defined, who has filed an application for development including heirs, successors, and assigns.

AREA – The amount of flat space or ground measured in square units.

BOLLARD – A cement filled cylinder attached to the ground to protect sensitive equipment and restrict vehicle movement.

BUCKLING – A young male Goat.

BUILDING – Any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of any individual, animal, equipment, goods or materials of any kind or nature. (Also see Accessory Structure and Principal Building)

BUILDING FRONTAGE – The maximum linear width of a Building measured in a single straight line parallel, or essentially parallel, with the abutting public Street or parking Lot.

BUILDING HEIGHT – The vertical distance measured from the level of approved Street grade opposite the middle of the front of the Building to the highest point of Roof surface of a flat Roof; to the deck line of a mansard Roof; and to the mean Height level between eaves and ridge of a gable, hip or gambrel Roof; except that, if a Building is located on a terrace, the Height above the Street grade may be increased by the Height of the terrace. In the case of a Building set back from the Street line thirty-five (35) feet or more, the Building Height is measured from the average elevation of finished ground surface along the front of the Building.

BUILDING MODIFICATION – Any modification that modifies any structural element of a Building, adds, or removes additional interior walls, or modifies any of the existing high voltage electrical, HVAC, fire protection, sanitary sewer, potable water, or industrial water services.

BUSINESS DAY – Means a day that is not a recognized municipal or federal holiday and is not a Saturday or Sunday.

CERTIFICATE OF OCCUPANCY – A certificate issued and enforced by the Zoning Officer after completion of the construction of a new Building or after a change or conversion of the Structure or use of a Building, and prior to the use of said Structure or Building, which certifies that all requirements and regulations as provided herein, as well as all other applicable requirements, have been satisfied.

CHICKENS – Female poultry or fowl of the species *gallus domesticus* species.

CLASSIC MOTOR VEHICLE – A Motor Vehicle, but not a reproduction thereof, manufactured at least 15 years prior to the current year which has been maintained in or restored to a condition which is substantially in conformity with manufacturer specifications and appearance. Any Classic Motor Vehicle registered under Section 1340 of the Pennsylvania Vehicle Code (Title 75) (relating to antique and classic plates) on the effective date of the Code's amendment to this definition which fails to qualify as a Classic Motor Vehicle pursuant to these provisions may retain such classic registration unless another type of registration is applied for and issued for the Vehicle.

CLEAN WOOD – Natural wood that has no paint, stains, or other types of coatings, and natural wood that has not been treated with, including but not limited to, cooper chromium arsenate, creosote, or pentachlorophenol.

CLEAR SIGHT DISTANCE – See Susquehanna Township Subdivision and Land Development Ordinance (Chapter 22 of the Township Municipal Code).

CLEAR SIGHT TRIANGLE – See Susquehanna Township Subdivision and Land Development Ordinance (Chapter 22 of the Township Municipal Code).

CLOSED LOOP SYSTEMS: A geothermal heat pump system which relies on the contained circulation of geothermal fluids through an underground loop of pipes. The loops act as a subsurface heat exchanger, which transports the heat to or from the ground. The loop of pipe is installed either vertically in borings or horizontally in trenches.

CLOSED LOOP, HORIZONTAL: A Closed Loop System where the loops of the pipe are laid horizontally in the ground, in trenches.

CLOSED LOOP, VERTICAL: A Closed Loop System where the loops of the pipe are installed vertically into the ground, in well borings.

COLLECTIBLE MOTOR VEHICLE – A reconstructed or modified Motor Vehicle substantially modified from the manufacturer's original specifications and appearance and maintained in a collectible condition as determined by the Pennsylvania Department of Transportation.

COLLOCATED WIRELESS COMMUNICATIONS FACILITY (COLLOCATED WCF) – Wireless communications facilities that are attached to existing structures, such as, but not limited to buildings, water towers, electrical transmission towers, utility poles, light poles, traffic signal poles, flag poles, and other similar structures that do not require the installation of a new or replacement wireless support structure.

COLLOCATION – The mounting of one or more WCFs, including antennas, on a pre-existing structure, or modifying a structure for the purpose of mounting, or installing a WCF on that structure.

COMMERCIAL MOTOR VEHICLE – A Motor Vehicle or combination designed or used to transport passengers or property:

1. If the Vehicle has a gross vehicle weight rating or gross vehicle weight of 26,001 or more pounds or such lesser rating as the department shall adopt under the provisions of Section 6103(c) (relating to promulgation of rules and regulations by department), as determined by Federal regulation and published by the Pennsylvania Department of Transportation as a notice in the Pennsylvania Bulletin;
2. If the Vehicle has a gross combination weight rating or gross combination weight of 26,001 pounds or more, whichever is greater, inclusive of a towed unit with a gross vehicle weight rating or gross vehicle weight of more than 10,000 pounds, whichever is greater;
3. If the Vehicle is designed to transport sixteen (16) or more passengers, including the driver;
4. If the Vehicle is a school bus; or
5. If the Vehicle is transporting hazardous materials and is required to be placarded in accordance with department regulations.

The term does not include an antique or classic motor Vehicle, or an implement of husbandry, or any Recreational Vehicle operated solely for personal Use, or motorized construction equipment, including, but not limited to, motorscrapers, backhoes, motorgraders, compactors, excavators, tractors, trenchers and bulldozers.

COMPREHENSIVE PLAN – A comprehensive plan prepared by the Township and Dauphin County Planning Commissions pursuant to the Pennsylvania Municipalities Planning Code.

CONSTRUCTION – The erection or installation of a new Building, Structure, or object, as well as modifications or improvements to existing Buildings, Structures, or objects.

COOP – A Structure, either portable or permanent, to shelter chickens.

COURTS – An open, unoccupied space, bounded on two or more sides by the walls of a Building. An inner court is a court entirely enclosed within the exterior walls of a Building. All other courts are outer courts.

DECISION – A final adjudication of any board or other body granted jurisdiction under this Chapter do so, either by reason of the grant of exclusive jurisdiction or by reason of appeals from Determinations. All Decisions shall be appealable to the Court of Common Pleas of Dauphin County and applicable judicial district wherein the Township lies.

DEMOLITION OR DEMOLISH – The removal or destruction of all or part of a Building or Structure. Demolition includes, but is not limited to:

1. Permanent removal of any portion of any structural element such as a Roof or exterior wall, or any significant Building elements such as cornices, doors, windows, doorways, porches, or chimneys.
2. Permanently covering or obscuring any portion of any Roof or exterior wall, or any significant exterior Building elements.
3. Removing all or part of a Building or Structure that has been damaged by a fire, flood, or other disaster.

DENSITY – The average number of persons, families, or dwellings per unit of area (acre, square mile, etc.).

DENSITY, NET RESIDENTIAL – The Density of the Building site minus traversing Streets, Alleys, and drives, open space and one-half of bounding Streets.

DENSITY, GROSS RESIDENTIAL – Density of the Building site plus traversing Streets, Alleys, and drives, open space and one-half of bounding Streets.

DEP – Pennsylvania Department of Environmental Protection.

DESIGN REVIEW COMMITTEE (DRC) – A committee of four (4) persons appointed by the Board of Commissioners to oversee and make recommendations with respect to the detailed design and implementation process of a TND, NDD, or other design related project. The DRC shall consist of: one (1) member of the Planning Commission; one (1) member from the Board of Commissioners; the Township Zoning Officer; and the Township Community and Economic Development Director. The Township Planning Consultant shall provide support to the DRC in the design review process.

DETERMINATION – Final action by an officer, body or agency charged with the administration of any land Use ordinance or applications thereunder, except the following:

1. the Governing Body;

2. the Zoning Hearing Board; or
3. the Planning Commission, only if and to the extent the Planning Commission is charged with final Decision on preliminary or final plans under the subdivision and land development ordinance or planned residential development provisions.

Determinations shall be appealable only to the boards designated as having jurisdiction for such appeal.

DISABILITY – A physical or mental impairment that substantially limits one or more major life activities, a Person who has a history or record of such an impairment, or a Person who is perceived by others as having such an impairment.

DOELING – A young, unbred female Goat.

DOMESTIC PARTNER – Shall refer to a spousal equivalent and “Domestic Partners” shall refer to such a couple who cohabitate and live together, whether married or not but who seeks the benefits usually available only to spouses.

DRIVEWAY – Private roads that provide access (both ingress and egress) between a public way and abutting property(ies) and any facilities on such property(ies). Driveways shall be designed pursuant to the applicable design standards specified in the Township Subdivision Ordinance (Chapter 22 of the Township Municipal Code).

DWELLING – Any Building, Structure, or portion thereof which is occupied as, or designed or intended for occupancy as, a residence by one (1) or more families, and any vacant Lot(s) which is offered for sale or lease for the construction or location thereon of any such Building, Structure, or portion thereof.

DWELLING UNIT – A Building, Structure, or portion thereof arranged or designed for occupancy by not more than one (1) family and having separate cooking and sanitary facilities.

EASEMENT – A right to cross or otherwise Use someone else’s land for a specified purpose. Such as ingress or egress or utility installation and maintenance.

EAVELINE – Lower edges of a roof that overhang a Building’s exterior walls.

ELECTRIC VEHICLE – Any vehicle that operates in any way on electrical energy which includes but is not limited to the following:

1. A battery electric vehicle.
2. A plug-in hybrid electric vehicle.
3. A neighborhood electric vehicle.
4. A medium-speed electric vehicle.

ELECTRIC VEHICLE CHARGING LEVELS (1, 2, & 3) – The standard indicator of electric force or voltage at which an electric vehicle is recharged as follows and as illustrated in Figure 6-1.

1. Level 1 – A slow charging system with a voltage range of 0 through 120 AC123.

2. Level 2 – A medium charging system with a voltage range of 121 through 240 AC124.
3. Level 3 – A fast charging system with a voltage range of greater than 240 AC125.

ELECTRIC VEHICLE CHARGING SPACE – An off-street parking space designated for an electric vehicle to park while charging.

ELECTRIC VEHICLE MAKE READY – Infrastructure that will support the future installation of an Electric Vehicle Charging Station.

EQUIPMENT COMPOUND – An area surrounding or adjacent to a wireless support structure within which base stations, power supplies, or accessory equipment are located.

FCC—Federal Communications Commission.

FREE-STANDING – An Electric Vehicle Charging Station that is standing alone and is not mounted to a wall or any other vertical surface.

PROPERTY OWNER – The individual, corporation, any other legal entity that holds either legal or equitable title to the real estate as set forth on any deed, agreement of sale, or any other document recorded in the Office of the Recorder of Deeds for the applicable jurisdiction.

ENCROACHMENT – The Use, placement, or extension of private Uses into, upon, over, or under Public Space or a publicly-owned property.

EPA – United States Environmental Protection Agency.

EQUINE – Relating to or affecting horses or other members of the horse family.

FAÇADE – The face of a Building, especially the principal front that looks onto a Street or Open Space.

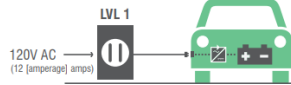
FAIR HOUSING ACT – The Fair Housing Act, 42 U.S.C. 3601 et seq., prohibits discrimination by direct providers of housing, such as landlords and real estate companies as well as other entities, such as municipalities, banks or other lending institutions and homeowners insurance companies whose discriminatory practices make housing unavailable to persons because of race or color, religion, sex, national, origin, familial status, or disability.

**Figure 6-1
Electric Vehicle Charging Levels**

Source: *Siting and Design Guidelines for Electric Vehicle Supply Equipment, November 2012*

LEVELS OF CHARGE: DIAGRAMS AND ATTRIBUTES

LEVEL 1



**8-20+
HOURS
CHARGE
TIME**

ATTRIBUTES:

- A standard outlet can potentially fully recharge an EV battery in 8–12 hours, though larger batteries, such as on the Tesla Model S, would require between 1 and 2 days
- This level is often sufficient for overnight, home charging
- Standard outlets can also provide an option for “peace of mind” charging using onboard equipment on the go
- Uses standard J1772 coupler
- In-vehicle power conversion

LEVEL 2

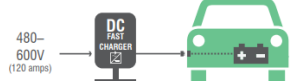


**4-8
HOURS
CHARGE
TIME**

ATTRIBUTES:

- Free-standing or hanging charging station units mediate the connection between power outlets and vehicles
- Requires installation of charging equipment and often a dedicated 20–80 amp circuit, and may require utility upgrades
- Well-suited for inside and outside locations, where cars park for only several hours at a time, or when homeowners seek added flexibility of use and a faster recharge
- The public charging network will comprise primarily level 2 charging stations
- Public context requires additional design features, such as payment and provider network interfaces or reservation systems
- Uses standard J1772 coupler
- In-vehicle power conversion, charging speed limited by the onboard charger

DC FAST CHARGE



**30
MINUTES
CHARGE
TIME**

ATTRIBUTES

- Free-standing units, often higher profile
- Enable rapid charging of EV battery to 80% capacity in as little as 30 minutes
- Electrical conversion occurs in EVSE unit itself
- Relatively high cost compared to level 2 chargers, but new units on the market are more competitively priced
- Draws large amounts of electrical current, requires utility upgrades and dedicated circuits
- Beneficial in heavy-use transit corridors or public fueling stations
- Standard J1772 “combo” coupler approved in October 2012

SITING AND DESIGN GUIDELINES FOR ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE)

FAMILY – Any number of individuals living and cooking together as a single housekeeping unit, whether related to each other legally or not, and shall be deemed to include domestic help but not to include paying guests.

FAMILIAL STATUS – Means one or more individuals (who has not attained the age of 18 years) being domiciled with (1) a parent or another Person having legal custody of such individual or individuals; or (2) the designee of such parent or other Person having such custody, with the written permission of such parent or other Person.

FARTHEST FACING WALL – The wall of a Building or Structure that faces, but is farthest in distance from, the subject Street Line or Lot line. In the case of a Building or Structure with walls that are not substantially parallel to Street Lines and Lot lines, separate Farthest Facing Walls may exist for different elevations of the Building or Structure.

FEMA – Federal Emergency Management Administration, or its duly designated and authorized successor agency.

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

FLOOD, 100-YEAR – A flood event that has a one (1) in one hundred (100) chance (1% probability) of being equaled to or exceeded in any given year.

FLOODPLAIN – Any land area susceptible to being inundated by floodwaters from any source.

FRONTAGE – The boundary between a plot of land or a building and the road onto which the plot or building fronts. Frontage may also refer to the full length of this boundary.

FRONTAGE BUILDOUT – The percentage of the property width that is occupied by the building facade within the front yard.

FRONTAGE, STREET – The side or sides of a Lot abutting on a public Street or Right-of-Way.

GEOHERMAL FLUID – Any fluid transporting or capable of transporting geothermal heat. For the purpose of this Ordinance, only food-grade or USP-grade propylene glycol may be used as a Geothermal Fluid. No other materials or additives may be used except for potable water.

GEOHERMAL HEAT – Heat derived from geothermal resources, or heat derived from groundwater.

GEOHERMAL HEATING SYSTEM – A geothermal heat pump system which relies on the contained circulation of geothermal fluids to obtain and to utilize geothermal resources.

GEOHERMAL RESOURCES: The natural heat of the earth, and the energy, in whatever form, below the surface of the earth present in, resulting from created by, or which may be extracted from the natural heat, and all minerals in solution or other products obtained from naturally heated fluids, brines, associated gases in whatever form, found below the surface of the earth exclusive of oil, hydrocarbon gas, other hydrocarbon gas, other hydrocarbon substances of helium, but including specifically: a) All products of geothermal processes, embracing indigenous steam, hot water and hot brines; b) Steam and other gases, hot water, and hot brines resulting from water, gas, or other fluids artificially introduced into geothermal formations; c) Heat or other associated energy found in geothermal formations; and d) Any by-product derived from them.

GOAT – A Pygmy or Nigerian dwarf breed of goat.

GOVERNING BODY – The Board of Commissioners of Susquehanna Township, Dauphin County, Pennsylvania.

GROSS FLOOR AREA – The total floor area inside the Building envelope, including the external walls, and excluding the Roof.

HABITABLE FLOOR AREA – The aggregate of the horizontal area of all rooms used for habitation, such as living room, dining room, kitchen, bedroom, but not including hallways, stairways, cellars, attics, service 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 one-half of the floor area of every habitable room shall have a ceiling Height of not less than seven (7') feet and the floor area of that part of any room where the ceiling Height is less than five (5') feet shall not be considered as part of the habitable floor area.

HABITABLE SPACE – Space within a Structure for living, sleeping, eating, or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility space and similar areas are not considered habitable space.

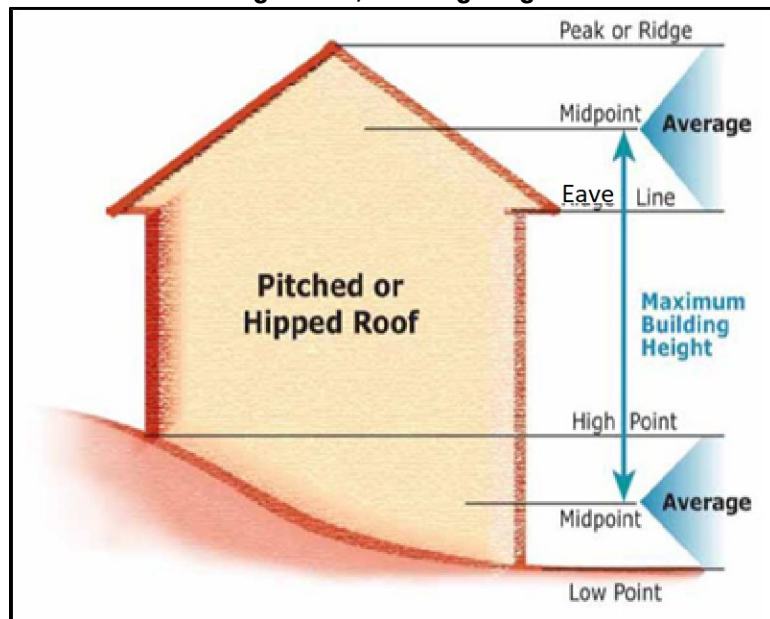
HANDICAP – Means, with respect to a Person:

1. a physical or mental impairment which substantially limits one or more of such person's major life activities,
2. a record of having such an impairment, or
3. being regarded as having such an impairment, but such term does not include current, illegal use of or addiction to a controlled substance (as defined in Section 102 of the Controlled Substances Act (21 U.S.C. 802)).

HEARING – An administrative proceeding conducted by a board pursuant to Section 909.1 of the Pennsylvania Municipalities Planning Code.

HEIGHT, BUILDING – Building Height shall be measured from the mean level of the ground surrounding the Building to a point midway between the highest and lowest point of the roof, but not including spires, belfries, cupolas, penthouses or domes not used for human occupancy, nor to chimneys, ventilators, skylights, water tanks, bulkheads, utility poles or towers, silos, and ornamental or necessary mechanical appurtenances. See Figure 6-2.

Figure 6-2, Building Height



HEIGHT, WIRELESS COMMUNICATIONS FACILITY – The distance measured from the pre-existing grade level to the highest point on the Wireless Communication Facility, even if said highest point is an antenna or lightning protection device.

HIVE – Any frame hive, box hive, box, barrel, log, gum, skep or other receptacle or container, natural or artificial, or any part thereof, which may be used or employed as a domicile for bees.

HOUSEHOLD LIVING – Household living means the use of one or more Dwelling Units located within the Principal Structure of a Lot by a household, in which the units may or may not share a common wall with the adjacent unit or have individual entrances from the outside. Nothing in this Part shall be deemed to limit the ability of lawful occupants of a Dwelling Unit to have bona fide guests.

IMPERVIOUS COVER – A surface composed of any material that significantly impedes or prevents natural infiltration of water into the soil. Includes, but is not limited to, rooftops, parking lots, driveways, Buildings, Streets, roads, decks, swimming pools and any concrete or asphalt. Impervious cover does not include Pervious Surfaces as defined herein (see PERVIOUS SURFACE).

IMPERVIOUS SURFACE – A surface covered with Impervious Cover that prevents the percolation of water into the ground.

IMPERVIOUS (AREA) COVERAGE – The ratio of the total area on a Lot which is in Impervious Cover, divided by the total area of the Lot, expressed as a percentage. For the purpose of this definition, Impervious Coverage on a Lot encompasses all Impervious Cover plus the entire Building area, including Roof overhangs, cornices, eaves, and gutter.

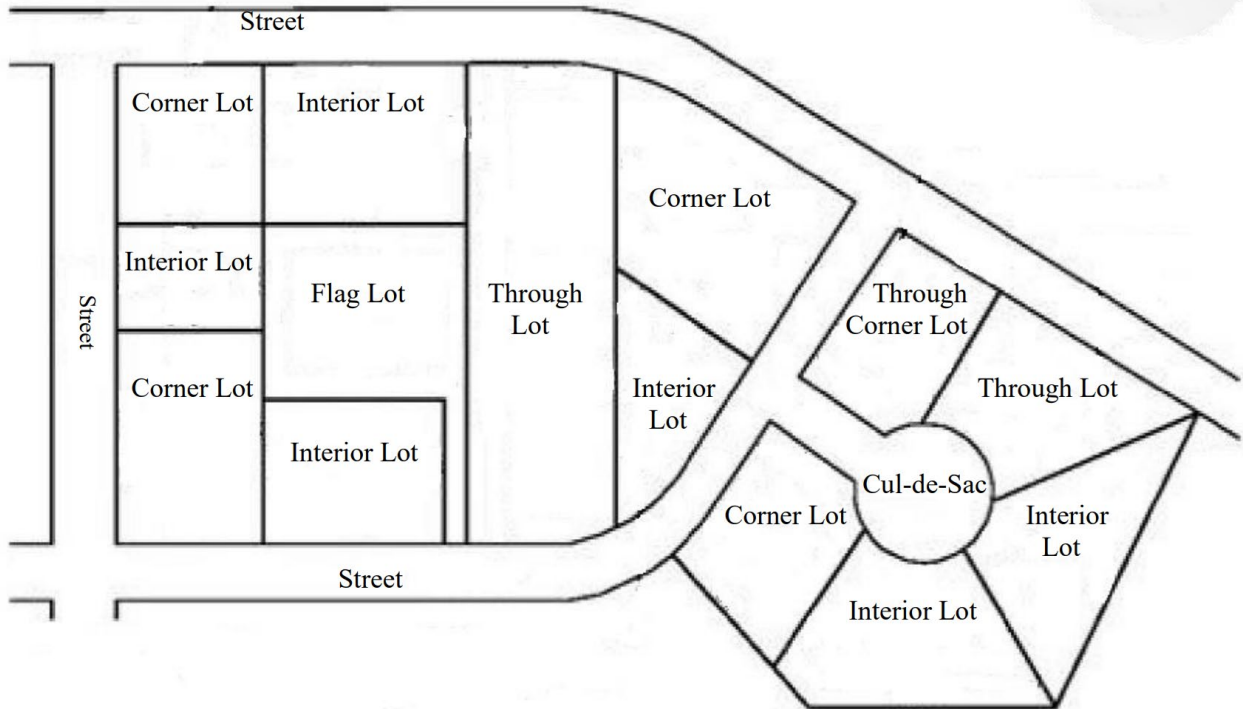
LANDOWNER – The legal or beneficial owner or owners of land including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee if he is authorized under the lease to exercise the rights of the landowner, or other person having a proprietary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

LAND USE ORDINANCE – Any ordinance or map adopted pursuant to the authority granted in Articles IV, V, VI and VII of the Pennsylvania Municipalities Planning Code.

LEGALLY NONCONFORMING USE – Any use of land, a Building or a Structure (including Signs) lawfully existing at the time of the adoption of this Chapter or at the time this Chapter is subsequently amended, which Use may be continued without prohibition by this Chapter as long as such Use is maintained, subject to the provisions of this Chapter.

LOT – A designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed, or built upon as a unit. Lot types include the following and as illustrated in Figure 6-3, Lot Types.

Figure 6-3, Lot Types



Corner Lot – A Lot at the junction of and abutting on two (2) or more intersecting Streets or private roads or at the point of abrupt change of a single Street or private road, where the interior angle is less than one hundred and thirty-five degrees (135) and the radius of the Street or private road line is less than one hundred feet (100'0").

Flag Lot – A Lot; the width of which is less than eighty percent (80%) of the minimum Lot width at any point between the front Lot line and the Building setback line, the width being determined by a line which is perpendicular to any side Lot line. **Flag Lots are not permitted in Susquehanna Township.**

Interior Lot. – A Lot other than a Corner Lot with only one frontage on a Street other than an Alley.

Through Lot – A Lot other than a Corner Lot with frontage on more than one Street other than an Alley. Through Lots with frontage on two Streets may be referred to as double frontage Lots.

LOT FRONTAGE – The Lot dimension measured along the Building setback line parallel to and abutting a public Street where public vehicular access is allowed.

LOT LINES – The lines bounding a Lot as defined herein.

LOT, MINIMUM WIDTH – See Lot Frontage.

LOT OF RECORD – A Lot that has been recorded in the Office of the Recorder of Deeds of Dauphin County, Pennsylvania.

LOT, REVERSE FRONTAGE – A Lot extending between and having frontage on an arterial Street and a minor Street, and with vehicular access solely from the latter.

LOWEST FLOOR – The lowest floor of the lowest enclosed area (including basement). An unfinished, flood resistant partially enclosed area, used solely for parking of Vehicles, Building access, and incidental storage, in an area other than a basement area is not considered the lowest floor of a Building, provided that such space is not designed and built so that the Structure is in violation of the applicable non-elevation design requirements of this Chapter.

LOT FRONTAGE – The Lot dimension measured along the Building setback line parallel to and abutting a public Street where public vehicular access is allowed.

LOT DEPTH – The average horizontal distance between the front and rear Lot lines.

MAINTENANCE AND REPAIR – Work that does not alter the appearance or harm the stability of exterior features of a Building.

MANUFACTURED HOME – A transportable single family dwelling intended for permanent occupancy in one unit or two units designed to be joined into an integral unit, which arrives at the site complete and ready for occupancy except for minor and incidental un-packing and assembly operations, and constructed so that it may be used without a permanent foundation. A Manufactured Home need not meet local building codes, but shall meet the standards of the U.S. Department of Housing and Urban Development, as indicated in the Structural Engineering Bulletin(s) which shall be provided to the Township by the applicant. The term includes a Mobile Home.

MEDICAL MARIJUANA – Refers to using the whole unprocessed marijuana plant or its basic extracts to treat a disease or symptom.

MICRO WIRELESS FACILITY – A small wireless communications facility that:

- (1) Does not exceed two cubic feet in volume; and
- (2) Has an exterior antenna no longer than eleven (11) inches.

MODIFICATION OR MODIFY — The improvement, upgrade, or expansion of existing wireless communications facilities or base stations on an existing wireless support structure or the improvement, upgrade, or expansion of the wireless communications facilities located within an existing equipment compound, if the improvement, upgrade, expansion or replacement does not substantially change the physical dimensions of the wireless support structure.

MINERAL RESOURCE – Any aggregate or mass of mineral matter, whether or not coherent. The term includes, but is not limited to, limestone and dolomite, sand and gravel, rock and stone, earth, fill, slag, iron ore, zinc ore, vermiculite and clay, anthracite and bituminous coal, coal refuse, peat and crude oil and natural gas.

MINOR REPAIR – The replacement of existing work with equivalent materials for the purpose of its routine maintenance and upkeep, but not including the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a Structure affecting the exit way requirements; nor shall minor repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas oil, waste, vent, or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

MODULAR (INDUSTRIALIZED) HOME – A home that is wholly or mostly made, constructed, fabricated or assembled in manufacturing facilities. These Structures are then shipped to the home site

for assembly and installation. A modular home is designed only for installation on a site built permanent foundation and not to be moved after the installation.

MOTOR VEHICLE – A Vehicle that is self-propelled except an electric personal assistive mobility device or a Vehicle which is propelled solely by human power.

NONCONFORMING LOT – A Lot, of which the area or dimension was lawful prior to the adoption or amendment of a zoning ordinance, but now fails to conform to the requirements of the zoning district in which it is located by reasons of such adoption or amendment.

NONCONFORMING STRUCTURE – A Structure or part of a Structure manifestly not designed to comply with the applicable Use or extent of Use provisions in a zoning ordinance or amendment heretofore or hereafter enacted, where such Structure lawfully existed prior to the enactment of such ordinance or amendment or prior to the application of such ordinance or amendment to its location by reason of annexation. 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 in a zoning ordinance or amendment heretofore or hereafter enacted, where such Use was lawfully in existence prior to the enactment of such ordinance or amendment, or prior to the application of such ordinance or amendment to its location by reason of annexation.

NON-PHASE 2 OUTDOOR WOOD-FIRED BOILERS – An Outdoor Wood-Fired Boiler (OWB) that has not been certified or qualified by the EPA as meeting a particulate matter emission limit of 0.32 pounds per million British Thermal Units (BTU) output or lower and is labeled accordingly.

OPEN LOOP SYSTEMS – A geothermal heat pump system which relies on the circulation of groundwater from a supply well, spring or surface water. The source for heat, groundwater is moved from the ground to a heat pump. The water is then transferred to a discharge area, typically a surface water body, storm or sanitary sewer system, or recharge well.

OWNER – Owner means the Person with legal title to real property, a Building, or Structure.

OUTDOOR WOOD-FIRED BOILER (OWB) – Also known as outdoor wood-fired furnaces, outdoor wood-burning appliances, or outdoor hydronic heaters, water stoves, etc. A fuel-burning device:

1. Designed to burn clean wood or other approved solid fuels;
2. That the manufacturer specifies for outdoor installation or for installation in Structures not normally intended for habitation by humans or domestic animals, including Structures such as garages and sheds; and
3. Which heats Building space and/or water through the distribution, typically through pipes, of a fluid heated in the device, typically water or a mixture of water and antifreeze.

PEN – A fenced area designed to contain the animal to a restricted area, and prevent animals roaming at large.

PENNSYLVANIA MUNICIPALITIES PLANNING CODE (MPC) – Act of 1968, P.L. 805, No. 247 as reenacted and amended.

PENNSYLVANIA CONSTRUCTION CODE (PCC) ACT – Act of Nov. 10, 1999, P.L. 491, No. 45 as amended. The statewide Building code adopted by the Pennsylvania General Assembly in 1999 applicable to new construction in all municipalities whether administered by the municipality, a third party or the Department of Labor and Industry. Applicable to residential and commercial Buildings, the code adopted the International Residential Code (IRC) and the International Building Code (IBC), by reference as the construction standard applicable with the Commonwealth floodplain construction. For coordination purposes, references to the above are made specifically to various sections of the IRC and the IBC such references shall be based on the most recently adopted editions thereof.

PERMANENT FOOD FACILITY – A retail food facility operating in a permanently constructed Structure permitted and operated for the purpose of storing, preparing, serving, packaging, or otherwise handling food at the retail level. Permanent Food Facility does not include Mobile Food Facility, or a facility licensed as a Temporary Food Service Facility (TFS) under The Retail Food Facility Safety Act §5703(g)(2).

PERSON – Includes one or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, trustees in cases under title 11 [of the United States Code], receivers, and fiduciaries.

PERVIOUS SURFACE – A pervious surface is a surface that allows the percolation of water into the underlying soil. Pervious surfaces include grass, mulched groundcover, planted areas, vegetated roofs, permeable paving as well as porches and decks erected on pier foundations that maintain the covered lot surface's water permeability. Pervious surfaces do not include any structure or building, any porch or deck that limits the covered lot surface from absorbing water, or any outdoor stairs, on-grade surface sports court, swimming pool, artificial turf, sidewalk or patio constructed of concrete, asphalt, brick, compacted gravel or other material that impedes the infiltration of water directly into the subsurface of the lot.

PHASE 2 OUTDOOR WOOD-FIRED BOILER – An outdoor wood-fired boiler that has been certified or qualified by the EPA as meeting a particulate matter emission limit of 0.32 pounds per mill BTU output and is labeled accordingly.

PORCH – A non-enclosed or semi-enclosed Roof covered Accessory Structure adjoining a first floor entrance to a Building.

PREMISES – The area occupied by a business or other commercial, professional, or industrial enterprise. When more than one such enterprise occupies a Building, each business area shall be considered a separate Premise.

PROFESSIONAL ENGINEER – An individual licensed and registered under the laws of the Commonwealth of Pennsylvania to engage in the Practice of Engineering. A Professional Engineer may not practice land surveying unless licensed and registered as a Professional Land Surveyor as defined and set forth in the Engineer, Land Surveyor and Geologist Registration Law, Act of May 23, 1945, P.L. 913, No. 367 Cl. 63. However, a Professional Engineer may perform engineering land surveys.

PROFESSIONAL LAND SURVEYOR – An individual licensed and registered under the laws of the Commonwealth of Pennsylvania to engage in the Practice of Land Surveying. A Professional Land Surveyor may perform engineering land surveys but may not practice any other branch of engineering.

PROPERTY OWNER – A Person having the full and complete right of dominion over property.

PUBLIC HEARING – A formal meeting held pursuant to Public Notice by the Board of Commissioners, Zoning Hearing Board, or Planning Commission, intended to inform, and obtain public comment, prior to taking action in accordance with this Chapter.

PUBLIC NOTICE – Notice published once each week for two successive weeks in a newspaper of general circulation in the municipality. Such notice shall state the time and place of the Hearing and the particular nature of the matter to be considered at the Hearing. The first publication shall be not more than thirty (30) days and the second publication shall not be less than seven (7) days from the date of the Hearing.

PREFABRICATED HOME – Any Building or Dwelling that is manufactured off-site in a home Building facility, and then transported to the home or Building site.

PREFERABLY PRESERVED SIGNIFICANT BUILDING – Preferably Preserved Significant Building or Structure means any Significant Building or Structure, which Township Commissioners determines as provided in Part 4, Subpart (C) of this Chapter, that it is in the public interest to be preserved or rehabilitated rather than to be demolished.

PREMISE or PREMISES – Premises mean the parcel of land upon which the demolished Building or Structure was located and all adjoining parcels of land under common ownership or control.

RECREATIONAL VEHICLE – A Vehicle which is either self-propelled or towed by a consumer-owned tow Vehicle and designed to provide temporary living quarters for recreational, camping or travel use that complies with all applicable Federal vehicle regulations and is certified by the manufacturer as complying with NFPA 1192 Standard on Recreational Vehicles or ANSI A119.5 Park Model Recreational Vehicle Standard and includes the following types as defined by the Pennsylvania Board of Vehicles Act (Act of Oct. 24, 2018, P.L. 816, No. 134)

1. Motor home.
2. Travel trailer.
3. Fifth wheel travel trailer.
4. Folding camping trailer.
5. Truck camper.
6. Park model RV

REPLACEMENT OF A WIRELESS COMMUNICATIONS FACILITY (REPLACEMENT OF WCF) – The replacement of existing wireless communications facilities on an existing wireless support structure or within an existing equipment compound due to maintenance, repair, or technological advancement with equipment composed of the same wind loading and structural loading that is substantially similar in size, weight, and height as the wireless communications facilities initially installed and that does not substantially change the physical dimensions of the existing wireless support structure.

REPORT – Any letter, review, memorandum, compilation or similar writing made by any body, board, officer or consultant other than a solicitor to any other body, board, officer or consultant for the purpose of assisting the recipient of such Report in the rendering of any Decision or

Determination. All Reports shall be deemed recommendatory and advisory only and shall not be binding upon the recipient, board, officer, body, or agency, nor shall any appeal lie therefrom. Any Report used, received or considered by the body, board, officer or agency rendering a Determination or Decision shall be made available for inspection to the Applicant and all other parties to any proceeding upon request, and copies thereof shall be provided at cost of reproduction.

RIGHT-OF-WAY (ROW) – An area acquired or reserved for Streets, street trees (or landscaping), drainage, utilities and pedestrian ways owned by a public or private Person. When used in the regulation of Wireless Telecommunications Facilities, the surface of and space above and below any real property in the Township in which the Township has a regulatory interest, or interest as a trustee for the public, as such interests now or hereafter exist, including, but not limited to, all Streets, highways, avenues, roads, alleys, sidewalks, tunnels, viaducts, bridges, skyways, or any other public place, area or property under the control of the Township, and any unrestricted public or utility easements established, dedicated, platted, improved or devoted for utility purposes, but excluding lands other than Streets that are owned by the Township. The phrase “in the right(s)-of-way” means in, on, over, along, above and/or under the right(s)-of-way.

ROOF – An Impervious Cover of a Building.

SIGNIFICANT BUILDING OR STRUCTURE – Means any Building or Structure within the Township that:

1. Is listed on, or is within an area listed on, the National Register of Historic Places, or which is the subject of a pending application for listing on the National Register,

OR
2. Is at least fifty (50) years old, or if it has been determined by Township Commissioners to be a significant Building or Structure after a finding that the Building or Structure is either:
 - (a) Importantly associated with one or more Historic persons or events, or with the broad architectural, cultural, political, economic, or social history of the Township or the Commonwealth of Pennsylvania, or
 - (b) Historically or architecturally significant (in terms of period, style, method of Building construction, or association with a reputed architect or builder) either by itself or in the context of a group of Buildings or Structures, and therefore it is in the public interest to be preserved or rehabilitated rather than to be demolished.

SMALL WIRELESS COMMUNICATIONS FACILITY – A wireless communications facility that meets the following criteria:

1. The wireless support structure on which antenna facilities are mounted—
 - (a) Is fifty (50) feet or less in height, or
 - (b) is no more than ten (10) percent taller than other adjacent structures, or
 - (c) is not extended to a height of more than fifty (50) feet or by more than ten (10) percent above its pre-existing height as a result of the Collocation of new Antenna facilities; and

2. Each Antenna associated with the deployment (excluding the accessory equipment) is no more than three cubic feet in volume; and
3. All accessory equipment associated with the wireless support structure (excluding antennas) is cumulatively no more than 28 cubic feet in volume.
4. The wireless communications facility does not require antenna structure registration under 47 CFR Part 17;
5. The wireless communications facility is not located on Tribal lands, as defined under 36 CFR 800.16(x); and
6. The wireless communications facility does not result in human exposure to radiofrequency radiation in excess of the applicable safety standards specified in 47 CFR 1.1307(b).

SOLAR ACCESS – A Property Owner's right to have the sunlight shine on his land.

SOLAR ENERGY SYSTEM – A complete design or assembly consisting of a solar energy collector, an energy storage facility (where used), and components for the distribution of transformed energy.

SPARK ARRESTER – A device (located at the top of a chimney) to prevent sparks, embers or other ignited material above a given size from being expelled to the atmosphere.

STACK – Any vertical Structure enclosing a flue or flues that carry off smoke or exhaust from a furnace, especially that part of a Structure extending above a Roof.

STREET – A Street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct, and any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private. This definition shall not include Driveways.

STREET FRONTAGE – See Frontage, Street.

STREET WALL – The façade wall of a Building or portion of a wall facing a street line.

STORY – That portion of a Building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a Building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor surface directly above a basement, cellar or unused under floor space is more than six (6) feet above grade, for more than fifty (50) percent of the total perimeter or is more than twelve (12) feet above grade at any point, such basement, cellar or unused underfloor space shall be considered a story. Rooftop features used exclusively for mechanical equipment, elevators, and stairways shall not be considered a story. Mezzanines, as determined by the Township's building code, shall not be considered a story.

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

SUBSTANTIAL CHANGE – A modification substantially changes the physical dimensions of any support structure if it meets the criteria established by 47 CFR §1.6100.

TECHNICALLY FEASIBLE – By virtue of engineering or spectrum usage, the proposed placement for a small wireless facility or its design or site location can be implemented without a material reduction in the functionality of the small wireless facility.

TOWER-BASED WIRELESS COMMUNICATIONS FACILITY (TOWER-BASED WCF) – Any structure that is used for the primary purpose of supporting one or more antennae, including, but not limited to, self-supporting lattice towers, guy towers, and monopoles, and the accompanying Antenna and Accessory Equipment.

THERMAL GROUNDWATER – Groundwater which is less than two-hundred fifty (250) degrees Fahrenheit at bottom-hole temperature and possessing sufficient heat to be used for a direct thermal application or in conjunction with a groundwater heat pump.

TINY HOME – A Dwelling Unit placed on a property for occupancy as a residential dwelling with a habitable area of not less than two hundred (200) square feet and not more than six hundred ninety-nine (699) square feet, constructed on a permanent foundation. A tiny home shall be considered a Manufactured Home as defined herein and shall meet the following additional requirements:

1. Contains a minimum of (200) square feet and a maximum of (600) square feet of living space;
2. Is a detached, self-contained unit which includes basic functional areas that support normal daily routines such as cooking, sleeping and toiletry; and
3. Is designed and built to look like a conventional residential building structure.

TOTAL FLOOR AREA – The area of all floors in all Buildings measured to the outside of the exterior walls, excluding attics, basements, and open porches (measured in square feet). (Note: An “open porch” has a Roof but is not enclosed with screens or windows. Porches enclosed with screens or windows must be counted toward Total Floor Area.)

TRAILER – A vehicular, portable Structure that may be built with or without a chassis, wheels, and Motor or may be mounted on a truck chassis; however, is designed as a temporary dwelling for travel, recreation and vacation Use and is either dependent upon a service Building for toilet and lavatory facilities or for disposal of stored sewage.

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 Non-Conforming Use.

USE, PERMITTED – Means any Use allowed by right within a Zoning District, subject to the restrictions applicable to that Zoning District, and that is not a Special Exception Use.

USE, PRINCIPAL – The dominant purpose for which a Lot or Building is utilized.

USE, SPECIAL EXCEPTION – A Use conditionally permitted in a particular Zoning District under this Chapter that may be undertaken only following the approval by the Zoning Hearing Board and the subsequent issuance of a Zoning Permit by the Zoning Officer pursuant to standards and criteria established in this Chapter.

USE, TEMPORARY – Any Use authorized under and in accordance with the provision of this Chapter which is limited to the time in which such Use may legally continue.

VARIANCE – The permission granted by the Zoning Hearing Board following a Public Hearing that has been properly advertised as required by the Pennsylvania Municipalities Planning Code, as amended, for an adjustment to some regulation which, if strictly adhered to, would

result in an unnecessary hardship and where the permission granted would not be contrary to the public interest, and would maintain the spirit and original intent of the Chapter.

VEHICLE – Every device in, upon or by which any person or property is or may be transported or drawn upon a highway, except devices used exclusively upon rails or tracks. The term does not include a self-propelled wheelchair, or an electrical mobility device operated by and designed for the exclusive use of a person with a mobility-related disability.

VOLUNTARILY – Means any act(s) done by design or intention, which is proposed, intended, or not accidental. An Act of God is not considered voluntary, but rather is regarded as an act done without the will or choice of the Applicant (or Owner, if different from Applicant). For the purposes of this Chapter, the destruction of a significant Building or Structure for failure to properly secure it shall be considered voluntary.

WALL MOUNTED – An Electric Vehicle Charging Station that is mounted to a wall or any similarly substantial vertical surface.

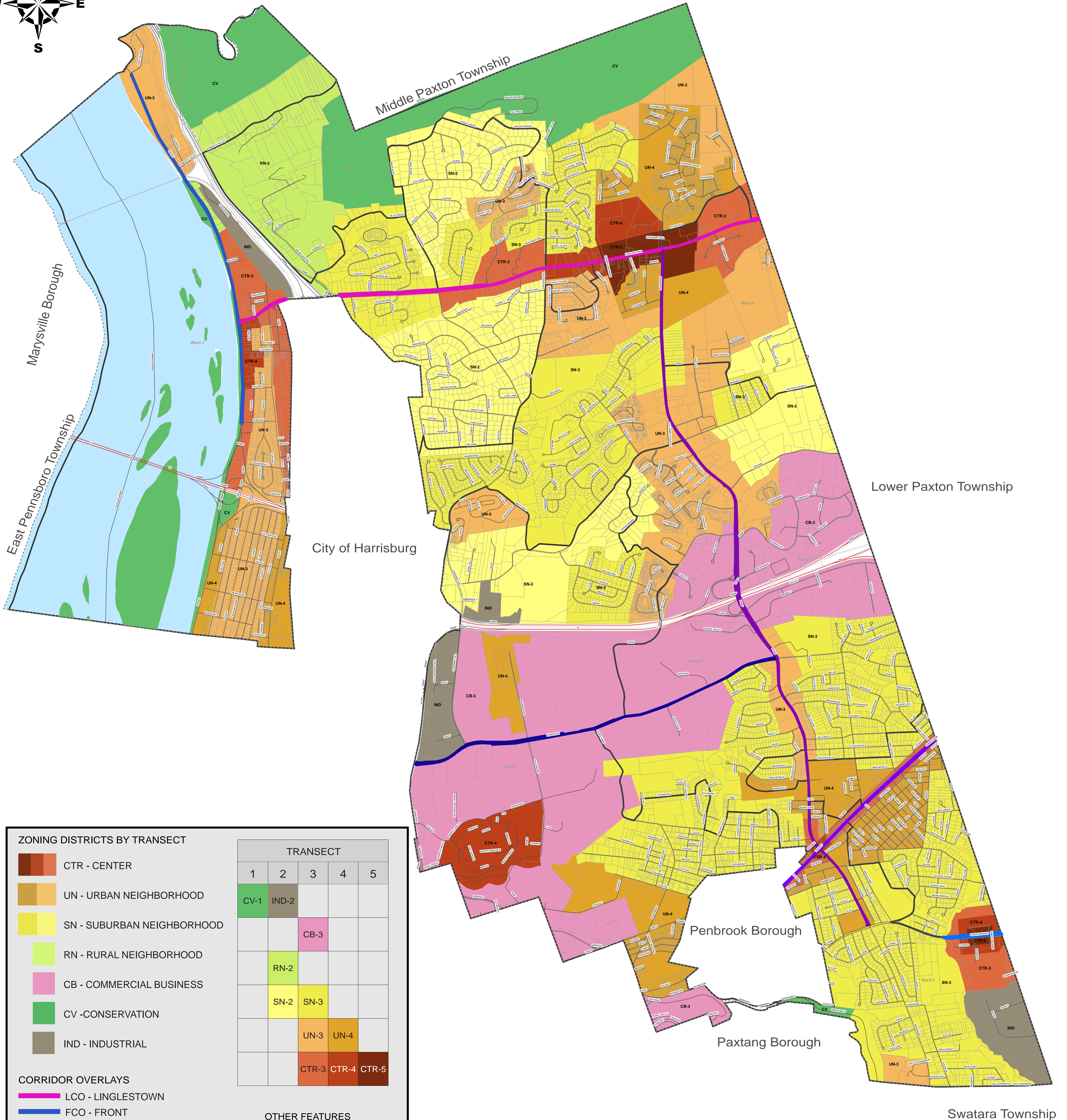
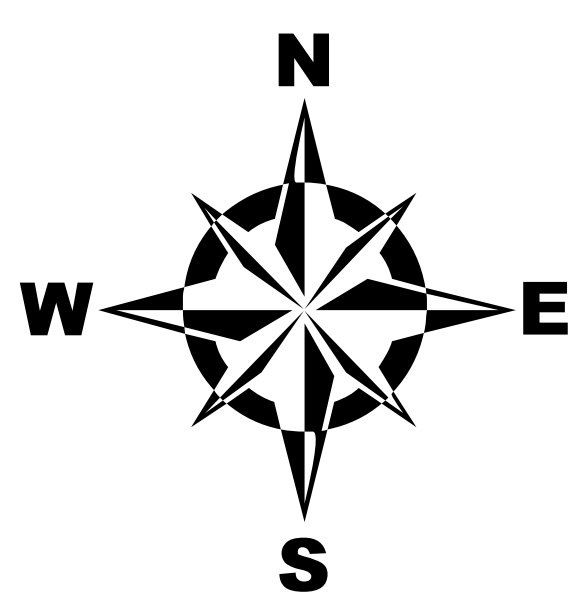
WBCA - Pennsylvania Wireless Broadband Collocation Act (53 P.S. §11702.1 et. seq.)

WETHER – A male sheep castrated before sexual maturity.

WIRELESS COMMUNICATIONS FACILITY APPLICANT (WCF Applicant) – Any person that applies for a wireless communication facility building permit, zoning approval, and/or permission to use the public right-of-way (ROW) or other Township-owned land or property.

WIRELESS SUPPORT STRUCTURE – A pole, tower, base station, or other building, whether or not it has an existing antenna facility that is used or is to be used for the provision of wireless service (whether on its own or commingled with other types of services).





ZONING DISTRICTS BY TRANSECT

	TRANSECT				
	1	2	3	4	5
CTR - CENTER					
UN - URBAN NEIGHBORHOOD					
SN - SUBURBAN NEIGHBORHOOD					
RN - RURAL NEIGHBORHOOD					
CB - COMMERCIAL BUSINESS					
CV - CONSERVATION					
IND - INDUSTRIAL					
	CV-1	IND-2			
			CB-3		
		RN-2			
		SN-2	SN-3		
			UN-3	UN-4	
			CTR-3	CTR-4	CTR-5

CORRIDOR OVERLAYS

- LCO - LINGLESTOWN
- FCO - FRONT
- WCO - WALNUT
- PCO - PROGRESS
- UCO - UNION
- ECO - ELMERTON

OTHER FEATURES

- Ward
- Road
- Interstate
- Railway

Zoning Districts by Transect Map

Susquehanna Township, Dauphin County, Pennsylvania

ENACTED AND ORDAINED this _____ day of _____, 2022

ATTEST

SUSQUEHANNA TOWNSHIP BOARD OF COMMISSIONERS

David W. Kratzer, Jr.,
Township Manager

Frank Lynch,
President

This is to certify that this is the Zoning Map of the Township of Susquehanna referred to in Ordinance No. 27-302 of the Township of Susquehanna, Dauphin County.

Date: January 2022
 Prepared by: Michael Baker International
 Projection: Pennsylvania State Plane (South)
 Data Sources: Dauphin County GIS, Susquehanna Township; PASDA

