ZONING ORDINANCE

THE TOWNSHIP OF
West Cornwall
LEBANON CO., PA

Adopted: 09/08/97

AMENDED:

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<table>
<thead>
<tr>
<th>ARTICLE</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preamble</td>
<td>1</td>
</tr>
<tr>
<td>Definitions</td>
<td>1</td>
</tr>
<tr>
<td>Provisions for Official Zoning Map</td>
<td>18</td>
</tr>
<tr>
<td>Rules for Interpretation of District Boundaries</td>
<td>20</td>
</tr>
<tr>
<td>Application of District Regulations</td>
<td>21</td>
</tr>
<tr>
<td>Use Districts</td>
<td>22</td>
</tr>
<tr>
<td>A, Agricultural Districts</td>
<td>23</td>
</tr>
<tr>
<td>RF - Residential Forest Districts</td>
<td>27</td>
</tr>
<tr>
<td>F, Forest Districts</td>
<td>31</td>
</tr>
<tr>
<td>R-1, Low Density Residential Districts</td>
<td>33</td>
</tr>
<tr>
<td>R-2, Medium Density Residential Districts</td>
<td>36</td>
</tr>
<tr>
<td>R-3, Special Purpose Residential Districts</td>
<td>42</td>
</tr>
<tr>
<td>MED, Mineral Extraction Districts</td>
<td>46</td>
</tr>
<tr>
<td>C-1, Neighborhood Commercial Districts</td>
<td>48</td>
</tr>
<tr>
<td>C-2, General Commercial Districts</td>
<td>51</td>
</tr>
<tr>
<td>M, Manufacturing Districts</td>
<td>55</td>
</tr>
<tr>
<td>GFP, General Flood Plain Districts</td>
<td>59</td>
</tr>
<tr>
<td>Supplementary District Regulations</td>
<td>71</td>
</tr>
<tr>
<td>Environmental Improvement Standards</td>
<td>80</td>
</tr>
<tr>
<td>Off-Street Parking Requirements</td>
<td>87</td>
</tr>
<tr>
<td>Signs and Advertising Structures</td>
<td>96</td>
</tr>
<tr>
<td>Nonconforming Lots, Uses and Structures</td>
<td>104</td>
</tr>
<tr>
<td>Administration and Enforcement</td>
<td>109</td>
</tr>
<tr>
<td>Zoning Hearing Board - Establishment and Procedure</td>
<td>113</td>
</tr>
<tr>
<td>Zoning Hearing Board - Powers and Duties</td>
<td>115</td>
</tr>
<tr>
<td>Appeals from the Zoning Hearing Board</td>
<td>122</td>
</tr>
<tr>
<td>Duties of Administrators</td>
<td>122</td>
</tr>
<tr>
<td>Schedule of Fees, Charges and Expenses</td>
<td>122</td>
</tr>
<tr>
<td>Amendments</td>
<td>123</td>
</tr>
<tr>
<td>Declared to Be Minimum Requirements</td>
<td>124</td>
</tr>
<tr>
<td>Complaints Regarding Violations</td>
<td>125</td>
</tr>
<tr>
<td>Penalties for Violation</td>
<td>126</td>
</tr>
<tr>
<td>Separability Clause</td>
<td>126</td>
</tr>
<tr>
<td>Repeal of Conflicting Ordinances/Effective Date</td>
<td>127</td>
</tr>
</tbody>
</table>
ARTICLE 1

DEFINITION OF TERMS

Unless otherwise expressly stated, the following words shall, for the purposes of this Ordinance, have the meaning herein indicated:

Words used in the present tense include the future tense. The singular includes the plural.

The word "person" includes a firm, association, organization, partnership, trust, company, or corporation as well as individual.

The word "lot" includes the word "plot" or "parcel".

The term "shall" is always mandatory, the word "may" is permissive.

The term "used" or "occupied" as applied to any land or buildings shall be construed to include the words "intended, arranged, or designed to be used or occupied".

ACCESS DRIVE: An open space of not less than the width required herein which provides vehicular access from a street or private road to the main building on a lot.

ACCESSORY BUILDING OR USE: See "Building, Accessory" or "Use, Accessory".

ACT 247 or ACT 170: See "Pennsylvania Municipalities Planning Code".

AGRICULTURE: The cultivation of the soil for food products or other marketable products, not including animal husbandry or storage and/or processing of products grown on other premises.

ALLEY: A public thoroughfare (less than 20 feet in width), other than a street, which affords only a secondary means of access to abutting property and is not intended for general traffic circulation.

ALTERATION: Any enlargement of the total floor area of a building, any enclosure by adding walls beneath a previously roofed area, any extension of a roof line to cover additional lot area not previously covered, or any construction which increases the cubic content of a building.

ALTERATION, STRUCTURAL: Any change in the supporting members of a building, such as bearing walls, columns, beams, or girders.

ANIMAL HOSPITAL: A building used for the treatment, housing, or boarding of small domestic animals such as dogs, cats, rabbits, and birds or fowl by a veterinarian.

ANIMAL HUSBANDRY: The raising, breeding, keeping or care of farm animals, livestock or insects for meat by-products or other utility, which is intended as a business or gainful occupation.

ANIMAL HUSBANDRY, INTENSIVE: The practice of raising, breeding, or keeping of farm animals, livestock or insects that involves large numbers
of animals, birds, etc. concentrated in a small area in which their principal food source is provided through mass feedings rather than by grazing or foraging. This shall include feedlots, poultry houses, and other buildings, structures, corrals, or pens in which animals are confined in close quarters. This shall also include the raising of swine under any conditions.

ANIMAL HUSBANDRY, NON-INTENSIVE: The practice of raising, breeding, or keeping of farm animals, livestock or insects that involves animals or birds which obtain their principal food source by grazing or foraging from the land and receive only supplementary feed at centralized feeding stations. This shall include conventional dairying operations and similar uses satisfying the above criteria.

ANTENNAS - Any system of wires, poles, rods, reflecting discs, or similar devices used for the transmission or reception of electromagnetic waves, which system is external to or attached to the exterior of any building. Antennas shall include devices having active elements extending in any direction, and directional beam-type arrays having elements carried by and disposed from a generally horizontal boom that may be mounted upon and rotated through a vertical mast or tower interconnecting the boom and antenna support, all of which elements are deemed to be a part of the antenna. The height of an antenna shall be the total maximum to which it is capable of being raised and shall be measured from the highest point of the finished grade adjacent to the structure if ground-mounted or adjacent to the principal structure if roof-mounted.

APARTMENT: A dwelling unit for rent or lease, which is either accessory to a principal use or one of three or more dwelling units in an apartment building, and which provides separate, independent living, and sanitary facilities for one (1) family or individual, including provisions for cooking and sleeping. Where such a unit contains no specific bedroom area, it shall be deemed an efficiency apartment and regulated as all other apartment dwelling units.

APARTMENT, CONVERSION: An apartment created within a single family dwelling, where said conversion is done without altering the exterior of the building except to provide improvements necessary to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions.

APARTMENT BUILDING: A building consisting of three (3) or more dwelling units.

AUTOMOBILE BODY SHOP: A building that is used for the repair or painting of bodies, chassis, wheels, fenders, bumpers, and/or accessories of automobiles and other vehicles used for conveyance.

AUTOMOBILE WASHING CENTER (CAR WASH): A building on a lot, designed and used primarily for the washing and polishing of automobiles and which may provide for the retail sale of minor, automotive accessories.

BASEMENT: A story partly below the finished grade, but having at least one-half of its height (measured from finished floor to finished ceiling) above the average level of the finished grade where such grade abuts the exterior walls of the building. A basement shall be considered as one story in determining the permissible number of stories.
BED AND BREAKFAST LODGING: See "Guest Home".

BOARDING HOUSE: A residential building that contains the primary residence of the owner(s)/manager(s) and his family as well as long term housing for a maximum of 15 additional persons. No provisions for cooking shall be allowed in any rooming unit; however, congregate meals may be provided to residents where meals are served family style rather than by ordering individual portions from a menu.

BUFFER AREA: A yard space, adjacent to a property line or building, which contains landscaping and plantings designed to screen, separate and shield a potentially incompatible use from adjoining properties.

BUILDING: A structure which has a roof supported by columns, piers, or walls, which is intended for the shelter, housing, or enclosure of persons, animals, or chattel or which is to house a use of a commercial or manufacturing activity.

BUILDING, ATTACHED: A building which has two (2) party walls in common.

BUILDING, DETACHED: A building which has no party walls.

BUILDING, SEMI-DETACHED: A building which has only one (1) party wall.

BUILDING, ACCESSORY: A building detached from and subordinate to the principal building or use on the same lot and used for purposes customarily incidental to the principal building, but not including vehicles, mobile homes, travel trailers, truck trailers, or any parts thereof. An accessory building may not house a principal use nor may it stand alone on a lot as a principal building.

BUILDING, PRINCIPAL: A building in which the principal use of the lot is conducted.

BUILDING AREA: The total areas of outside dimensions on a horizontal plane at ground level of the principal buildings and all accessory buildings exclusive of cornices, eaves, gutters, or chimneys projecting not more than eighteen (18) inches; bay windows not extending more than one (1) story and not projecting more than five (5) feet; and steps and balconies.

BUILDING HEIGHT: The vertical dimensions measured from the average elevation of the finished lot grade at the front of the building to the highest point of the ceiling of the top story, in the case of a flat roof; to the deckline of a mansard roof, and to the average height between the plate and ridge of a gable, hip, or gambrel roof.

BUILDING LINE: An imaginary line located along and drawn parallel to a wall or other exterior supporting member of a structure or portion thereof, excluding self-supportive projecting architectural features that project five (5) feet or less. Minimum yard requirements are applied from the lot lines to said building lines.

CAMPGROUND: A parcel of land upon which two (2) or more campsites are located, established or maintained for occupancy by camping units of the general public as temporary living quarters for recreation, education, or vacation purposes and where acceptable sanitary facilities are provided for
each campsite or for the campground as a whole. Camping units which are no,
occupied on a daily basis shall not be stored in areas reserved as campsites
but may be stored in designated areas elsewhere in the campground. Flood
plain areas shall not be utilized for sanitary facilities or camping unit
storage.

CAMPING, SHORT-TERM: Location of a camping unit within any one (1) campground
for a period not to exceed fifteen days in any one (1) calendar month.

CAMPING UNITS: Any tent, travel or camping trailer, truck camper, motor home,
cabin, or similar structure established or maintained and operated in a
campground as temporary living quarters for recreation, education, or vacation
purposes. A dwelling unit located on the campground and occupied by the owner
or manager of the campground shall not be considered a camping unit.

CARPORT: See "Garage, Private".

CELLAR: A story partly below the finished grade having at least one-half of
its height (measuring from finished floor to finished ceiling) below the
average level of the adjoining finished grade where such grade abuts the
exterior walls of the building. A cellar shall not be considered a story in
determining the permissible number of stories.

CERTIFICATE OF ZONING COMPLIANCE: A certificate issued by the Zoning Officer
upon completion of construction of a new building or upon a change or
conversion of a structure or use of a building. This document certifies that
the applicant has complied with any and all requirements and regulations
provided herein and all other applicable requirements. This certificate is
also utilized for registration of nonconforming uses of land or nonconforming
uses of land and structures in combination.

CLINIC: An individual building or cluster of buildings (on a lot in single or
common ownership) operated by one or more licensed medical or dental practi-
tioners for the purpose of providing medical or dental treatment to the public
on an outpatient basis.

COMMON OPEN SPACE: A parcel of land or water or combination of both located
within a development site and designed and intended for use or enjoyment of
residents of a planned development, not including streets, off-street parking
areas, and areas set aside for public facilities.

CONSTRUCTION: The building, reconstruction, demolition activities for recon-
struction, extension, expansion, alteration, substantial improvement, erection
or relocation of a building or structure, including mobile homes. This shall
include the placing and fastening of construction materials in a permanent
position. Earth moving activities shall not be deemed construction.

COVERAGE: See "Lot Coverage".

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

COURT, INNER: A court which does not extend to a street, alley, yard, or
outer court.

COURT, OUTER: A court which extends to a street, alley, yard, or other outer
court.
CUL-DE-SAC: A street with a single means of entry and exit. A cul-de-sac has two (2) parts, the stem and the turnaround.

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

DAIRY: A commercial establishment for the processing or manufacture of milk and milk products.

DAY CARE CENTER: A facility in which child care is provided for seven (7) or more children at any one time, for profit or not for profit, where child care areas are not also being used as a family residence. A day care center, if situated on the premises of an operating community service facility, including but not limited to a public or private school, place of worship, community center or library, and associated with that activity, shall be considered accessory to the principal use of the property concerned. Child care services also may be provided as an accessory use to office, commercial or industrial uses provided that such services are for the sole use of current employees of said business or industry.

DAY CARE FACILITY, ADULT: A non-residential premises in which out-of-home care, excluding care provided by relatives, is provided for four (4) or more functionally disabled, elderly adults for part of a 24 hour day. When such care is situated within an existing health care or nursing home facility, overnight adult care may be provided on a limited basis.

DAY CARE HOME, FAMILY: Any family residence, other than the child's own home, in which child day care is provided as an accessory use in the living areas of the residence. Child day care is provided, for profit or not for profit, to four to six children, who are not relatives of the caregiver.

DAY CARE HOME, GROUP: Any family residence, other than the child's own home, in which child day care is provided as an accessory use in the living areas of the residence. Child day care is provided, for profit or not for profit, to more than six (6) but less than twelve (12) children, who are not relatives of the caregiver.

DEVELOPER: Any landowner, agent of such landowner, or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land or a land development.

DEVELOPMENT: Any man-made change to improved or unimproved real estate, including but not limited to buildings, manufactured homes, mobile homes, or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations.

DEVELOPMENT PLAN: The provisions for the development, including a planned residential development, a plat of subdivision, all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, streets, ways and parking facilities, common open space and public facilities. The phrase "provisions of the development plan" when used in this Ordinance shall mean the written and graphic materials referred to in this definition.

DISTRICT: A portion of the Township of West Cornwall within which certain uniform regulations and requirements or combinations thereof apply under the
provisions of this Ordinance.

DOG KENNEL: See "Pet Kennel".

DWELLING, SINGLE FAMILY ATTACHED: A building with one (1) dwelling unit from the ground to the roof, located on its own lot, and having two (2) or more party walls in common with two (2) or more other dwelling units. (See "Town House".)

DWELLING, SINGLE FAMILY DETACHED: A detached (separate) building designed for or occupied exclusively by one (1) family on an individual lot; however, this shall not include single unit mobile homes which are defined separately.

DWELLING, SINGLE FAMILY SEMI-DETACHED: A building with one (1) dwelling unit from the ground to roof and only one (1) party wall in common with another dwelling unit. Commonly described as a duplex, the semi-detached, single family dwelling is on an individual lot, is connected on one (1) side to a similar dwelling on an adjacent lot and is usually owner-occupied.

DWELLING, TWO-FAMILY DETACHED: A separate building on an individual lot with two (2) dwelling units from ground to roof (one unit over the other). These units are normally renter-occupied and are not designed for further subdivision.

DWELLING, TWO-FAMILY SEMI-DETACHED: A building with two (2) dwelling units from ground to roof (one unit over the other) and only (1) party wall in common with another, connected to a building which may contain one (1) or two (2) dwelling units. The two-family semi-detached dwelling is on an individual lot, and may be rental or owner-occupied.

DWELLING UNIT: One (1) or more rooms connected together, constituting a separate, independent housekeeping establishment for owner occupancy, or rental or lease on a weekly, monthly, or longer basis, and physically separated from any other rooms or dwelling units which may be in the same structure, and containing independent cooking and sleeping facilities for one (1) family.

FAMILY: One (1) or more persons living together as a single, nonprofit housekeeping unit and doing the cooking on the premises; however, this shall not include a group of persons occupying a boarding house, guest home, club, hotel, motel, fraternity or sorority house, etc.

FARM: A parcel of land of ten (10) or more acres used principally in the raising or production of agricultural products, with the customary dwelling, farm structures, storage and equipment. Adjoining tracts, parcels or separately deeded properties which are owned and farmed integrally as part of the same farming operation shall be considered jointly as one farm.

FENCE: Any combination of man-made materials (usually consisting of posts, boards, wire or rails) creating an enclosure or barrier to prevent intrusion from outside or straying from within or to mark a boundary.

FLOOD PLAIN: See Article 16 of this Ordinance.

FLOOR AREA, HABITABLE: See "Habitable Floor Area".

GARAGE, PRIVATE: A building or structure which is accessory to the principal
building, which provides for the storage of motor vehicles of the families residing on the premises and in which no occupation, business or service for profit is conducted.

GARAGE, REPAIR: A structure, building or area of land or any portion thereof used primarily for the servicing and repair of automotive vehicles. A repair garage may provide one (1) or more of the following services: general mechanical repair of motor vehicles including state inspection, lubrication, washing, or sale of accessories and motor vehicle fuels. Uses permissible as a repair garage do not include body work, straightening of body parts, painting, welding, and storage of certain vehicles as per Section 17.19 of this Ordinance. A repair garage is not an automobile body shop or retail automotive parts store.

GARDEN APARTMENTS: Multi-family apartment buildings located on a plot of land under one (1) ownership. Garden apartments are two (2) stories high, with individual apartments on each story. Garden apartment buildings shall contain at least four (4), but not more than sixteen (16) dwelling units in a single structure, with the units generally renter-occupied. The garden apartments share: (a) a common yard area which is the sum of the required lot areas of all dwelling units within the complex, (b) common off-street parking, (c) common outside apartment access for some or all units, and (d) central utilities.

GARDENING: The cultivation of herbs, fruits, flowers or vegetables, excluding the keeping of livestock.

GASOLINE STATION: A structure, building, or area of land or any portion thereof that is used solely for the sale of gasoline, or other motor vehicle fuel, lubricants, or minor accessories for travelers' convenience (e.g. windshield wiper blades, spark plugs, fuses, bulbs, etc.). Said use shall not include the sale of automotive parts, tires, service, polishing or washing. Any business or industry dispensing gasoline solely for its own use and vehicles will not be deemed a gasoline station.

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

GREENHOUSE: A building whose roof and sides are made largely of glass or other transparent or translucent material and in which the temperature and humidity can be regulated for the cultivation of delicate or out-of-season plants for subsequent sale or for personal enjoyment. Any greenhouse in which there are retail sales and/or items stocked for resale is a commercial use.

GROUP FAMILY DWELLING: A group of individuals not related by blood, marriage, adoption or guardianship living together in a single family dwelling unit as one (1) housekeeping unit under a common housekeeping management plan based on an intentionally structured relationship providing organization and stability. A Group Family Dwelling shall not include hospitals, sanitariums, sanatoriums, clinics, or professional offices.

GUEST HOME: A single family detached dwelling that contains the primary residence of the owner/manager(s) and his family as well as short-term housing primarily for transient automotive travelers. No facilities for cooking or eating are provided in any rooming unit, and breakfast, if provided, is served family style to guests as a part of the overall lodging arrangements.
HABITABLE FLOOR AREA: The sum of the floor area of all heated, finished rooms within a dwelling unit, used on a daily basis for habitation. Such area may include living rooms; recreation rooms; kitchens; dining rooms; bedrooms; bathrooms; hallways; closets; heated and finished basements, cellars, and attics; attached garages which have been converted into an integral part of the living quarters; but does not include garages; porches, whether roofed, unroofed or enclosed; roofed terraces; unfinished and unheated basements, attics, cellars, or garages; etc.

HOME OCCUPATION: Any gainful occupation conducted within a dwelling and which is of a service or professional nature such that the following conditions are met as applicable: (1) the proprietor engages primarily in the sale of a service, (2) the handling of any durable goods is limited to primarily repairing or hand-crafting, and (3) the handling of non-durable or consumable goods for sale is incidental to the service. Such home occupations include but are not limited to: physicians, dentists, lawyers, architects, engineers and accountants; insurance, real estate or securities brokers; barbers and beauticians; photographers; tutors of individual students; seamstresses and tailors; and other occupations meeting these criteria which are not otherwise prohibited by law. Occupations of a nature that involve the stocking of items for retail or wholesale transfer, or use of facilities that involve a gathering of people, or occupations that normally use large areas, or customarily are not compatible with dwellings, by virtue of creating excessive noise, fumes, odor, dust, electrical interference, or substantially more than normal residential levels of traffic are prohibited. Prohibited home occupations include but are not limited to: retail and wholesale stores; instructional classes of all types; shops and equipment storage of contractors; auto, truck or engine repair; medical or dental clinics.

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

INDUSTRIAL PARK: A tract of land laid out in accordance with an over-all plan for a group of industries with separate building sites designed and arranged on streets and with utility services, setbacks, side yards, landscaped yards, and covenants controlling the architecture and uses.

HOTEL: A building containing a minimum of at least ten (10) sleeping rooms which are used as the more or less temporary abiding place of individuals who, for compensation, are lodged with or without meals, and in which no provision is made for cooking in any individual room or suite. A hotel may include restaurants, banquet/conference rooms, shops, newsstands, and other accessory services which are established primarily for servicing hotel occupants and only incidentally the public.

INN: See "Hotel".

JUNK YARD: A lot, land, or structure, or part thereof, used primarily for the collecting, storage, and sale of wastepaper, rags, scrap metal, or discarded materials, or for the collecting, dismantling, storage, and salvaging of machinery or vehicles not in running condition, and for the sale of parts thereof.

KENNEL: See "Pet Kennel".

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.

LANDSCAPING: Changing, rearranging or adding to the vegetation or appearance of land to produce a visual, aesthetic or environmental effect appropriate to the use of land. Landscaping may include reshaping the land by moving earth, as well as preserving the original vegetation or adding vegetation.

LAUNDROMAT: A business premises equipped with individual clothes washing and/or drying machines for the use of retail customers, exclusive of laundry facilities provided as an accessory use in a multi-family housing development.

LIVESTOCK: Any member of the avian, bovine, equine, porcine, ovine, and piscine species, including but not limited to poultry, fowl, cows, steers, horses, ponies, pigs, sheep, goats and fish.

LOADING/UNLOADING SPACE: An off-street space not less than twelve (12) feet wide by 55 feet long and having a minimum clear height of 15 feet, exclusive of access area, for the parking of one (1) vehicle while loading or unloading merchandise or materials.

LODGING HOUSE (ROOMING HOUSE): See "Boarding House".

LOT: A single tract or parcel of land, which may legally be described as such, held in single or joint ownership, which is occupied or capable of being occupied by one (1) principal building or principal use together with such accessory buildings, structures, and such open spaces as are arranged and permitted by this Ordinance.

LOT, CORNER: A lot at the point of intersection of and abutting on two (2) or more intersecting streets, and which has an interior angle of less than 135 degrees at the intersection of the two (2) street lines.

LOT, INTERIOR: A lot other than a corner lot, the sides of which do not abut a street.

LOT, THROUGH: An interior lot having frontage on two (2) parallel or approximately parallel streets.

LOT AREA: An area of land which is determined by the limits of the property lines bounding that area and expressed in terms of square feet or acres. Any portion of a lot within a street right-of-way shall not be included in calculating the required lot area.

LOT COVERAGE: The percentage of the lot or property area covered by buildings or structures, excluding driveways, sidewalks, and other standard paved vehicular or pedestrian accessways.

LOT DEPTH: A mean horizontal distance between the front and rear lot lines measured in the general direction of its side lot lines.

LOT FRONTAGE: That portion of a lot extending along a street or road right-of-way line.

LOT LINE: Any line dividing a lot from another lot, street, or parcel.
LOT WIDTH: The horizontal distance between the side lot lines measured at right angles to its depth. The required lot width shall be measured at the required minimum front-yard setback line, except that pie-shaped lots at the turnaround of cul-de-sac streets shall have lot frontage equal to at least fifty (50) percent of the required lot width and shall achieve required lot width at a point equal to fifty (50) percent of the lot depth.

MARQUEE: Any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of a building, generally designed and constructed to provide protection from the weather.

MOBILE HOME: A transportable, single unit structure intended for permanent occupancy as a single family dwelling or office, which is contained in one (1) unit or more units designed to be joined into one (1) integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and which is constructed so that it may be used without a permanent foundation.

MOBILE HOME PARKS AND SUBDIVISION: A lot or area which is a planned development and designated to contain two or more mobile homes for rent or for sale. Any lot or area proposed to utilize such design where individual mobile home sites are proposed for sale shall be known as a mobile home subdivision. Both parks and subdivisions are not to be construed to include recreational vehicles.

MOBILE HOME SITE: An area within a mobile home park or mobile home subdivision designated to contain one (1) mobile home and the necessary utility connections and appurtenances. The area may be rented to an occupant as in a mobile home park, or sold to an occupant, as in a mobile home subdivision.

MODULAR HOME: A sectional, single family dwelling, intended for permanent occupancy, contained in two (2) or more units designed to be permanently joined into one (1) integral unit, which arrives at a site complete and ready for occupancy except for assembly operations and construction of the necessary permanent foundation. For the purposes of this Ordinance, modular homes shall be treated the same as conventional stick-built single family dwellings.

MOTEL: A building or group of buildings, whether detached or in connected units, used as individual sleeping or dwelling units, primarily for transient travelers. Units are provided with separate entrances and off-street parking facilities. The term "motel" includes buildings designated as tourist courts, tourist cabins, motor lodges, and similar terms, but shall not be construed to include mobile or immobile trailers or homes.

MUNICIPALITY: The Township of West Cornwall.

NONCONFORMING LOT: A lawfully established lot of record, existing at the date of the passage of this Ordinance or any amendments thereto, which does not at this time have the minimum lot width or contain the minimum lot area for the zoning district in which it is located.

NONCONFORMING SIGN: A lawful sign which does not conform to the regulations of the district in which it is located.

NONCONFORMING STRUCTURE OR BUILDING: A lawfully constructed structure,
PARKING SPACE: An open or enclosed area accessible from a street or alley for parking of motor vehicles for owners, occupants, employees, customers, or tenants of the principal building or use. Each parking space shall be not less than ten (10) feet wide and not less than twenty (20) feet long, exclusive of all drives, curbs, and turning space.

NONCONFORMING USE: A lawfully established use, whether of land, building, or structure, which does not comply with the applicable use provisions of this Ordinance, or subsequent amendments thereto, where such use was lawfully in existence at the time of the enactment of this Ordinance or such amendments thereto.

NURSERY, DAY CARE: See "Day Care".

NURSERY, HORTICULTURE: Any lot or parcel of land used to cultivate, propagate, and grow trees, shrubs, vines, and other plants including the buildings, structures, and equipment customarily incidental and accessory to the principal use.

NURSING OR CONVALESCENT HOME: An extended or intermediate care facility licensed or approved to provide full-time convalescent or chronic care to individuals who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves.

OFFICE: A building or portion of a building wherein services are performed involving predominantly administrative, professional, or clerical operations.

OFFICE PARK: A large tract of land that has been planned, developed and operated as an integrated facility for a number of separate office buildings and supporting ancillary uses with special attention given to circulation, parking, utility needs, aesthetics, and compatibility.

OFFICE, PROFESSIONAL: An office building containing space for one (1) or more persons engaged in occupations or callings which required extensive learned and academic preparation to secure knowledge or skill in a profession such as medicine, law, divinity or science, wherein professional advice, guidance, or instruction is provided. Occupations or vocations which are trades, crafts or businesses and often involve the sale of a product shall not be considered professional offices.

OPEN SPACE: The unoccupied space open to the sky on the same lot with the building.

PARKING SPACE: An open or enclosed area accessible from a street or alley for parking of motor vehicles for owners, occupants, employees, customers, or tenants of the principal building or use. Each parking space shall be not less than ten (10) feet wide and not less than twenty (20) feet long, exclusive of all drives, curbs, and turning space.

PENNSYLVANIA MUNICIPALITIES PLANNING CODE (PMPC): This enabling legislation provides the mechanism whereby municipalities can plan for community development through the adoption of a comprehensive plan and zoning ordinance and the establishment of planning commissions, planning departments and zoning hearing boards. The Code authorizes the above bodies to request appropriations, charge fees, make inspections, hold public hearings, make legal appeals, and process penalties for violations. For the purposes of this Ordinance, the Code, enacted as Act 247 of 1968 and reenacted and amended, is intended to
include the current code and any future amendments and shall be referred to hereafter as "PMPC".

PERMIT: Building and Zoning Permit issued by the duly appointed Zoning Officer.

PERSONAL CARE FACILITY: A premises in which food, shelter and personal assistance or supervision are provided for a period exceeding 24 hours for four or more adults who do not require the services in or of a licensed long-term care facility, but who do require assistance or supervision in matters such as dressing, bathing, diet, financial management, evacuation of a residence in the event of an emergency, or medication prescribed for self-administration.

PERSONAL CARE ROOM: A dwelling room located in a personal care facility, licensed by the Penna. Dept. of Health, which is occupied by no more than one resident and which is located in a building in which meals are provided in a common dining room.

PET, CUSTOMARY HOUSEHOLD: Any normally domesticated animal or bird that is kept for pleasure rather than utility and which may be kept inside or outside of a dwelling.

PET, NOVELTY: An animal, bird or insect that is kept for pleasure, that is not a customary household pet, nor of a domesticated variety, provided that it is not otherwise prohibited by law and is kept inside a dwelling.

PET KENNEL: An enclosure or area (located outside a dwelling) which houses or is designed for keeping more than three (3) birds or animals, six (6) months in age or older; however, this does not include pet zoos or menageries.

PLANNING COMMISSION: The West Cornwall Township Planning Commission.

PLANTINGS, LANDSCAPE: See Article 18 of this Ordinance.

PLAT: A map, plan, or layout showing the subdivision of land and indicating the location and boundaries of individual properties.

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

PRIVATE: Not publicly owned, operated, or controlled.

PUBLIC: Owned, operated or controlled by a government agency (Federal, State or local, including a corporation created by law for the performance of certain specialized governmental functions and the Board of Public Education).

QUARRY, SAND PIT, GRAVEL PIT, BORROW PIT, TOP SOIL STRIPPING: A lot or land or part thereof used for the purpose of extracting minerals, stone, sand, clay, gravel, or top soil for sale, and exclusive of the process of grading a lot preparatory to the construction of a building for which application for a building permit has been made.

RECYCLABLE MATERIAL: Reusable material including but not limited to metals, glass, plastic and paper, which are intended for reuse, remanufacture, or reconstitution for the purpose of using the altered form. Recyclable material does not include refuse or hazardous materials. Recyclable material may
include used motor oil collected and transported in accordance with state requirements.

RECYCLING COLLECTION FACILITY: A center for the acceptance by donation, redemption, or purchase of recyclable materials from the public.

RECYCLING PROCESSING FACILITY: A building or enclosed space used for the collection and procession of recyclable materials. Processing means the preparation of material for efficient shipment, or to an end-user's specification, by such means as baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding, cleaning and remanufacturing.

RESTAURANT, DRIVE-IN: A commercial establishment where food or beverage is sold for consumption on the premises either in a customer's vehicle or in an outside area, but not within a building.

RESTAURANT, DRIVE THROUGH: An accessory use to a commercial restaurant where the customer receives food or beverage via a drive-up window without the need for the customer to leave his vehicle.

RESTAURANT, FAST FOOD: A commercial establishment where a limited selection of food or beverage is sold either for consumption on the premises or as a "takeout" service. Food preparation is designed for immediate service to customers and food is normally prepared in advance to facilitate this type of "fast" service.

RESTAURANT, SIT DOWN: A commercial establishment where a variety of foods and beverages are sold for consumption on the premises. Customers are normally seated at a table where they select food and beverage from individual menus, and they are served foods and beverages by a restaurant employee at the same table at which said items are ordered and consumed.

RIDING ACADEMY: An establishment where horses are kept for riding or driving, or are stabled for compensation.

ROOMING HOUSE: See "Boarding House".

ROOMING UNIT: Any habitable room or group of rooms forming a single habitable unit, used or intended to be used for living and sleeping, but not for cooking or eating.

ROW HOUSE: See "Town House".

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

SCRAP PROCESSING AND MANUFACTURING: The receiving of unprepared or unprocessed scrap, the segregation of this material into grades, and the production of finished metal products in specific sizes and physical configurations according to the specifications of steel mills, foundries, and refineries, by manufacturing processes such as baling, shearing, shredding, or otherwise processing the unprocessed materials through the use of specialized machinery and equipment.

SETBACK: The horizontal distance from a lot line to the part of the building nearest to such a lot line.
SHOPPING CENTER: A group of stores, two (2) or more in number, planned and designed as an integrated unit with off-street parking provided on the property as an integral part of the unit.

SIGN: The word "sign" includes any writing (including letter, word or numeral); pictorial representation (including illustration or decoration); emblem (including device, symbol, or trademark); or any other device or similar character which (1) is a structure or any part thereof, or is attached to, painted on, or in any other manner represented on a vehicle, building or other structure; (2) is used to announce, direct attention to, or advertise; and (3) is visible from outside a building.

CHANGEABLE COPY SIGN: A permanent sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign. A sign on which the message changes more than eight (8) times per day shall be considered an animated sign and not a changeable copy sign for purposes of this Ordinance. A sign on which the only copy that changes is an electronic or mechanical indication of time or temperature shall be considered a "time and temperature" portion of a sign and not a changeable copy sign.

FREESTANDING SIGN: An independently supported sign which is not attached to any building or structure and which is supported by not more than two (2) posts placed in the ground, with no other material between the sign and the ground.

GROUND SIGN: An independently supported sign which is not attached to any building or structure in which the supports between the ground and the sign do not permit clear visibility between the sign and the ground.

MARQUEE SIGN: Any sign attached to, in any manner, or made a part of a marquee.

PORTABLE SIGN: Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to A- or T-frames; menu and sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations of the business.

PROJECTING SIGN: A sign erected or displayed which is attached to the wall of a building and projects in a perpendicular fashion from said wall. Wall signs that project more than twelve (12) inches shall be treated as projecting signs.

ROOF SIGN: A sign erected or displayed on a roof top; roof signs shall not exceed the maximum height requirements for buildings or structures.

WALL SIGN: A sign erected or displayed on or parallel to the surface of a building and does not project more than twelve (12) inches therefrom.

SIGN, ADVERTISING: An off-premise sign which directs attention or direction to a person, business, profession, product, home occupation, or activity not conducted on the same lot or any sign advertising a commodity not sold or
produced on the premises, including "billboards or any sign which is owned or operated by any person, firm, or corporation engaged in the business of outdoor advertising for direct profit gained from the rental of such signs.

SIGN, DOUBLE-FACED: A sign consisting of two (2) display areas placed back to back or joined along a common edge and is treated as having one (1) sign area. If the display areas are joined along a common edge and the interior angle is greater than forty-five (45) degrees, the structure shall be treated as having two (2) sign areas.

SIGN AREA: The area of a sign shall be construed to include the entire display surface and background, whether open or enclosed, which encompasses lettering, working, designs, and symbols, but not including any supporting framework and bracing which is incidental to the display itself. The area shall be determined using the largest visible sign or silhouette area. When the sign consists of individual letters or symbols attached to or printed on a surface, the area shall be considered to be the smallest rectangular shape or shapes which can be drawn together to encompass all of the letters and symbols.

SITE PLAN: A plan of a lot or subdivision on which is shown topography; location of all buildings, roads, rights-of-way, and boundaries; all essential dimensions and bearings; and any other information deemed necessary by the Borough in unusual or special cases.

SPECIAL EXCEPTION: A use specified in the district regulations which is permitted only if the Zoning Hearing Board grants it as a Special Exception use and allows issuance of a permit by the Zoning Officer pursuant to the provisions of the Ordinance.

STABLE, PRIVATE: An accessory building in which horses are kept for private use and not for hire, remuneration, exhibition, or sale.

STABLE, PUBLIC: A building in which any horses are kept for remuneration, hire, exhibition, or sale.

STORY: A story is that part of a building between the surface of any floor and the next floor above it or in its absence, the finished ceiling or roof above it. A "split level" story shall be considered a second story if its floor level is six (6) feet or more above the level of the line of the finished floor next below it. Any floor under a sloping roof at the top of a building which is more than two (2) feet below the top plate shall be counted as a story; and, if less than two (2) feet below the top plate, shall be counted as a half story.

STREET: A public thoroughfare, right-of-way (or private road or right-of-way) twenty (20) feet in width or greater which affords primary vehicular access to abutting properties.

STREET GRADE: The officially established grade of the street upon which a lot fronts or, in its absence, the established grade of other streets upon which the lot abuts, at the midway point of the frontage of the lot thereon. If there is no officially established grade, the existing grade of the street at such mid-point shall be taken as the street grade.

STREET LINE: The line determining the limit of the street or public right-of-way, either existing or contemplated. Also referred to as the street lot line.
or road right-of-way line. Where a definite right-of-way width has not been established, the street line shall be determined as a line twenty-five (25) feet from the center line of the existing street.

STRUCTURE: A man-made object usually assembled of interdependent parts or components which is designed to have a more or less fixed location, whether or not permanently attached at that location.

SUBDIVISION: The division or redivision of a lot, tract, or parcel of land by any means into two (2) or more lots, tracts, parcels, or other divisions of land including changes in existing lot lines for the purposes, whether immediate or future, of lease, transfer of ownership, or building or lot development; provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

THEATER: A building or part of a building devoted to the showing of moving pictures or for dramatic, musical or live performances.

THEATER, OUTDOOR DRIVE-IN: An open lot or part thereof with its appurtenant facilities devoted primarily to the showing of moving pictures or for dramatic, musical or live performances on a commercial basis to patrons seated in automobiles or on outdoor seats.

TOURIST HOME: See "Guest Home".

TOWN HOUSE: A single family dwelling located on an independent lot and constructed as a part of a series of three (3) or more connected single family dwellings with one (1) dwelling unit from floor to roof. Town houses are typically two (2) stories high and units are considered attached dwellings, except for the end units of a building series which are semi-detached. Town houses are generally owner-occupied and provide residents with individual yards, parking, and utility access. Common areas and facilities, including parking areas, may be designed for joint utilization by all residents of the town house development.

TRAVEL TRAILER: A vehicular portable structure built on a chassis (motorized home, converted bus, tent trailer, tent, or similar device) designed to be used as a temporary dwelling for travel and recreational purposes.

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

USE, ACCESSORY: A use customarily incidental and subordinate to the principal use or building and located on the same lot with such principal use or building.

USE, PRINCIPAL: The main purpose for which land or a building is designed, arranged, intended, or for which it is or may be occupied or maintained.

VARIANCE: A modification of the regulations of this Ordinance granted by the Zoning Hearing Board to the petitioner on grounds of practical difficulties or an unnecessary hardship, not self-imposed, pursuant to the provisions of this Ordinance and the PMPC.
YARD: An open space, other than a court, unoccupied by a structure; provided, however, that fences, walls, posts, trees, lawn furniture, and other customary yard accessories are permitted in any yard subject to height limitations and requirements limiting obstruction of visibility.

YARD, FRONT: An unoccupied space, open to the sky, between the front property line (road right-of-way line) and the building line of the principal building closest to the front property line.

YARD, REAR: An unoccupied space, open to the sky, between the rear property line and the building line of the principal building which is closest to the rear property line.

YARD, REQUIRED FRONT: An unoccupied space, open to the sky, provided between the front property line (road right-of-way line) and a line drawn parallel thereto, at such distance therefrom as may be specified herein for any district, and extending for the full width of the lot.

YARD, REQUIRED REAR: An unoccupied space, open to the sky, between the rear property line and a line drawn parallel thereto, at such distance therefrom as may be specified herein for any district, and extending for the full width of the lot.

YARD, REQUIRED SIDE: An unoccupied space, open to the sky, between the side property line and a line drawn parallel thereto at such distance therefrom as may be specified herein for any district, and extending the full depth of the lot.

YARD, SIDE: An unoccupied space, open to the sky, between the side property line and the side building line of the principal building. In most cases, a lot has two (2) side yards located on opposite sides of the principal building.

ZONING OFFICER: The agent(s) or official(s) designated by the Township of West Cornwall to enforce the Zoning Ordinance of the Township.
ARTICLE 2

ESTABLISHMENT OF DISTRICTS: PROVISION FOR OFFICIAL ZONING MAP

SECTION 2.01 OFFICIAL ZONING MAP The Township is hereby divided into zones or districts as shown on the Official Zoning Map which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this Ordinance.

The Official Zoning Map shall be identified by the signature of the Chairperson of the Board of Supervisors, attested by the Secretary, and bearing the seal of the Township under the following words: "This is to certify that this is the Official Zoning Map referred to in Article 2, Section 2.01 of Ordinance Number____ of the Township of West Cornwall, Lebanon County, Pennsylvania", together with the date of the adoption of this Ordinance.

If, in accordance with the provisions of this Ordinance and ARTICLE VI, Pennsylvania Municipalities Planning Code, changes are made in district boundaries or other matter portrayed on the Official Zoning Map, such changes shall be entered on the Official Zoning Map promptly after the amendment has been approved by the Township Supervisors with an entry on the Official Zoning Map as follows: "On (date), by official action of the Board of Supervisors, the following (change) changes were made in the Official Zoning Map: (brief description of nature of change)", which entry shall be signed by the Chairperson of the Board of Supervisors and attested by the Township Secretary. No amendment to this Ordinance which involves matter portrayed on the Official Zoning Map, shall become effective until after such change and entry has been made on said map.

No changes of any nature shall be made in the Official Zoning Map or matter shown thereon except in conformity with the procedures set forth in this Ordinance. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of this Ordinance and punishable as provided under Article 31.

Regardless of the existence of purported copies of the Official Zoning Map, which may from time to time be made or published, the Official Zoning Map which shall be located in the Office of the Township Supervisors shall be the final authority as to the current zoning status of land and water areas, buildings, and other structures in the Township.

Section 2.02 REPLACEMENT OF THE OFFICIAL ZONING MAP In the event that the Official Zoning Map becomes damaged, destroyed, lost, or difficult to interpret because of the nature or number of changes and additions, the Township Supervisors may by resolution adopt a new Official Zoning Map which shall supersede the prior Official Zoning Map. The new Official Zoning Map shall be identified by the signature of the Chairperson of the Board of Supervisors, attested by the Township Secretary, and bearing the seal of the Township under the following words: "This is to certify that this is the Official Zoning Map, adopted (date) as part of Ordinance No.____ of the Township of West Cornwall, Lebanon County, Pennsylvania."
Unless the prior Official Zoning Map has been lost, or has been totally destroyed, the prior map or any significant parts thereof remaining shall be preserved together with all available records pertaining to its adoption or amendment.
ARTICLE 3

RULES FOR INTERPRETATION OF DISTRICT BOUNDARIES

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

SECTION 3.01 Boundaries indicated as approximately following the center line of streets, highways, or alleys shall be construed to follow such center lines.

SECTION 3.02 Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.

SECTION 3.03 Boundaries indicated as approximately following township limits shall be construed as following such township limits.

SECTION 3.04 Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.

SECTION 3.05 Boundaries indicated as parallel to, or extensions of, features indicated in Sections 3.01 through 3.04 above shall be so construed.

SECTION 3.06 Where physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map, or in other circumstances not covered by Sections 3.01 through 3.05 above, the Zoning Hearing Board shall interpret the district boundaries.

SECTION 3.07 Where a district boundary line divides a lot, which was a lawful lot of record at the time of adoption of this Ordinance, the Zoning Hearing Board may permit, as a Special Exception, the regulations for either portion of the lot to extend beyond the district line into the remaining portion of the lot for a distance not to exceed fifty (50) feet.
ARTICLE 4

APPLICATION OF DISTRICT REGULATIONS

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

SECTION 4.01 No buildings, structure, or land shall hereafter be used or occupied, and no buildings or structure or part thereof shall hereafter by erected, constructed, reconstructed, moved, or structurally altered except in conformity with all regulations herein specified for the district in which it is located.

SECTION 4.02 No building or other structure shall hereafter be erected or altered:

A. To exceed the height or bulk;
B. To accommodate or house a greater number of families;
C. To occupy a greater percentage of lot area;
D. To have narrower or smaller rear yards, front yards, side yards, or other open spaces than herein required; or in any other manner contrary to the provisions of this Ordinance.

SECTION 4.03 No part of a yard, or other open space, or off-street parking or loading space required about or in connection with any building for the purpose of complying with this Ordinance, shall be included as part of a yard, open space, or off-street parking or loading space similarly required for any other building.

SECTION 4.04 No yard or lot existing at the time of passage of this Ordinance shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this Ordinance shall meet at least the minimum requirements within their respective zoning districts established by this Ordinance.

SECTION 4.05 When a specific use is neither permitted nor prohibited in the schedule of district regulations, the Zoning Hearing Board shall make a determination, as an Administrative Review, as to the similarity or compatibility of the use in question to the permitted uses in the district, basing the decision on the overall intent stipulated for the district.

SECTION 4.06 Where a district boundary line divides a lot, which was a lawful lot of record at the time of adoption of this Ordinance, the Zoning Hearing Board may permit, as a Special Exception, the regulations for either portion of the lot to extend beyond the district line into the remaining portion of the lot for a distance not to exceed fifty (50) feet.
ARTICLE 5

USE DISTRICTS

SECTION 5.01 For the purpose of regulating and restricting the location of trades, industries, multiple family housing, single family housing, and other uses of property, the number of square feet of lot area per dwelling unit, the width of lots, the location and size of yards, and the size and height of buildings, the Township is divided into classes of use districts termed respectively:

A Agricultural
RF Residential Forest
F Forest
R-1 Low Density Residential
R-2 Medium Density Residential
R-3 Special Purpose Residential
MED Mineral Extraction
C-1 Neighborhood Commercial
C-2 General Commercial
M Manufacturing
GFP General Flood Plain

SECTION 5.02 All territory, excepting flood plains, which may hereafter be annexed to the Township shall be considered to be in the (A) Agricultural District until otherwise classified. All annexed territory which has been delineated as flood plain by the Federal Insurance Administrator in an Official Flood Insurance Study shall be considered to be in the (GFP) General Flood Plain District until otherwise classified.
SECTION 6.01 INTENT The regulations of the Agricultural District are designed to protect and preserve the existing agricultural lands of the Township and those areas where environmental conditions are most conducive to agricultural operations which will produce high crop yields. Principal protection and preservation emphasis is concentrated on existing farm land and conversion to non-farm usage is discouraged. Limited residential, non-residential, and farm-related commercial uses are permitted to facilitate those individuals who may desire to located in an agricultural setting.

SECTION 6.02 PERMITTED USES The following uses are permitted, subject to the requirements listed herein and in Sections 6.03 and 6.04 of this Ordinance:

A. Agriculture, crop and truck farming, pasturing, truck gardening, horticulture, nurseries, aviaries, hatcheries, apiaries, and similar agricultural uses. Green houses are also permitted, provided that they do not involve retail sales.

B. Non-intensive animal husbandry.

C. Intensive animal husbandry subject to the requirements of Section 17.17 of this Ordinance.

D. Riding academies, public or private stables, kennels, and animal hospitals provided that no building in which animals are kept (e.g. barn, stable, shed, shelter, etc.), and no kennel runway, animal training ring or other enclosure which concentrates animals shall be located within one hundred (100) feet of any lot line or road right-of-way.

E. Public conservation areas for the preservation of open space, water, soil, forest and wildlife resources.

F. Public park and recreation areas, forest preserves, game refuges and similar non-intensive uses.

G. Churches, associated parish houses, and cemeteries.

H. Single family dwellings.

I. Group Family Dwellings provided that the following conditions are met:

1. Proof of a group family living arrangement shall be verified through the appropriate state or local agency sponsoring/approving the use. A copy of the required license or registration and any subsequent changes thereto shall be filed with the Zoning Officer prior to initiation of the use or change.

2. All parking for the use shall be off-street. In addition to the two (2) off-street parking spaces required for the dwelling unit, sufficient additional off-street parking shall be provided to adequately handle the parking needs of the use (e.g. 1 additional space for each resident vehicle kept on the premises).
J. Guest Homes provided that the following conditions are met:

1. The number of bedrooms for guests shall be a minimum of two (2) and a maximum of six (6). No more than two (2) adults and two (2) children may occupy any one guest room. All bedrooms for guests shall be housed within one (1) principal building.

2. The property shall be served by public water and sewer facilities. However, if public sewer is not available to the property, then existing on-lot facilities shall conform to the minimum requirements set forth by the Department of Environmental Protection. In addition, the existing sewage system must be evaluated by the Township Sewage Enforcement Officer. Additionally, if public water is not available to the property, then the private water supply shall be tested once a year by a state certified laboratory. This is to ensure the water supply is safe for drinking purposes.

3. There shall be one (1) full bathroom for every two (2) guest bedrooms, and if there are an odd number of guest bedrooms, there shall be an additional half bath provided. The manager's quarters shall have separate, full bathroom facilities and may have separate cooking/eating areas.

4. Breakfast shall be the only meal provided to guests. There shall be one (1) central eating area for guests if breakfast is provided. Guest rooms shall not have separate cooking or eating facilities. The serving of breakfast shall be limited to the resident family and guests of the establishment. Any breakfast served to guests shall be included in the room rental package.

5. The premises shall be managed by a person or persons who shall be permanent full-time residents within the structure housing the bedroom facilities. Non-resident employees shall be limited to two (2), in addition to the resident members of the family.

6. Parking facilities shall consist of a combined total of one (1) parking space for each guest bedroom, plus two (2) spaces for the managers/owners, plus one (1) space for each employee. Parking facilities shall be located to the rear of the guest home and shall be screened from the roadway and adjacent properties by fencing and/or screen plantings.

7. For each road frontage, there shall be a maximum of one (1) free-standing or projecting sign. Said sign shall be no larger than six (6) square feet in area and identify only the name of the Guest Home and its proprietor(s).

8. The maximum uninterrupted length of stay at a guest home shall be fourteen (14) days.

9. The use of any amenities provided by the guest house such as swimming pool or tennis courts shall be restricted in use to the resident family and guests of the establishment. Any social functions or activities, including but not limited to, tea parties, horse and carriage rides, wedding receptions... shall be limited to overnight guests of the establishment only.
K. Family Day Care Homes provided that the following conditions are met:

a. Day care shall be provided by the resident of the home and a maximum of one (1) non-resident assistant.

b. Applicant shall obtain and maintain a registration certificate from the Penna. Dept. of Welfare for the Family Day Care Home; a copy of said certificate shall be attached to the building permit.

c. Two (2) off-street parking spaces shall be provided in addition to that required for the residence.

d. No signs pertaining to the day care service shall be permitted.

L. Customary accessory uses and structures incidental to any of the above permitted uses, including the following:

1. Road side stands for the sale of "home-grown" or "home-made" products when located not less than twenty (20) feet from the road cartway and not within the road right-of-way.

2. Home occupations and accessory uses as regulated in Article 17 of this Ordinance.

M. Upon approval by the Zoning Hearing Board, the following Special Exception uses are permitted provided the use complies with the conditions listed herein and Article 24 of this Ordinance. Additionally, the applicable requirements of Section 6.03 of this Ordinance, shall also apply.

1. Semi-public or private recreational areas, game and wildlife hunting and gunning clubs, campgrounds, and structures necessary for the operation of these uses.

2. Public or private golf courses, country clubs, outdoor tennis clubs, swimming clubs and other similar open space and/or recreation uses.

3. Saw mills and other establishments associated with forestry.

4. Group Day Care Homes provided that the following conditions are met:

a. Applicant shall obtain written approval or licensure of the Group Day Care Home from the Penna. Dept of Welfare.

b. Day care shall be provided by the resident of the home and a maximum of two (2) non-resident assistants.

c. A minimum of three (3) off-street parking spaces shall be provided in addition to that required for the residence.

d. Loading and unloading of children from vehicles shall only be permitted on the driveway or on the approved parking area.
e. The size of sign permitted shall be limited to that allowed for a home occupation.

SECTION 6.03 LOT AREA, BUILDING HEIGHT AND YARD REQUIREMENTS A lot width, lot area, lot coverage, yard setback and building height requirement of not less than the dimensions shown in the following table, unless otherwise specified heretofore in this section, Section 6.03 or Article 17, shall be provided for every dwelling unit and/or principal non-residential building or use erected, altered or established in this district.

DISTRICT REQUIREMENTS

<table>
<thead>
<tr>
<th>USE OF BUILDING</th>
<th>MIN. LOT AREA (SQ. FT)</th>
<th>MAX. LOT AREA</th>
<th>MIN. LOT WIDTH</th>
<th>MAX. LOT COVERAGE</th>
<th>YARD REQUIREMENTS</th>
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<tr>
<td>NON-RESIDENTIAL</td>
<td>3 acres</td>
<td>---</td>
<td>250'</td>
<td>10%</td>
<td>50' 20' 40' 50'</td>
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<td>Specified in Sections 6.02(A) thru 6.02(G)</td>
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<td>USE OF BUILDING</td>
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<td>250'</td>
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<tr>
<td>Specified in Special Exception in Section 6.02(M)</td>
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<tr>
<td>RESIDENTIAL</td>
<td>3 acres</td>
<td>---</td>
<td>250'</td>
<td>10%</td>
<td>50' 20' 40' 50'</td>
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<tr>
<td>Single Family</td>
<td>Detached or Group Family Dwelling</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

No building with the exception of farm structures or structures specifically listed in Section 17.15, shall exceed two and one-half (2 1/2) stories or thirty-five (35) feet in height unless authorized as a Special Exception.

SECTION 6.04 MINIMUM OFF-STREET PARKING REQUIREMENTS Off-street parking shall be provided for in accordance with Article 19 of this Ordinance.

SECTION 6.05 SIGNS AND ADVERTISING STRUCTURES Signs shall be permitted in accordance with Article 20 of this Ordinance.

SECTION 6.06 SUPPLEMENTARY DISTRICT REGULATIONS The Supplementary District Regulations in Article 17 shall apply, where applicable, as additional requirements for this district.

SECTION 6.07 ENVIRONMENTAL IMPROVEMENTS AND ENERGY CONSERVATION REQUIREMENTS The environmental and energy requirements in Article 18 shall apply, where applicable, as additional requirements for this district.
ARTICLE 7

RF - RESIDENTIAL FOREST DISTRICT

SECTION 7.01 INTENT This district is designed to allow limited residential and recreational development on predominantly wooded or forested areas. It is recognized that this district contains ecologically sensitive land which needs regulation to protect and preserve its environmental integrity for future generations.

SECTION 7.02 PERMITTED USES

A. Customary agricultural operations such as gardening, orchards, truck farming, flower and tree nurseries, but not including the raising, keeping and/or breeding of poultry and livestock. In no case shall manure, fertilizer or other odor or dust producing substances be stored anywhere within 200 feet of an adjoining lot line.

B. Private stables provided that no building in which animals are kept (e.g. barn, stable, shed, shelter, etc.) and no kennel runway, animal training ring or other enclosure which concentrates animals shall be located within one hundred (100) feet of any lot line or road right-of-way.

C. Public conservation areas and structures for the conservation of open space, water, soil, forest and wildlife resources.

D. Public park and recreation areas, forest preserves, campgrounds, game refuges and similar non-intensive uses.

E. Publicly owned nursery, kindergarten, elementary, middle and high schools.

F. Municipal buildings and community facilities such as police and fire protection facilities, museums, libraries, etc. provided that they do not contain restaurants, cafes, membership clubs or other places offering food, beverages, dancing or entertainment.

G. Churches and similar places of worship and parish houses.

H. Single family dwellings.

I. Group Family Dwellings subject to the conditions listed in Section 6.02(I) of this Ordinance.

J. Guest Homes subject to the conditions listed in Section 6.02(J) of this Ordinance.

K. Family Day Care Homes subject to the conditions listed in Section 6.02(K) of this Ordinance.

L. Customary accessory uses and buildings incidental to any of the above permitted uses as provided for in Article 17 of this Ordinance.
M. Upon approval by the Zoning Hearing Board, the following Special Exception uses are permitted provided the use complies with the conditions listed herein and the applicable requirements specified in Article 24 of this Ordinance:

1. Semi-public or private recreation areas and structures operated by membership clubs solely for the benefit of their members and not for gain. The following conditions shall be met:
   a. Ten (10) acre minimum lot area.
   b. The sum of all areas covered by principal and accessory buildings shall not exceed 10% of the total area of the lot.
   c. No building, structure or part thereof or any parking or loading area shall be located within one hundred (100) feet of any road right-of-way line or lot line.
   d. 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 from the view of all surrounding streets and lots.
   e. Any such club shall be incorporated pursuant to the provisions of a membership corporation or unincorporated association approved by the Township Supervisors and catering exclusively to members and their guests.

2. Group Day Care Homes subject to the conditions listed in Section 6.02(M4) of this Ordinance.

3. Day Care Centers provided that the following conditions are met:
   a. The property shall be served by public water and sewer facilities.
   b. Applicant shall obtain written approval or licensure of the Day Care Center from the Penna. Dept. of Public Welfare.
   c. Plans for the construction or modification of the facility shall be reviewed/approved by the Penna. Dept. of Labor and Industry and written proof of said review/approval shall be provided.
   d. Unloading and loading of children from vehicles shall only be permitted on the driveway or on the approved parking area.
   e. Off-street parking shall be provided at the rate of one (1) space for each employee, plus four (4) spaces for the first ten (10) licensed capacity slots for children, plus one (1) space for each additional ten (10) slots for children approved for the center. Off-street parking shall also be provided for vehicles owned and operated by the facility as a part of its day care services.
f. Play areas for children shall be fenced and shall be located no
closer than fifty (50) feet to any lot line or road right-of-
way, except that play area setbacks may be reduced to twenty-
five (25) feet from side and rear lot lines when a dense screen
planting is established and maintained within the setback area.

SECTION 7.03 LOT AREA, BUILDING HEIGHT AND YARD REQUIREMENTS A lot width,
lot area, lot coverage, yard setback and building height requirement of not
less than the dimensions shown in the following table, unless otherwise
specified heretofore in this section, Section 7.02 or Section 17.13, shall be
provided for every dwelling unit and/or principal non-residential building or
use erected, altered or established in this district.

DISTRIBUT REQUIREMENTS

<table>
<thead>
<tr>
<th>USE</th>
<th>LOT REQUIREMENTS</th>
<th>YARD REQUIREMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>MIN. LOT AREA (SQ. FT)</td>
<td>MIN. LOT WIDTH</td>
</tr>
<tr>
<td>ALL PERMITTED USES</td>
<td></td>
<td></td>
</tr>
<tr>
<td>If landscape has slope in excess of 20% - also see Section 17.13 of this Ordinance</td>
<td>3 acres</td>
<td>250'</td>
</tr>
<tr>
<td>NON-RESIDENTIAL BUILDING</td>
<td>3 acres</td>
<td>250'</td>
</tr>
<tr>
<td>SINGLE FAMILY DETACHED:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>No Public Utilities</td>
<td>2 acres</td>
<td>200'</td>
</tr>
<tr>
<td>Public Water and/or Sewer</td>
<td>1 acre</td>
<td>150'</td>
</tr>
</tbody>
</table>

No building with the exception of farm structures, shall exceed two and one-
half (2 1/2) stories or thirty-five (35) feet in height unless authorized as a
Special Exception.

SECTION 7.04 MINIMUM OFF-STREET PARKING REQUIREMENTS Off-street parking
shall be provided for in accordance with Article 19 of this Ordinance.

SECTION 7.05 SIGNS AND ADVERTISING STRUCTURES Signs shall be permitted in
accordance with Article 20 of this Ordinance.

SECTION 7.06 SUPPLEMENTARY DISTRICT REGULATIONS The Supplementary District
Regulations in Article 17 shall apply, where applicable, as additional require-
ments for this district.
SECTION 7.07 ENVIRONMENTAL IMPROVEMENTS AND ENERGY CONSERVATION

REQUIREMENTS The environmental and energy requirements in Article 18 shall apply, where applicable, as additional requirements for this district. In addition to compliance with the requirements of Article 18, the following shall be met for this district:

A. To preserve forested land and to assure the environmental conservation of the district, the overall lot area and each individual property shall contain sufficient mature trees (25' minimum height), to provide 50% tree crown cover, over the area, for shade and buffer purposes.

B. Removal of trees, shrubs and other vegetative cover (excluding noxious weeds and plants as defined by the Pa. Dept. of Agriculture), shall be limited to 50% of the site, to prevent erosion and destruction of the natural forested habitat.
ARTICLE 8

F - FOREST DISTRICTS

SECTION 8.01 INTENT The regulations of this district are specifically designed to protect the forested area from ecologically detrimental development and thereby protect municipal water supplies originating in this area.

SECTION 8.02 PERMITTED USES

A. Crop and truck farming, truck gardening, horticulture, non-commercial greenhouses, nurseries, aviaries, apiaries, forestry establishments and similar enterprises.

B. Public conservation areas and structures for the conservation of open space, water, soil, forest and wildlife resources.

C. Public park and recreation areas, forest preserves, camps, game refuges and similar non-intensive public uses.

D. Single family dwellings.

E. Group Family Dwellings subject to the conditions listed in Section 6.02(I) of this Ordinance.

F. Guest Homes subject to the conditions listed in Section 6.02 (J) of this Ordinance.

G. Upon approval by the Zoning Hearing Board, the following Special Exception uses are permitted provided the use complies with the conditions listed herein and the applicable requirements specified in Article 24 of this Ordinance:
   1. Semi-public or private recreation areas, game and wildlife hunting and gunning clubs, camps and associated structures.
   2. Recreation areas and associated structures operated by membership clubs solely for the benefit of their members and not for gain.

SECTION 8.03 LOT AREA, BUILDING HEIGHT AND YARD REQUIREMENTS A lot width, lot area, lot coverage, yard setback and building height requirement of not less than the dimensions shown in the following table, unless otherwise specified heretofore in this section or Section 17.13, shall be provided for every dwelling unit and/or principal non-residential building or use erected, altered or established in this district.
DISTRICT REQUIREMENTS

<table>
<thead>
<tr>
<th>USE</th>
<th>LOT REQUIREMENTS</th>
<th>YARD REQUIREMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>MIN. LOT AREA (SQ. FT)</td>
<td>MIN. LOT WIDTH</td>
</tr>
<tr>
<td>ALL PERMITTED USES:</td>
<td>5 acres</td>
<td>250'</td>
</tr>
</tbody>
</table>

Unless specified otherwise in this Ordinance or authorized as a Special Exception, no building shall exceed two and one-half (2 1/2) stories or thirty-five (35) feet in height.

SECTION 8.04 MINIMUM OFF-STREET PARKING REQUIREMENTS Off-street parking shall be provided for in accordance with Article 19 of this Ordinance.

SECTION 8.05 SIGNS AND ADVERTISING STRUCTURES Signs shall be permitted in accordance with Article 20 of this Ordinance.

SECTION 8.06 SUPPLEMENTARY DISTRICT REGULATIONS The Supplementary District Regulations in Article 17 shall apply, where applicable, as additional requirements for this district.

SECTION 8.07 ENVIRONMENTAL IMPROVEMENTS AND ENERGY CONSERVATION REQUIREMENTS The environmental and energy requirements in Article 18 shall apply, where applicable, as additional requirements for this district.

SECTION 8.08 ECOLOGICAL SAFEGUARDS Applications for development of plots shall include appropriate design and implementation of measures to prevent and/or control environmental damage, erosion and destruction of vegetation and natural habitat. The following specific criteria shall apply to development:

A. Applications for development shall be accompanied by a soil and erosion control plan approved and/or prepared by the Lebanon County Conservation District.

B. Additionally, all properties shall be limited to the removal of no more than 25% of the tree crown cover (trees with more than a 2" caliper) and prior to removal, a timbering cutting plan approved by a forester with the Pennsylvania Department of Environmental Protection is submitted to the Zoning Officer.

C. Removal of shrubs and other vegetative cover (excluding noxious weeds and plants as defined by the Pa. Dept. of Agriculture), shall be limited to 25% of the site, to prevent erosion and destruction of the natural forested habitat.
ARTICLE 9
R-1, LOW DENSITY RESIDENTIAL DISTRICTS

SECTION 9.01  INTENT  The regulations for these districts are designed to accommodate and encourage low density development, primarily residential in nature, consistent with the characteristics of the prevailing open environment of the Township. Development is restricted to low density, single family residential development and related compatible uses designed to serve the residential community.

SECTION 9.02  PERMITTED USES

A. Single family detached dwellings.

B. Group Family Dwellings subject to the conditions listed in Section 6.02(I) of this Ordinance.

C. Churches, associated parish houses and cemeteries.

D. Publicly owned nursery, kindergarten, elementary, middle, and high schools.

E. Public parks and public playgrounds.

F. Municipal buildings and community facilities such as police and fire protection facilities, museums, libraries, etc. provided that they do not contain restaurants, cafes, membership clubs or other places offering food, beverages, dancing or entertainment.

G. Agriculture, truck farming, gardening, flower and tree nurseries, and non-commercial greenhouses, but not including intensive or non-intensive animal husbandry or pet kennels.

H. Guest Homes subject to the conditions listed in Section 6.02(J) of this Ordinance

I. Family Day Care Homes as regulated in Section 6.02(K) of this Ordinance.

J. Customary accessory uses and buildings incidental to any of the above permitted uses as provided for in Article 17 of this Ordinance.

K. Upon approval by the Zoning Hearing Board, the following Special Exception uses are permitted provided the use complies with the conditions listed herein and the applicable requirements specified in Article 24 of this Ordinance:

1. Group Day Care Homes subject to the conditions listed in Section 6.02(M4) of this Ordinance.

2. Day Care Centers subject to the conditions listed in Section 7.02(M3) of this Ordinance.

3. Hospitals and nursing or convalescent homes.
4. Clinics and professional offices, subject to the following requirements:
   a. The architectural design of the structure shall be harmonious with other structures in the neighborhood.
   b. Parking shall not be permitted in the front yard.

5. Semi-public and private recreation uses such as golf courses, country clubs, employee/executive retreats and training centers, swimming and/or tennis clubs provided that no principal building, accessory structure, pool, tennis court, or parking area is located within one hundred (100) feet of any road right-of-way line or lot line. Additionally, swimming pools associated with these uses shall be completely enclosed with a continuous, impenetrable fence no less than six (6) feet in height above the ground level and the fence shall be equipped with a lockable gate.

6. Privately-owned elementary, middle, and high schools.

7. Private institutions of higher education, convents, and monasteries provided that the following conditions are met:
   a. A minimum lot area of three (3) acres for the first 300 students or enrollees plus one (1) acre for each additional 100 students or enrollees.
   b. Dormitory or residential quarters shall be located a minimum of 100 feet from any property line.

8. Non-intensive animal husbandry or pet kennels subject to the following conditions:
   a. A minimum lot size of ten (10) acres shall be provided.
   b. Buildings in which livestock, poultry, insects, or other than customary household pets are kept shall be no closer than two hundred (200) feet from any lot line or road right-of-way.
   c. No storage of manure or odor or dust producing substances shall be permitted within two hundred (200) feet of any lot line or road right-of-way.

SECTION 9.03 LOT AREA, BUILDING HEIGHT AND YARD REQUIREMENTS A lot width, lot area, lot coverage, yard setback and building height requirement of not less than the dimensions shown in the following table, unless otherwise specified heretofore in this section or Section 9.02, shall be provided for every dwelling unit and/or principal non-residential building or use erected, altered or established in this district.
DISTRICT REQUIREMENTS

<table>
<thead>
<tr>
<th>USE</th>
<th>LOT REQUIREMENTS</th>
<th>YARD REQUIREMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>MIN. LOT AREA (SQ. FT)</td>
<td>MIN. LOT WIDTH</td>
</tr>
<tr>
<td>NON-RESIDENTIAL</td>
<td>3 acres</td>
<td>250'</td>
</tr>
<tr>
<td>BUILDING</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

RESIDENTIAL

Single Family Detached

<table>
<thead>
<tr>
<th>Use</th>
<th>Lot Requirements</th>
<th>Yard Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>No Public Utilities</td>
<td>1 acre 150' 25%</td>
<td>40' 15' 30'</td>
</tr>
<tr>
<td>Public Water or Sewer</td>
<td>30,000 sq. ft. 125' 30%</td>
<td>30' 10' 25'</td>
</tr>
<tr>
<td>Public Water and Sewer</td>
<td>20,000 sq. ft. 100' 35%</td>
<td>30' 10' 25'</td>
</tr>
</tbody>
</table>

No building with the exception of farm structures, shall exceed two and one-half (2 1/2) stories or thirty-five (35) feet in height unless authorized as a Special Exception.

SECTION 9.04 MINIMUM OFF-STREET PARKING REQUIREMENTS
Off-street parking shall be provided for in accordance with Article 19 of this Ordinance.

SECTION 9.05 SIGNS AND ADVERTISING STRUCTURES
Signs shall be permitted in accordance with Article 20 of this Ordinance.

SECTION 9.06 SUPPLEMENTARY DISTRICT REGULATIONS
The Supplementary District Regulations in Article 17 shall apply, where applicable, as additional requirements for this district.

SECTION 9.07 ENVIRONMENTAL IMPROVEMENTS AND ENERGY CONSERVATION REQUIREMENTS
The environmental and energy requirements in Article 18 shall apply, where applicable, as additional requirements for this district.
ARTICLE 10

R-2, MEDIUM DENSITY RESIDENTIAL DISTRICTS

SECTION 10.01 PURPOSE & INTENT

The regulations of the R-2 Residential Districts are designed to provide for and promote a variety of medium density housing types and land uses in a manner which is consistent with the existing development pattern and building characteristics. This district represents those areas of the Township where public sewer and water facilities, if not currently provided, are most likely to be extended, and where higher density development could then be supported. This district also represents land areas which can access directly onto major roadways so that medium density residential development and increased vehicle traffic associated therewith will not place a burden on minor roadways nor impact existing residential neighborhoods with high volumes of traffic and associated noise and safety issues which develop therefrom.

SECTION 10.02 PERMITTED USES

A. Single family detached and semi-detached dwellings.

B. Two-family detached and semi-detached dwellings.

C. Townhouses, provided that the following requirements are met:

1. Minimum lot area of 3,500 square feet per dwelling unit.

2. Maximum development density shall not exceed five (5) dwelling units per gross acre. In areas of steep slopes where more than 20% of the project site is steeply sloped (in excess of 15%), maximum density shall be reduced to four (4) dwelling units per gross acre.

3. Minimum lot width of twenty-four (24) feet for two story townhouses. Where a one or one and one-half story townhouse is developed, the minimum lot width shall be twenty-eight (28) feet.

4. A minimum front and rear yard of twenty-five (25) feet each, as measured from the property line or any paved parking area, shall be provided for each townhouse unit.

5. Side yard minimums of fifteen (15) feet shall be provided from the unattached sides of buildings; however, a minimum side yard of twenty-five (25) feet shall be
provided from any paved parking area or perimeter boundary line.

6. No group of townhouses shall consist of more than five (5) attached units, with no more than three (3) continuous dwellings with the same front or rear setback, each variation of the setback being at least four (4) feet. Developers are encouraged to use variety in design and construction to enhance appearance.

7. No detached accessory buildings or structures shall be permitted on individual lots. All townhouses shall be designed to provide at least 400 cubic feet of storage area attached to the principal structure. The exterior of the attached storage area shall be constructed of the same material and shall have the same finished appearance at the principal structure and all other requirements of this Ordinance shall be met. Garages and other normal accessory structures may be attached to the principal structure on each individual lot provided all other requirements of this Ordinance are met. Detached accessory buildings and structures for common use by the entire development shall be permitted on common areas as per Article 17 of this Ordinance.

8. Townhouse development shall be in compliance with Section 10.04 of this Ordinance.

9. The site shall be served by public water and sewer facilities, with design for individual unit service where lots are to be sold.

10. Off-street parking, as required in Section 10.04 and by Article 19 of this Ordinance shall be located on the lot or within 150 feet of the dwelling unit to be served.

11. Townhouse development requires the submission of a subdivision plan and compliance with the Lebanon County Subdivision and Land Development Ordinance.

D. Garden apartments provided that the following conditions are met:

1. Maximum development density shall not exceed eight (8) dwelling units per gross acre.

2. A minimum site size of 24,000 square feet shall be provided for garden apartment development.

3. Garden apartment buildings shall contain at least four (4) but not more than sixteen (16) dwelling units in a single structure.
4. A minimum setback of thirty (30) feet shall be provided from any road right-of-way, driveway, or paved parking area. Additionally, the building setback line shall be a minimum distance of thirty (30) feet from any front, side, or rear property line.

5. A minimum isolation distance of fifty (50) feet shall be provided between garden apartment buildings.

6. The site shall be served by public water and public sewer facilities.

7. If provided, balconies shall not extend more than eight (8) feet from the face of any principal building and the minimum floor area of any balcony shall be 72 square feet.

8. If patios are provided at ground level, they shall be designed for visual privacy and shall be a minimum of 150 square feet.

9. Garden apartment development shall be in compliance with Section 10.04 of this Ordinance.

10. Off-street parking, as required by Section 10.04 and by Article 19 of this Ordinance, shall be located within 150 feet of the dwelling unit to be served. Furthermore, parking facilities and driveways shall be located no less than twenty-five (25) feet from any road right-of-way and ten (10) feet from all other property lines.

11. Garden apartment development requires the submission of a subdivision plan and compliance with the Lebanon County Subdivision and Land Development Ordinance.

E. Group Family Dwellings subject to the conditions listed in Section 6.02(I) of this Ordinance.

F. Churches and similar places of worship and parish houses.

G. Parks and playgrounds.

H. Municipal buildings and community facilities such as police and fire protection facilities, museums, libraries, etc., provided that they do not contain restaurants, cafes, membership clubs or other places offering food, beverages, dancing or entertainment.

I. Nursery, kindergarten, elementary, middle and high schools.
I. Guest Homes, subject to the conditions listed in Section 6.02(J) of this Ordinance.

K. Family Day Care Homes, as regulated in Section 6.02(K) of this Ordinance.

L. Customary accessory uses and buildings incidental to any of the above permitted uses as provided for in Article 17 of this Ordinance.

M. Upon approval by the Zoning Hearing Board, the following Special Exception Uses are permitted, provided the use complies with the conditions listed herein and the applicable requirements specified in Article 24 of this Ordinance:

1. Special Exception uses specified in Section 9.02(K- #1 through #7) of the R-1, Low Density Residential District, subject to the conditions stated therein.

2. Institutions of higher education, convents, and monasteries provided that the following conditions are met:
   a. A minimum lot area of three (3) acres for the first 300 students or enrollees plus one (1) acre for each additional 100 students or enrollees.
   b. Dormitory or residential quarters shall be located a minimum of 100 feet from any property line.

3. Conversion apartments provided that the following conditions are met:
   a. Conversion apartments may be established only within an existing single-family dwelling and must be an independent dwelling unit.
   b. The property shall be served by public water and sewer facilities.
   c. The conversion apartment shall contain a minimum of 350 and a maximum of 875 square feet of habitable floor area; however, no conversion apartment shall occupy more than forty percent (40%) of the area of the single family dwelling unit nor reduce said unit to less than 700 square feet of habitable floor area.
   d. A minimum of two (2) off-street parking spaces shall be provided for each dwelling unit.
   e. There shall be no exterior evidence of the conversion apartment except for the existence of an entrance that is separate and private from that of the single-family dwelling.
SECTION 10.03 LOT AREA, BUILDING HEIGHT AND YARD REQUIREMENTS

A lot width, lot area, lot coverage, yard setback and building height requirement of not less than the dimensions shown in the following table, unless otherwise specified heretofore in Section 10.02 or elsewhere in this Ordinance, shall be provided for every dwelling unit and/or principal non-residential building or use erected, altered or established in this district.

### DISTRICT REQUIREMENTS

<table>
<thead>
<tr>
<th>USE</th>
<th>LOT REQUIREMENTS</th>
<th>YARD REQUIREMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Min. Lot Area</td>
<td>Min. Lot Width</td>
</tr>
<tr>
<td>NON-RESIDENTIAL BUILDING</td>
<td>3 acres</td>
<td>250'</td>
</tr>
<tr>
<td>RESIDENTIAL (No Public Utilities)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single Family Detached</td>
<td>1 acre</td>
<td>125'</td>
</tr>
<tr>
<td>RESIDENTIAL (Public Water or Sewer)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single Family Detached</td>
<td>20,000 SF</td>
<td>100'</td>
</tr>
<tr>
<td>RESIDENTIAL (Public Water and Sewer)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single Family Detached</td>
<td>10,000 SF</td>
<td>80'/lot</td>
</tr>
<tr>
<td>Single Family Semi-Detached</td>
<td>8,000 SF/UNIT</td>
<td>60'/lot*</td>
</tr>
<tr>
<td>Two Family Detached</td>
<td>5,000 SF/UNIT</td>
<td>80'/lot</td>
</tr>
<tr>
<td>Two Family Semi-Detached</td>
<td>4,000 SF/UNIT</td>
<td>60'/lot*</td>
</tr>
<tr>
<td>Town House</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Garden Apartment</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* Minimum lot width to party wall

** Yard requirements apply to unattached sides of buildings.

No building shall exceed two and one-half (2 ½) stories or thirty-five (35') feet, which ever is less, unless authorized as a Special Exception.
SECTION 10.04 SUPPLEMENTAL TOWNHOUSE AND GARDEN APARTMENT STANDARDS.

The following design criteria shall apply as additional requirements for townhouse and garden apartment development:

A. The developer shall vary architectural treatments within dwelling units. Variations may include those of exterior elevation, building setbacks, provisions of balconies, architectural details, pitch of roof, exterior materials, or use of color. Adjacent building groups shall be of different color siding or exterior material.

B. Variety and flexibility in design layout and arrangement of buildings, parking areas, services, recreation areas, common open space, and plantings that fully consider the particular characteristics of site and natural amenities is highly desired.

C. The setback area from any adjacent property line or right of way shall be called a buffer area. Said side or rear yard buffer areas shall be landscaped with a screen planting which shall be designed, located and maintained in accordance with the requirements of Article 18 of this Ordinance.

D. All utility lines within a townhouse or garden apartment development shall be placed underground.

E. All open space, green areas, patios, courts and buffer yards shall be landscaped and maintained to insure the safety, privacy and comfort of townhouse and garden apartment residents. Landscaping of individual lots shall be controlled and regulated by a landscape plan, plan notes and deed restrictions as to type, size and quantity of trees and shrubs to provide for a harmonious, integrated landscape of the development.

F. Exterior storage areas for trash and rubbish shall be well screened on three (3) sides and contained in covered, vermin proof containers.

G. Fences or shrub fence lines shall not be permitted within townhouse or garden apartment developments with the exception of buffer areas as described in Section 1104 C.

H. Curbing, sidewalks, and street lighting shall be required throughout townhouse and garden apartment developments. Curbs shall be rolled or slant concrete. Sidewalks shall be a minimum of 5 feet wide concrete. Street lights shall be spaced at no less than 150 feet intervals, with type and design approved by the Township.

I. Where a proposed townhouse or garden apartment development adjoins an R-1, RF or A district, a perimeter buffer of one hundred feet (100') is required. Said buffer area shall contain screening landscape materials with no vehicular access permitted to cross these.
buffer areas.

J. Notwithstanding any other requirements or regulations governing construction and occupancy, townhouses and garden apartments shall be constructed with a two (2) hour fire rated wall between each dwelling unit, said wall to extend from floor slab to roof.

K. A minimum of three off-street parking spaces shall be provided for each dwelling. Two of the parking spaces shall be designated and assigned to each townhouse, with the third space allotted for overflow and guest parking. Overflow and guest parking may be pooled in a common remote lot, but may be no further than 150 feet away from the townhouse units for which they are provided. Parking spaces may not be stacked such that one vehicle will be blocked from accessing its space by another vehicle. For townhouses with garages, the driveway which provides access to the garage shall not be utilized as one of the three required parking spaces. On street parking spaces may not be used to meet the three space per unit requirement.

L. For layouts which are designed for vehicles to back out of driveways onto the street, street design shall utilize a 60 feet right-of-way with a minimum of 38 feet wide paved cartway.

M. Streets which provide direct access to more than 24 units shall be designed with a 60 feet wide right-of-way with a minimum of 38 feet wide paved cartway.

N. Developments of more than 50 units shall have a minimum of two points of ingress and egress to perimeter streets.

O. Developments of more than 100 units shall be designed with boulevard type entrances at which curved center islands of at least 10 feet width and 50' length shall be provided. The center islands shall be landscaped with street trees and shrubs of a variety and cultivar approved by the Township. Additional right-of-way and paved cartway widths shall be provided for these boulevard type entrances.

P. Sidewalks shall be designed and located in such a manner to provide for a 5' wide planting strip along the curb. Street trees shall be located in this planting strip at a spacing no less than 50 feet on center. Street tree locations shall be coordinated with driveway and street light locations for uniformity and symmetry to the extent possible.

Q. Postal delivery service shall be provided at community postal centers. Individual mail boxes are not allowed.

R. Developments shall provide for recreational facilities and opportunities in accordance with the West Cornwall Township Recreation, Parks and Open Space Plan and accompanying Ordinance.
SECTION 10.05 MINIMUM OFF-STREET PARKING REQUIREMENTS

In addition to the requirements listed in Article 10, the off-street parking regulations of Article 19 shall apply where applicable to the uses permitted in this District.

SECTION 10.06 SIGNS AND ADVERTISING STRUCTURES

Signs shall be permitted in accordance with Article 20 of this Ordinance.

SECTION 10.07 SUPPLEMENTARY DISTRICT REGULATIONS

The Supplementary District Regulations in Article 17 shall apply, where applicable, as additional requirements for this district.

SECTION 10.08 ENVIRONMENTAL IMPROVEMENTS AND ENERGY CONSERVATION REQUIREMENTS

The environmental and energy requirements in Article 18 shall apply, where applicable, as additional requirements for this district.
ARTICLE 11
R-3, SPECIAL PURPOSE RESIDENTIAL DISTRICTS

SECTION 11.01 INTENT The regulations of this district are designed to provide reasonable standards for the development of mobile home parks within a residential area since these uses are recognized as a special form of housing requiring special, specific standards.

SECTION 11.02 PERMITTED USES

A. All uses permitted in the R-1, Low Density Residential District subject to the regulations of the R-3 Residential District.

B. Mobile home parks and subdivisions subject to the following regulations:

1. Scope - All Mobile home parks and subdivisions hereafter established in the R-3 District and all expansions or alterations to existing mobile home parks and subdivisions are subject to all applicable regulations of this section.

2. Use of Terms - A development subject to these regulations shall be known as a park in this section unless specified differently in the text.

3. Park Size - Each park hereafter designed shall be at least ten (10) acres. The park shall not be divided by any public street or alley but may contact any street or alley. Hereafter, any street or alley so contacted shall be known as a perimeter street or alley.

4. Density - Each park shall have a maximum density of five (5) mobile homes per gross acre, and no individual mobile home lot in a mobile home subdivision shall be less than 2,500 square feet.

5. Yard Requirements, Mobile Homes - No mobile home shall be located at less than the following:
   a. Fifty (50) feet from any perimeter street line or perimeter lot line.
   b. Thirty (30) feet from the edge of a park street.
   c. Twenty-five (25) feet from any other mobile home.
   d. Ten (10) feet from interior side lot lines.
   e. Twenty-five (25) feet from interior rear lot lines.

6. Yard Requirements, All Other Buildings - No service building or accessory building for park residents' general use shall be located at less than the following:
   a. Fifty (50) feet from a perimeter street line.
   b. Fifty (50) feet from a perimeter lot line.
   c. Forty (40) feet from any mobile home.
7. **Yard Requirements, Landscaping in Buffer Areas** - The fifty (50) feet setback requirement from any perimeter street line or perimeter lot line shall be called a buffer area. Said side or rear buffer areas shall be landscaped with a screen planting and front buffer areas shall be landscaped with a perimeter planting. All required planting areas shall comply with the applicable requirements of Article 18 of this Ordinance.

8. **Park Street** - A street installed exclusively for park residents' use shall have a durable surface capable of supporting residential traffic and shall conform to the following regulations:
   
a. A park street shall be at least thirty-four (34) feet wide for two-way traffic. A traffic pattern in the park shall allow for efficient access to all points.
   
b. Each mobile home site shall be accessible from a park street.
   
c. Each park shall be provided with at least two (2) points of ingress/egress for vehicular traffic from public streets.
   
d. No more than two (2) park streets shall intersect at any one point.
   
e. Park streets designated to provide parking for sites shall be widened by eight (8) feet on each side to be used for parking.

9. **Walkways** - A walkway with paved surface shall be installed as follows:
   
a. Between each mobile home stand, as described herein, and a park street.

10. **Off-street Parking** -
   
a. Each mobile home site shall be provided with two (2) parking spaces on the individual mobile home site and the spaces shall comply with Article 19 of this Ordinance.
   
b. Parking spaces for a given site shall be adjacent to each other.
   
c. Parking spaces shall be accessible from a park street only.

11. **Utility Services** -
   
a. Each mobile home site shall be served by a public water system and by a connection to the public sewer system.
   
b. Each mobile home site shall be served by a connection to an electrical distribution system.
   
c. Any transmission line within the limits of the park for telephone service, electricity, or centralized television reception shall be buried underground.
12. **Common Open Space Areas** -

a. The park shall be provided with common open space areas not less than 10% of the gross park area; said areas shall be for the enjoyment of all park residents. These areas may include but are not limited to such facilities as service buildings for meeting rooms, laundromats, storage cubicles for residents either individually or collectively, playgrounds, swimming pools, fields and courts for various organized team sports, and landscaped areas for passive recreation.

b. The park shall have at least half of its common open area at one continuous location, and not more than half of its common open area may be in the buffer area.

c. No interior play area for children shall be less than 1,000 square feet.

d. The park open space areas may contain a wide variety of facilities at the discretion of the owner; however, it is the intent of this Ordinance that all parks contain well maintained improvements for recreation for all ages.

13. **Mobile Home Site Improvements** -

a. Each mobile home site shall be provided with a patio area adjacent to the mobile home. The patio shall be at least 200 square feet in size.

b. The patio shall be properly drained and shall have a durable surface such as concrete or wood.

c. Each mobile home shall be situated on a mobile home stand which consists of a permanent footer and foundation or permanent pier pads, in accordance with the CABO One/Two Family Building Code.

d. Each mobile home shall be provided with a skirting of durable material which shall entirely enclose the area beneath the mobile home.

e. Landscaping for individual sites shall include at least one (1) shade tree for every two (2) mobile home sites and shall comply with all applicable requirements of Article 18 of this Ordinance.
SECTION 11.03 LOT AREA, BUILDING HEIGHT AND YARD REQUIREMENTS

A lot width, lot area, lot coverage, yard setback and building height requirement of not less than the dimensions shown in the following table, unless otherwise specified heretofore in this section or Section 11.02, shall be provided for every dwelling unit and/or principal non-residential building or use erected, altered or established in this district.

DISTRICT REQUIREMENTS

<table>
<thead>
<tr>
<th>USE</th>
<th>LOT REQUIREMENTS</th>
<th>YARD REQUIREMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>MIN. LOT AREA (SQ. FT)</td>
<td>MIN. LOT WIDTH</td>
</tr>
<tr>
<td>NON-RESIDENTIAL BUILDING</td>
<td>3 acres</td>
<td>250'</td>
</tr>
<tr>
<td>MOBILE HOME PARK</td>
<td>10 acres</td>
<td>---</td>
</tr>
</tbody>
</table>

SINGLE FAMILY DETACHED:

- No Public Utilities
  - 1 acre 150' 25% 40' 15' 30'
- Public Water or Sewer
  - 30,000 sq. ft. 125' 30% 30' 10' 25'
- Public Water and Sewer
  - 20,000 sq. ft. 100' 35% 30' 10' 25'

No building with the exception of farm structures, shall exceed two and one-half (2 1/2) stories or thirty-five (35) feet in height unless authorized as a Special Exception.

SECTION 11.04 MINIMUM OFF-STREET PARKING REQUIREMENTS

Off-street parking shall be provided for in accordance with Article 19 of this Ordinance.

SECTION 11.05 SIGNS AND ADVERTISING STRUCTURES

Signs shall be permitted in accordance with Article 20 of this Ordinance.

SECTION 11.06 SUPPLEMENTARY DISTRICT REGULATIONS

The Supplementary District Regulations in Article 17 shall apply, where applicable, as additional requirements for this district.

SECTION 11.07 ENVIRONMENTAL IMPROVEMENTS AND ENERGY CONSERVATION REQUIREMENTS

The environmental and energy requirements in Article 18 shall apply, where applicable, as additional requirements for this district.
SECTION 12.01 INTENT The Mineral Extraction District is comprised of an existing quarry area of the Township adjoining property under the same ownership in an adjoining Township where said use is permitted by special exception. While being primarily used for that purpose, this district also is used for agricultural purposes.

SECTION 12.02 PERMITTED USES

A. All uses permitted in the A, Agricultural District subject to the regulations of that district.

B. Surface mining of stone and other minerals provided the following conditions are met:

1. There shall be a buffer zone of one hundred (100) feet from all adjoining lot lines upon which no mining or related activities may be conducted and which shall have constructed on it an earth berm six (6) feet high and tree plantings a minimum width of twenty (20) feet. The earth berm and tree plantings shall surround all areas in which mining and processing activities are conducted.

2. No structures shall be erected for the processing of stone or minerals or any other purpose unless approved as a special exception pursuant to Section 24.05 and the following conditions:

   a. No structure in which processing of materials is conducted or machinery is operated shall be closer than five hundred (500) feet to any adjoining lot line. No other structures shall be closer than two hundred (200) feet to any adjoining lot line.

   b. They do not have any adverse effect on adjacent areas with respect to smoke or dust emission, odors, noise, glare, and obstruction of view.
SECTION 12.03 LOT AREA, BUILDING HEIGHT, AND YARD REQUIREMENTS  With respect to all other uses than mining, the requirements of the agricultural district shall apply.

SECTION 12.04 MINIMUM OFF-STREET PARKING REQUIREMENTS  Off-street parking shall be provided in accordance with Article 19 of this Ordinance.

SECTION 12.05 SIGNS AND ADVERTISING  Signs shall be permitted in accordance with Article 20 of this Ordinance.

SECTION 12.06 SUPPLEMENTARY DISTRICT REGULATIONS  The Supplementary District Regulations in Article 17 shall apply, where applicable, as additional requirements for this district.

SECTION 12.07 ENVIRONMENTAL IMPROVEMENTS AND ENERGY CONSERVATION REQUIREMENTS  The environmental and energy requirements in Article 18 shall apply, where applicable, as additional requirements for this district.
SECTION 13.01 INTENT Within any large scale residential neighborhood there exists a demand for certain commercial facilities to fulfill the daily needs of persons living therein. These demands can be met by providing conveniently located, commercial districts designed to accommodate a limited range of commercial uses which would be compatible with the residential community they serve.

SECTION 13.02 PERMITTED USES

A. Stores for the retailing of food, clothing, drugs, confectionery, hardware, sporting goods, household appliances, flowers, etc.

B. Personal service shops including barbers, beauty parlors, tailers, shoe repair, dry cleaning (excluding dry cleaning plants), laundromats, florists, etc.

C. Banks, savings and loan, and finance agencies.

D. Sit down restaurants, tea rooms, cafes, and other places serving food and drink, but not including drive-in, drive through or fast food restaurants.

E. Business and professional offices.

F. Medical and/or dental offices or clinics and associated pharmacies.

G. Multiple commercial use complexes provided that the following conditions are met:

1. The multiple commercial use complex shall consist of a group of two (2) and not more than four (4) commercial retailing uses, planned, designed, and constructed as one (1) principal structure. Each commercial establishment within the complex shall share at least one (1) party wall with another establishment.

2. The gross floor area of the complex shall not exceed 6,000 square feet of area.

H. Hotels, motels, and boarding houses.

I. Guest Homes subject to the conditions listed in Section 6.02(J) of this Ordinance.

J. Day Care Centers subject to the requirements listed in Section 7.02(M3) of this Ordinance

K. Residential uses as specified in the R-2, High Density Residential Zoning District subject to the lot and yard requirements contained therein.
L. Customary accessory uses and buildings incidental to any of the above permitted uses as provided for in Article 17 of this Ordinance.

SECTION 13.03 PERFORMANCE REQUIRED In order for any of the above listed uses to be permitted, they must be non-objectionable in terms of smoke or dust emission, odors, noise, heat, vibration, visual impact, or glare, and shall not be injurious or have an adverse effect on adjacent areas or the township as a whole. Should the Zoning Officer require additional information in order to make a determination concerning the above mentioned dangers, the applicant shall provide said information to the Zoning Officer as a part of the permit application.

Furthermore, since the Neighborhood Commercial District is located in close proximity to residential areas, all construction and remodeling in the district shall be designed to fit harmoniously with these residential uses, and shall include environmental improvements (landscaping) as required by Article 18 of this Ordinance.

SECTION 13.04 LOT AREA, BUILDING HEIGHT AND YARD REQUIREMENTS A lot width, lot area, lot coverage, yard setback and building height requirement of not less than the dimensions shown in the following table, unless otherwise specified heretofore in this section or Section 13.02, shall be provided for every principal non-residential building or use erected, altered or established in this district.

DISTRICT REQUIREMENTS

<table>
<thead>
<tr>
<th>LOT REQUIREMENTS</th>
<th>YARD REQUIREMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>MIN. LOT AREA (SQ. FT)</td>
<td>MIN. LOT WIDTH</td>
</tr>
<tr>
<td>NON-RESIDENTIAL USE</td>
<td></td>
</tr>
<tr>
<td>No public utilities 1 acre</td>
<td>125'</td>
</tr>
<tr>
<td>Public water 20,000 or sewer</td>
<td>100'</td>
</tr>
<tr>
<td>Public water 10,000 and sewer</td>
<td>80'</td>
</tr>
</tbody>
</table>

A. Where a side or rear yard adjoins a residential district, said yards shall be no less than fifty (50) feet in width and shall be designated as buffer areas and landscaped in accordance with Article 18 of this Ordinance.

B. No building shall exceed two and one-half (2 1/2) stories or thirty-five (35) feet in height unless authorized as a Special Exception by the Zoning Hearing Board.
SECTION 13.05 MINIMUM OFF-STREET PARKING REQUIREMENTS Off-street parking shall be provided for in accordance with Article 19 of this Ordinance.

A. Off-street parking may be permitted in any required yard, provided that no impermeable surface shall be placed within five (5) feet of any adjoining property line or street or road right-of-way line.

B. Each business use established or expanded after the date of adoption of this ordinance shall provide off-street loading and unloading space at the side or rear of the building in accordance with Section 19.09 of this Ordinance.

SECTION 13.06 SIGNS AND ADVERTISING STRUCTURES Signs shall be permitted in accordance with Article 20 of this Ordinance.

SECTION 13.07 SUPPLEMENTARY DISTRICT REGULATIONS The Supplementary District Regulations in Article 17 shall apply, where applicable, as additional requirements for this district.

SECTION 13.08 ENVIRONMENTAL IMPROVEMENTS AND ENERGY CONSERVATION REQUIREMENTS The environmental and energy requirements in Article 18 shall apply, where applicable, as additional requirements for this district.
ARTICLE 14

C-2, GENERAL COMMERCIAL DISTRICTS

SECTION 14.01 INTENT The regulations of this district are designed to accommodate commercial activity within the Township. Since these enterprises are for the most part dependent on traffic generated by a major thoroughfare, these uses are grouped together to facilitate shopping via automobile. The requirements contained in this article are designed to promote safe and expedient conveyance of the resulting high traffic volumes.

SECTION 14.02 PERMITTED USES

A. Stores for the commercial retailing of all consumer goods not otherwise prohibited by law.

B. Multiple commercial use complexes and shopping centers provided that the following conditions are met:

1. The multiple commercial use complex or shopping center shall consist of a group of two (2) or more commercial retailing uses, planned, designed, and constructed as one (1) principal structure. Each commercial establishment within the complex shall share at least one (1) party wall with another establishment.

2. The minimum lot size shall be determined by the total gross floor area of the principal structure, according to the following table:

<table>
<thead>
<tr>
<th>TOTAL GROSS FLOOR AREA</th>
<th>MINIMUM LOT AREA REQUIRED</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 - 20,000 sq. ft.</td>
<td>1 Acre</td>
</tr>
<tr>
<td>20,001 - 40,000 sq. ft.</td>
<td>2 Acres</td>
</tr>
<tr>
<td>Greater than 40,000 sq. ft.</td>
<td>2 Acres plus 1 acre for each</td>
</tr>
<tr>
<td></td>
<td>15,000 sq. ft. (or fraction</td>
</tr>
<tr>
<td></td>
<td>thereof) in excess of the</td>
</tr>
<tr>
<td></td>
<td>initial 40,000 sq. ft. of</td>
</tr>
<tr>
<td></td>
<td>floor area</td>
</tr>
</tbody>
</table>

3. Such use shall comply in all respects with the lot width, lot coverage, yard and building height requirements of Section 14.04 of this Ordinance.

C. Personal service shops including barber shops, beauty parlors, tailors, shoe repair, dry cleaning, laundromats, florists, etc.

D. Specialty shops for custom work and articles to be sold at retail on the premises, such as baking, confectionary, dressmaking, printing, and similar shops and services.

E. Nurseries and commercial greenhouses.

F. Day care centers subject to the conditions specified in Section 7.02(M3) of this Ordinance.
G. Medical, dental and veterinary clinics, laboratories and associated pharmacies.

H. Banks, savings and loan associations, finance agencies, and other offices providing business or professional services.

I. Messenger, dispatch, express, and courier services.

J. Taxi and bus passenger stations, and transfer trucking facilities.

K. Mortuary and undertaking establishments.

L. Indoor amusement enterprises such as theaters, arenas, bowling alleys, dance halls, and other recreation or entertainment establishments.

M. Restaurant facilities of all types, including sit down, drive-in, drive through or fast food, tearooms, cafes, and other places serving food or beverages, including private, membership, or social clubs and beverage distribution centers.

N. Printing and publishing firms.

O. Shops for contractors, plumbers, heating, painting, and upholstering specialists.

P. Hotels, motels, and boarding houses.

Q. Guest homes subject to the conditions listed in Section 6.02(J) of this Ordinance

R. Automobile dealers and automobile washes.

S. Gasoline stations and repair garages subject to the following regulations:

1. No repair work shall be performed out of doors.

2. All automotive parts, dismantled and derelict vehicles, and similar articles shall be stored only within an enclosed building.

3. The use and storage of all flammable and combustible liquids shall comply with the requirements set forth by the Fire Marshal Division of the Penna. State Police, based on 37 Pa Code Chs 11 and 13, and the following requirements whichever are greater:

   a. All gasoline and petroleum pumps shall be located outside of buildings, no less than thirty-five (35) feet from any road right-of-way line or lot line.

   b. All fuel, oil, or similar combustible petroleum products storage tanks shall be located under ground at least thirty-five (35) feet from any road right-of-way line or lot line.

4. Automotive vehicles without valid, current license plates and/or state inspection shall be restricted according to Section 17.19 of this Ordinance.
T. All other uses which in the opinion of the Zoning Officer are similar to the above uses and in harmony with the intent of the regulations for this district. When a proposed use is not sufficiently similar to enable the Zoning Officer to make a ruling, the Zoning Hearing Board shall make a determination as authorized in Section 24.04 of this Ordinance.

U. Customary accessory uses and buildings incidental to any of the above permitted uses as provided for in Article 17 of this Ordinance.

V. Upon approval by the Zoning Hearing Board, the following Special Exception uses are permitted provided that the use complies with the conditions listed herein and the applicable requirements specified in Article 24 of this Ordinance.

1. Automobile body shops provided that the following conditions are met:
   a. All work shall be conducted indoors.
   b. Paint booths shall be adequately filtered and vented to minimize exhaust of noxious fumes.
   c. Flammable and/or combustible materials shall be stored within a fireproof enclosure within the principal structure or within an accessory building located no less than fifty (50) feet from any lot line.
   d. Outdoor storage of auto parts or equipment shall not be permitted at any time.

SECTION 14.03 PERFORMANCE REQUIRED In order for any of the above listed uses to be permitted, they must be non-objectionable in terms of smoke or dust emission, odors, noise, heat, vibration, visual impact, or glare, and shall not be injurious or have an adverse effect on adjacent areas or the township as a whole. Should the Zoning Officer require additional information in order to make a determination concerning the above mentioned dangers, the applicant shall provide said information to the Zoning Officer as a part of the permit application.

SECTION 14.04 LOT AREA, BUILDING HEIGHT AND YARD REQUIREMENTS A lot area, lot width, lot coverage, yard depth, and building height satisfying the requirements of the following table, unless otherwise specified heretofore in Section 14.02, shall be provided for every commercial use and/or principal non-residential building or use hereafter erected, altered, or established in this district.

**DISTRICT REQUIREMENTS**

<table>
<thead>
<tr>
<th>LOT REQUIREMENTS</th>
<th>YARD REQUIREMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Min.</strong> Lot Area</td>
<td><strong>Min.</strong> Lot Width</td>
</tr>
<tr>
<td>1 Acre</td>
<td>200'</td>
</tr>
</tbody>
</table>

53
A. Where a side or rear yard adjoins a residential district, said yards shall be no less than fifty (50) feet in width and shall be designated as buffer yards and landscaped in accordance with Article 18 of this Ordinance.

B. No building shall exceed two and one-half (2 1/2) stories or thirty-five (35) feet in height unless authorized as a Special Exception by the Zoning Hearing Board.

SECTION 14.05 MINIMUM OFF-STREET PARKING AND LOADING REQUIREMENTS Off-street parking and loading shall be provided in accordance with Article 19 of this Ordinance.

A. Parking areas may be included in 50% of the required yards of the C-2 District except where they adjoin a residential district. All yards shall be appropriately landscaped and maintained in accordance with Article 18 of this Ordinance.

B.- Each business use established or expanded after the date of adoption of this ordinance shall provide off-street loading and unloading space at the side or rear of the building in accordance with Section 19.09 of this Ordinance.

SECTION 14.06 SIGNS AND ADVERTISING STRUCTURES Signs shall be permitted in accordance with Article 20 of this Ordinance.

SECTION 14.07 SUPPLEMENTARY DISTRICT REGULATIONS The Supplementary District Regulations in Article 17 shall apply, where applicable, as additional requirements for this district.

SECTION 14.08 ENVIRONMENTAL IMPROVEMENTS AND ENERGY CONSERVATION REQUIREMENTS The environmental and energy requirements in Article 18 shall apply, where applicable, as additional requirements for this district.

SECTION 14.09 SPECIFIC PERFORMANCE CRITERIA A traffic plan for the facility may be required to be filed, preferably with the land development plan, for approval prior to the issuance of a Building and Zoning Permit. Said plan shall restrict vehicular traffic to and from the facility to major collectors or arterials where possible. If local, residential roads are to be utilized, approval must be granted by the Township.
ARTICLE 15

M - MANUFACTURING DISTRICTS

SECTION 15.01 INTENT The Manufacturing District, as delineated, includes current industrial sites plus additional acreage to encourage the establishment of new uses which would constitute a harmonious and appropriate blend of development with the surrounding agricultural and residential areas of the township. In order to protect existing and proposed development within the township, the following uses shall be permitted, provided that the performance standards listed in Section 15.03 of this Ordinance can be met. These standards are designed to mitigate any adverse impacts which such industrial activity may have upon the remainder of the township.

SECTION 15.02 PERMITTED USES The following is a list of uses and/or activities which may be permitted within this district provided that the performance standards listed in Section 15.03 can be satisfied.

A. Any use not otherwise prohibited by law of a manufacturing, fabricating, processing, compounding, or treatment nature.

B. Laboratories, or experimental research, testing or manufacturing facilities.

C. Warehousing and wholesaling establishments and storage facilities, not including junk yards or recycling centers. All storage yards shall be completely enclosed by a screen planting as provided for in Article 18 of this Ordinance and backed by a solid fence not less than six (6) feet in height.

D. Railroad, trucking, busing, and other transit facilities including storage, repair and transfer operations.

E. Communication facilities requiring transmission antennas, radio or television stations, satellite earth stations, and similar uses provided that the following conditions are met:
   1. All communication equipment, including antennas and their associated structures or supports, shall meet principal building/structure setbacks and maximum height limitations and shall not be located in required buffer areas.
   2. All ground-mounted antennas shall be completely enclosed by a minimum six (6) feet high fence.
   3. Antennas and their associated structures or supports shall be neutral in color and shall not contain or be a part of any form of advertising message or sign.
   4. Radiation emissions from communications equipment associated with the above uses shall not be detectable at or beyond the property line.

F. Automobile body shops, repair garages and gasoline stations provided that the following conditions are met:
   1. In addition to compliance to the requirements of Section 17.18 of
this Ordinance, any other flammable and/or combustible materials associated with the automobile body shop use shall be stored within a fireproof enclosure within the principal structure or within an accessory building located no less than fifty (50) feet from any lot line or 75 feet from any road right-of-way line.

2. No mechanical or auto body repair work shall be performed out of doors.

3. All automotive parts, dismantled and derelict vehicles, and similar articles or parts thereof shall be stored only within an enclosed building.

4. Automotive vehicles without valid, current license plates and/or state inspection shall be restricted according to Section 17.19 of this Ordinance.

5. Any structure housing an automobile body shop shall be a minimum of one hundred (100) feet from any lot line when located adjacent to any residential district.

G. Customary accessory uses and buildings incidental to any of the above permitted uses. Any incidental storage yard accessory to any permitted use shall be completely enclosed by a screen planting as provided for in Article 18 of this Ordinance and backed by a solid fence not less than six (6) feet in height.

H. Upon approval by the Zoning Hearing Board, the following Special Exception uses are permitted provided that the use complies with the Performance Standards listed in Section 15.03 of this Ordinance, the applicable requirements specified in Article 24 of this Ordinance and the following conditions:

1. Automobile recycling and junk yards used for storage, wrecking, and converting used or discarded materials provided that the following conditions are met:
   a. Minimum lot area of ten (10) acres shall be provided.
   b. Such use shall be completely enclosed by a dense screen planting as provided for in Article 18 of this Ordinance and backed by a solid fence not less than six (6) feet in height.
   c. If the facility is located within 500 feet of Residentially zoned property, it shall not be in operation between 7:00 p.m. and 7:00 a.m., Monday through Saturday, or all day Sunday.

2. Recycling collection or processing facilities provided that the following conditions are met:
   a. Facility shall be screened from the public right-of-way by operation in an enclosed building or the facility shall be:
      1) Within an area enclosed by an opaque fence at least six (6) feet in height with landscaping, and
      2) At least 150 feet from residentially zoned property, and
3) In compliance with all applicable noise standards for the district.

b. The site shall be maintained free of litter and any other undesirable materials and shall be cleaned of loose debris on a daily basis.

c. If the facility is located within 500 feet of residentially zoned property, it shall not be in operation between 7:00 p.m. and 7:00 a.m., Monday through Saturday, or all day Sunday.

d. Any containers provided for after-hours donation of recyclable materials shall be at least 100 feet from any residentially zoned property, shall be of sturdy rustproof construction, shall have sufficient capacity to accommodate materials collected, and shall be secure from unauthorized entry or removal of materials.

e. The entrance to the facility shall be clearly marked with the name and phone number of the facility operator and the hours of operation.

f. Space shall be provided on site for the anticipated peak load of customers to circulate, park and deposit recyclable materials. If the facility is open to the public, off-street space shall be provided for a minimum of ten (10) customers or the peak load, whichever is higher.

g. One (1) off-street parking space shall be provided for each commercial vehicle operated by the recycling facility. Parking requirements shall otherwise be as required by Article 18 of this Ordinance.

3. Lumber, coal and fuel distribution yards provided that the following conditions are met:

a. All principal and accessory buildings, storage areas, scales, distribution areas, and parking facilities shall be a minimum of 100 feet from any lot line or road right-of-way line.

b. If the facility is located within 500 feet of residentially zoned property, it shall not be in operation between 7:00 p.m. and 7:00 a.m., Monday through Saturday, or all day Sunday.

SECTION 15.03 PERFORMANCE STANDARDS - In order for any of the above listed uses to be permitted, they must be non-objectionable in terms of smoke or dust emission, odors, noise, heat, vibration, visual impact, or glare, and shall not be injurious or have an adverse effect on adjacent areas or the township as a whole. Should the Zoning Officer require additional information in order to make a determination concerning the above mentioned dangers, the applicant shall provide said information to the Zoning Officer as a part of the permit application. No use and/or activity shall be established, expanded, reconstructed or relocated in the Manufacturing District unless and until certification is provided to the Zoning Officer satisfactorily demonstrating compliance to the performance standards of this section. Certification shall consist of approvals through state or federal permitting authorities, reports or analyses by private consultants, engineers, etc. or other acceptable
SECTION 15.04 LOT AREA, BUILDING HEIGHT AND YARD REQUIREMENTS A lot width, lot area, lot coverage, yard setback and building height requirement of not less than the dimensions shown in the following table, unless otherwise specified heretofore in this section, Section 15.02 or 15.03, shall be provided for every principal or accessory industrial use and/or principal or accessory non-residential building or use erected, altered or established in this district.

**DISTRICT REQUIREMENTS**

<table>
<thead>
<tr>
<th>USE</th>
<th>LOT REQUIREMENTS</th>
<th>YARD REQUIREMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>MIN. LOT AREA (SQ. FT)</td>
<td>MIN. LOT WIDTH</td>
</tr>
<tr>
<td>NON-RESIDENTIAL</td>
<td>2 acres</td>
<td>250'</td>
</tr>
<tr>
<td>BUILDING</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

A. Where a front yard adjoins a residential district, said yard shall be no less than one hundred fifty (150) feet. All front yards shall be appropriately landscaped and well maintained. Off-street parking and loading shall not be permitted in any front yard.

B. Where a side or rear yard adjoins a residential district, said yard shall not be utilized for off-street parking. No building or structure shall be located less than one hundred (100) feet from any residential district. All side or rear yards shall be well maintained and may be developed for recreational purposes, to within fifty (50) feet of the property line.

C. The height of any main or accessory building or structure shall not exceed thirty-five (35) feet, except that chimneys, flagpoles, water tanks, and other mechanical appurtenances may be built to a height not exceeding seventy-five (75) feet above the finished grade when erected upon or as an integral part of the building.

SECTION 15.05 MINIMUM OFF-STREET PARKING REQUIREMENTS Off-street parking shall be provided for in accordance with Article 19 of this Ordinance.

SECTION 15.06 SIGNS AND ADVERTISING STRUCTURES Signs shall be permitted in accordance with Article 20 of this Ordinance.

SECTION 15.07 SUPPLEMENTARY DISTRICT REGULATIONS The Supplementary District Regulations in Article 17 shall apply, where applicable, as additional requirements for this district.

SECTION 15.08 ENVIRONMENTAL IMPROVEMENTS AND ENERGY CONSERVATION REQUIREMENTS The environmental and energy requirements in Article 18 shall apply, where applicable, as additional requirements for this district.

SECTION 15.09 SPECIFIC PERFORMANCE CRITERIA A traffic plan for the facility may be required to be filed, preferably with the land development plan, for approval prior to the issuance of a Building and Zoning Permit. Said plan shall restrict vehicular traffic to and from the facility to major collectors or arterials where possible. If local, residential roads are to be utilized, approval must be granted by the Township.
ARTICLE 16

GFP - GENERAL FLOOD PLAIN DISTRICT

SECTION 16.01 INTENT These regulations are designed to prohibit or restrict construction of any permanent building or structure, or uses and activities in the General Flood Plain (GFP) District, in order to prevent unnecessary loss of life or property from possible natural catastrophe, as well as to protect stream valleys from ecologically detrimental development that may contribute to a water pollution problem, create erosion in and around the water courses, and induce flooding conditions. In addition, these provisions are intended to prevent the creation of health and safety hazards, the extraordinary and unnecessary expenditure of public funds for flood protection and relief, and to minimize future flood damage.

SECTION 16.02 DEFINITION OF TERMS UTILIZED IN THE GFP DISTRICT

A. Alluvial Soils Maps - Soils maps prepared by the United States Department of Agriculture, Soil Conservation Service which indicate the location of soil types. Alluvial soils on these maps are soils of flood plains that are sediment deposits washed from upland areas. The presence of an alluvial soil indicates that the land has been flooded at some previous point in time.

B. Base Flood - The flood, also known as the 100 Year Flood, which has a one percent (1%) chance of being equalled or exceeded in any given year; the flood which has been selected to serve as the basis upon which the flood plain management provisions of this and other ordinances have been prepared.

C. Base Flood Elevation - The determination by the Federal Insurance Administrator of the water surface elevation of the Base Flood, that is, the flood level that has a one percent (1%) or greater chance of occurrence in any given year.

D. Camping, Short-Term - Location of a camping unit within any one (1) campground for a period not to exceed fifteen (15) days in any one calendar month.

E. Construction - The term "construction" shall include the building, reconstruction, extension, expansion, alteration, substantial improvement, erection or relocation of a building or structure, including manufactured homes, and gas or liquid storage tanks. For flood plain purposes, "new construction" includes structures for which the "start of construction" commenced on or after the effective date of a flood plain management regulation adopted by the municipality.

F. Development - Any man-made change to improved or unimproved real estate, including but not limited to buildings, manufactured homes, or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations or the storage of equipment or materials.

G. Flood - A general and temporary inundation of normally dry land areas by water from waterway overflows or the unusual and rapid accumulation or runoff of surface waters from any source.
H. **Flood Plain** - (1) A relatively flat or low land area adjoining a river, stream, or watercourse, which is subject to partial or complete inundation by water; (2) an area subject to the unusual and rapid accumulation or runoff of surface water from any source. For the purposes of this Ordinance, the flood plain shall be considered to be the One Hundred (100) Year Flood Plain which is a flood plain having a one percent (1%) chance of being subject to the above conditions during any given year.

I. **Floodway** - The channel of a river or other watercourse and the adjacent land area that must be reserved to discharge the Base Flood without cumulatively increasing the water surface elevation of that flood more than one (1) foot at any point.

J. **General Flood Plain District (GFP)** - The General Flood Plain District (GFP) shall be that flood plain area for which no specific flood profiles have been provided. Where the specific Base Flood elevation cannot be determined for this area using other sources of data such as the U. S. Army Corps of Engineers, Flood Plain Information Reports, U. S. Geological Survey Flood Prone Quadrangles, etc., the applicant for the proposed use, development and/or activity shall determine this elevation in accordance with hydrologic and hydraulic engineering techniques currently acceptable by the Federal Insurance Administrator (e.g. HEC-2). Consideration shall be given to the methods specified by the U. S. Water Resource Council's Technical Bulletin No. 17 or 17B. This elevation information shall be subject to review by the municipality and other agencies that it shall designate such as the Corps of Engineers, the Department of Environmental Protection, a river basin commission, etc.

K. **Historic Structure** - Any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Dept. of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or

4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
   a. By an approved state program as determined by the Secretary of the Interior; or
   b. Directly by the Secretary of the Interior in states without approved programs.

L. **Lowest Floor** - The lowest floor of the lowest enclosed area (including
basements). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor provided that such enclosure is not built in violation of the applicable non-elevation design requirements of this Ordinance and the Lebanon County Floodproofing Building Code.

M. Manufactured Home - A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For flood plain management purposes the term "manufactured home" also includes (1) all mobile homes and (2) camping trailers, recreational vehicles, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days.

N. Manufactured Home Park and/or Subdivision - A lot or area which is a planned development and designated to contain two or more manufactured homes for rent or for sale. Any lot or area proposed to utilize such design where individual manufactured home sites are proposed for sale shall be known as a manufactured home subdivision.

O. One Hundred (100) Year Flood (Base Flood) - A flood selected as the Base Flood, that has a one percent (1%) or greater chance of occurring in any given year.

P. Recreational Vehicle - A vehicular-type of portable structure which is 1) built on a single chassis, 2) 400 square feet or less when measured at the largest horizontal projection, 3) self-propelled or mounted on or drawn by another vehicle, and 4) primarily designed as temporary living accommodations for recreation, camping or travel or seasonal use and not as a permanent dwelling. The term recreational vehicle includes but is not limited to travel trailers, camping trailers, truck campers and self-propelled motor homes.

Q. Structure - A walled or roofed building, including a gas or liquid storage tank (principally above ground), a manufactured home, or any other man-made object usually assembled of interdependent parts or components which is designed to have a more or less fixed location, whether or not permanently attached at that location.

R. Start of Construction - The first placement of permanent construction of a structure (other than a manufactured home) on a site, such as the pouring of slabs or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation. Permanent construction does not include land preparation, such as clearing, grading, and filling, nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not as part of the main structure. For a structure (other than a manufactured home) without a basement or poured footings, the "start of construction" includes the first permanent framing or assembly of the structure or any part thereof on its piling or foundation. For manufactured homes not within a manufactured home park or manufactured home subdivision, "start of construction" means the affixing of the manufactured home to its permanent site.
For manufactured homes within the manufactured home parks or manufactured home subdivisions, "start of construction" is the date on which the construction of facilities for servicing the site on which the manufactured home is to be affixed (including at a minimum, the construction of streets, either final site grading or the pouring of concrete pads, and installation of utilities) is completed. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

S. **Substantial Damage** - Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred.

T. **Substantial Improvement** - Any repair, reconstruction, alteration, or improvement (not including general maintenance or repair) of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure either, (a) before the improvement or repair is started, or (b) if the structure has been damaged, and is being restored, before the damage occurred. For the purposes of this Ordinance, substantial improvement is considered to have occurred when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

The term does not, however, include either (1) any project for improvement of a structure to correct an existing violation of state or local health, sanitary or safety code specifications, which are solely necessary to assure safe living conditions or (2) any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as an "historic structure".

U. **Toxic Materials** - The following materials and substances which are listed in Section 38.7 of the Department of Community and Economic Development Flood Plain Management Regulations adopted pursuant to the Pennsylvania Flood Plain Management Act (Act 1978-166) have been determined to be dangerous to human life:

1. Acetone
2. Ammonia
3. Benzene
4. Calcium carbide
5. Carbon disulfide
6. Celluloid
7. Chlorine
8. Hydrochloric acid
9. Hydrocyanic acid
10. Magnesium
11. Nitric acid and oxides of nitrogen
12. Petroleum products (gasoline, fuel oil, etc.)
13. Phosphorus
14. Potassium
15. Pesticides (including insecticides, fungicides, and rodenticides)
16. Sodium
17. Sulphur and sulphur products
18. Radioactive substances, insofar as such substances are not otherwise regulated.

SECTION 16.03 **DELINEATION OF DISTRICTS** The General Flood Plain District (GFP) shall include all areas of this municipality subject to inundation by flood waters of the Base Flood. The basis for the delineation of the GFP District shall be the Official Flood Hazard Boundary Map issued by the Flood
Insurance Administrator (dated December 14, 1979 or the most recent revision thereof) and information provided from the following sources of data:

A. Other Official Flood Hazard Boundary or Floodway Maps,
B. Alluvial Soil Maps prepared by the U. S. Soil Conservation Service,
C. Local data from the 1972 flood,
D. Army Corps of Engineers - Flood Plain Information Reports,
E. U. S. Geological Survey - Flood Prone Quadrangles, and
F. Other available studies and sources of flood plain information

For these areas, elevation and floodway information from Federal, State or other acceptable sources shall be used when available.

In lieu of the previously mentioned, the municipality shall require the applicant to determine the base flood elevation with hydrologic and hydraulic engineering techniques. Hydrologic and hydraulic analysis shall be undertaken only by professional engineers or others of demonstrated qualifications who shall certify that the technical methods used correctly reflect currently accepted technical concepts. Studies, analysis, computations, etc., shall be submitted in sufficient detail to allow a thorough technical review by the municipality or a qualified agent thereof. The actual elevation and extent of the district shall be determined by the Base Flood Elevation.

All subdivision proposals and other proposed new developments shall provide base flood delineations; however, subdivision proposals and other proposed new development greater than 50 lots or 5 acres, whichever is the lesser, shall include actual base flood elevation data. It shall be the responsibility of the developer to provide the required base flood elevation data, in a form comparable to HEC-2, which shall be certified as accurate by a Registered Professional Engineer.

The delineation of the GFP District may be revised by the municipal governing body where natural or man-made changes have occurred and/or more detailed studies have been conducted or undertaken by the U. S. Army Corps of Engineers, River Basin Commission, or other qualified agencies or individuals. However, prior to when the district bounds are to be changed, approval shall be obtained from the Federal Insurance Administrator and/or the River Basin Commission.

Initial interpretations of the boundaries of the GFP District shall be made by the Zoning Officer. Where interpretation is needed concerning the exact location of any boundary of the GFP District, the Zoning Hearing Board shall make the necessary determination after hearing all evidence presented by the person or persons contesting the location of district boundaries. The burden of proof shall be the responsibility of the appellant, and he shall provide any and all technical information to support his case.

SECTION 16.04 DISTRICT PROVISIONS All uses, activities, construction, including manufactured homes, and other development occurring within the General Flood Plain (GFP) District shall be undertaken only in strict
compliance with the provisions of this Ordinance and all other applicable state and federal codes, ordinances and requirements including but not limited to the Lebanon County Floodproofing Building Code and the Lebanon County Subdivision and Land Development Ordinance.

Under no circumstances shall any encroachment, use, activity and/or development adversely affect the capacity of the stream channels of any watercourse, drainage or other drainage facility or system.

No structures, including manufactured homes, or land shall hereinafter be used and no structures, including manufactured homes, shall be located, relocated, constructed, reconstructed, enlarged, structurally altered or substantially improved except in full compliance with the terms and provisions of this Ordinance and any other applicable ordinances and regulations which apply to uses within the jurisdiction of this Ordinance.

All permitted uses shall be regulated by the provisions of the nearest zoning district as shown on the Official Zoning Map. Where there happen to be conflicts between the provisions or requirements of the GFP District and the nearest zoning district, the more restrictive provisions shall apply. In the event that any portion of the GFP District is declared inapplicable as a result of any legislative or administrative actions or judicial discretion, the nearest zoning district shall be deemed to be the district in which the GFP District properties are located.

A. Permitted Uses - In the GFP District, the following uses and activities are permitted provided that (1) the information required in Section .09 of this ordinance is submitted as a part of the permit application, (2) they are in compliance with the provisions of the nearest zoning district, (3) they will not result in any increase in the level of the Base Flood anywhere, (4) they are not prohibited by this or any other ordinance, (5) they do not require the placement or use of permanent on-lot sewage facilities within the GFP District, and (6) they do not require manufactured homes, encroachments, new construction, substantial improvements, fill, vehicles or parts thereof, or other development:

1. Agricultural uses such as general farming, horticulture, truck gardening, nurseries, pasturing, grazing, forestry, sod farming and wild crop harvesting.

2. Public and private recreational uses and activities such as parks; picnic grounds; areas for short term camping or recreational vehicle uses; golf courses, boat launching and swimming areas; hiking, bicycling, and horseback riding trails; wildlife and nature preserves; game farms; fish hatcheries; shooting ranges; and hunting and fishing areas. Open structures such as picnic pavilions, consisting of a slab, open structural supports such as posts and pillars, and a roof shall be permitted only if constructed in compliance with the Lebanon County Floodproofing Building Code.

3. All uses and open structures customarily accessory to permitted uses in the nearest adjoining district such as yard areas, gardens, or play areas; signs, unroofed porches, patios, open porches or carports provided that said structures are not enclosed by screening, latticing, studs, or structural supports less than eight (8) feet apart which would in any manner restrict the flow of flood water and...
debris and are in compliance with the applicable requirements of the Lebanon County Floodproofing Building Code; impervious parking and loading areas; and airport landing strips. Accessory structures shall not include manufactured homes, vehicles or parts thereof.

4. Utilities, public facilities and improvements such as railroads, streets, bridges, transmission lines, pipelines, water and sewage treatment plants, and other similar or related uses.

5. Water-related uses and activities such as marinas, docks, wharves, piers, etc.

6. Extraction of sand, gravel, and other materials.

7. Storage of materials and equipment provided that they are not buoyant; toxic to humans, animals, or vegetation; flammable or explosive, and are not subject to major damage by flooding; or provided that such material and equipment is firmly anchored to prevent flotation or movement; and/or can be readily removed from the area within the time available after flood warning.

B. PROHIBITED USES - In the GFP District the following uses and activities are strictly prohibited:

1. Hospitals, sanitariums, sanatoriums, clinics, etc., whether public or private.

2. Public or private nursing homes.

3. Jails or prisons.

4. Public or private schools or institutions of higher education.

5. New manufactured home parks and manufactured home subdivisions and substantial improvements to existing manufactured home parks.

6. Any new or substantially improved structure which will be used for the production or storage of any materials which are toxic, flammable or explosive or which will be used for any activity requiring the maintenance of a supply of more than 550 gallons of such materials or any amount of radioactive substances.

7. Any other use, activity, or development not specifically permitted under the terms of this article.

SECTION 16.05 ADDITIONAL SAFEGUARDS

A. No new construction or development shall be located within a designated floodway. Where the floodway has not been specifically identified for a stream or waterway, no new construction or development shall be permitted within the stream channel (from top of bank to top of bank). Furthermore, construction or development outside the stream banks but within the flood plain district shall be permitted only when in compliance with this Ordinance and Pennsylvania Department of Environmental Protection permit requirements.
B. No part of any private on-lot sewage disposal system shall be constructed within the GFP District.

C. Community water supply systems and sanitary sewage systems shall be designed and located to preclude infiltration of flood water into the system and discharges from the system into flood waters.

D. The municipality will endeavor to coordinate its flood plain management program with neighboring municipalities, particularly when the property (ies) in question is located near a municipal boundary.

E. Filling or the dumping of fill material is prohibited in the GFP District on vacant lots or on land not scheduled for approved construction activities. Fill may ONLY be used in the GFP District to raise the finished surface of the lowest floor of a structure to an elevation of a minimum of two (2) feet above the Base Flood Elevation provided the following conditions are met:

1. Use of fill shall be in compliance with the Lebanon County Floodproofing Building Code and any other applicable ordinances.

2. Use of fill shall be permitted only when the property owner or applicant provides a document acceptable by the Zoning Officer, certified by a registered professional engineer, stating that the cumulative effect of the proposed fill, in conjunction with the other anticipated development, will not result in an increase in the water surface elevation of the Base Flood at any point.

F. Prior to any stream or watercourse alteration or relocation, a permit shall be obtained from the Department of Environmental Protection, Bureau of Dams and Waterway Management. Also adjacent communities, the Department of Community and Economic Development, and the Flood Insurance Administrator must be notified in writing. Additionally, the municipality must be assured that the flood carrying capacity of an altered or relocated watercourse will be maintained by the developer.

G. The placement of any manufactured home in the GFP District is prohibited except as a replacement unit in an existing manufactured home park or an existing manufactured home subdivision. Said replacement units and any substantial improvements thereto shall comply with the Special Anchoring and Site Requirements of Section 1.5 of the Lebanon County Floodproofing Building Code.

SECTION 16.06 SECTORS TO BE CONSIDERED BY THE ZONING HEARING BOARD WHEN REVIEWING SPECIAL EXCEPTIONS AND VARIANCES In reviewing applications for Special Exceptions and Variances, the Zoning Hearing Board shall consider and shall apply all relevant factors specified in this Ordinance, in the Pennsylvania Municipalities Planning Code, and other ordinances and shall apply all of the following factors:

A. The danger of life and property due to increased flood heights or velocities caused by encroachments.

B. The danger that materials may be swept onto other lands or downstream to the injury of others.
C. The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination, and unsanitary conditions.

D. The susceptibility of the proposed structure or use and its contents to flood damage and the effect of such damage on the individual owners.

E. The importance of the services provided by the proposed facility to the community.

F. The requirements of the facility for a waterfront location.

G. The availability of alternative locations not subject to flooding for the proposed use.

H. The compatibility of the proposed use or structure with existing development and development anticipated in the foreseeable future.

I. The relationship of the proposed use or structure to the Comprehensive Plan and flood plain management programs of the area.

J. The safety of access to the property in times of flood by ordinary and emergency vehicles.

K. The expected heights, velocity, duration, rate of rise, and sediment transport of the flood water expected at the site.

L. No variance shall be granted to allow either in whole or in part any prohibited use listed in Section 16.04(B) of this Ordinance.

M. Where appropriate, variances may be granted for the reconstruction, rehabilitation, or restoration of historical structures as defined herein.

N. The granting of a variance shall provide relief only from the specific term(s) of the flood plain regulations requested, not exemption from all flood plain regulations or any applicable insurance premiums.

O. Variances shall be granted only when and where the applicant demonstrates compliance with the provisions of the Pennsylvania Municipalities Planning Code.

P. Variances shall be granted only when they are shown to be the minimum relief necessary, considering the flood hazard.

Q. Variances shall not be granted which result in any increase in the base flood elevation.

R. When variances are granted, written notification, signed by the appropriate local official, shall be given to the applicant indicating that:

1. Increased insurance premium rates will result, and

2. Construction occurring below the base flood elevation will increase risks to life and property.

S. Other factors which are relevant to the purpose of this Ordinance.
SECTION 16.07 NONCONFORMITIES A structure, or use of a structure or land which lawfully existed before the enactment of these provisions, but which is not in conformity with these provisions, may be continued subject to the following:

A. Existing nonconforming structures or uses located in the GFP District:

1. Shall not be moved, replaced or substantially improved, but may be modified, altered, or repaired to incorporate floodproofing measures as per the Lebanon County Floodproofing Building Code, provided that such measures and elevation techniques do not raise the level of the Base flood.

2. May be expanded or enlarged, but not substantially improved, provided that said expansion or enlargement (a) does not exceed 25% of the area of the first floor of the structure existing at the effective date of a flood plain management regulation adopted by the municipality, (b) is not constructed below the existing first floor elevation, and (c) complies with all applicable floodproofing requirements of the Lebanon County Floodproofing Building Code. Plans for the above mentioned expansion or enlargement shall be accompanied by a side profile of the existing and proposed structures and shall indicate existing grade, floor elevations, use of fill, etc.

B. If any nonconforming structure or use, including manufactured homes, located in the GFP District is demolished, removed, or destroyed by any means, including floods, to an extent of fifty (50) percent or more of the market value of the structure, it shall not be reconstructed, replaced, or continued except in conformity with the provisions of this Ordinance, the Lebanon County Floodproofing Building Code, and any other applicable ordinance.

SECTION 16.08 LOT AREA, YARD AND SIGN REQUIREMENTS The lot area, yard, sign and other district requirements of the land in question shall be the same as the district requirements of the nearest zoning district.

SECTION 16.09 ADDITIONAL ADMINISTRATIVE REQUIREMENTS

A. To insure that all construction and development on property which contains identified flood plain areas will be conducted employing flood damage controls, the Zoning Officer shall require the following additional information to be included as part of an application for a permit:

1. A plan which accurately locates the proposed construction and/or development with respect to the flood plain area boundaries, stream channel, existing flood plain development and all proposed subdivision and land development to assure that:

   a. All such proposals are consistent with the need to minimize flood damage; and

   b. All public utilities and facilities, such as sewer, water, gas, telephone, electrical and water systems are located, elevated
and constructed to minimize or eliminate flood damage; and

c. Adequate drainage is provided to reduce exposure to flood hazard.

2. Such plan shall also include existing and proposed contours (at intervals determined to be adequate by the Zoning Officer based upon site conditions) and elevations of the grounds, base flood elevations, structure elevation, lowest floor elevation, size of structure, location and elevations of streets, water supply, sanitary sewage facilities, soil types and floodproofing measures. When proposed construction and/or development involves structures and/or fill to be located within the designated flood plain, such plan shall also include details of proposed fill, pile structures, retaining walls, foundations, erosion control measures, and the Zoning Officer may require more detailed contour and elevation data.

3. A document certified by a registered professional engineer or architect that adequate precautions against flood damage have been taken with respect to the design of any building or structure, and that the plans for the development of the site adhere to the restrictions cited in this Ordinance, the Lebanon County Floodproofing Building Code, and other applicable ordinances.

B. Review of Application by Others The Zoning Officer may require that a copy of all plans and specifications for construction and/or development affecting identified flood plain areas be submitted to other appropriate agencies and/or individuals (e.g. County Conservation District, planning commission, municipal engineer, etc.) for review and comment prior to the issuance of a building permit. When proposed construction and/or development involves structures and/or fill which will be located directly within the designated flood plain, the Zoning Officer shall submit said plans and specifications to the appropriate agencies and/or individuals as indicated above. Recommendations from these sources shall be considered for possible incorporation into the proposed plan and may be made a condition for approval of a Building and Zoning Permit.

C. A record of all variances granted, including their justification, shall be maintained by the community as well as reported in the annual report to the Flood Insurance Administrator.

SECTION 16.10 CONFLICTING ORDINANCES Ordinances or parts of ordinances in conflict with this article, or inconsistent with the provisions of this Article are hereby repealed to the extent necessary to give the GFP District full force and effect.

SECTION 16.11 STATEMENT OF DISCLAIMER The degree of flood protection sought by the provisions of this Ordinance is considered reasonable for regulatory purposes and is based on acceptable engineering methods of study; however, larger floods may occur on rare occasions. Flood heights may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. This Ordinance does not imply that areas outside the flood plain districts or that land uses permitted within such districts will be free from flooding or flood damages. This Ordinance shall not create liability on the part of this municipality or any officer or employee thereof for any flood damage that results from reliance on this Ordinance or any administrative
decision made thereunder.

SECTION 16.12 BUILDING PERMITS REQUIRED Building permits shall be required before any new construction, substantial improvement, placement or relocation of any structure (including manufactured homes) or development is undertaken within any identified flood prone area of the municipality. Prior to issuance of any building permit, the applicant shall submit to the Zoning Officer copies of all other required State and Federal permits, including but not limited to the following permits when applicable: floodway, wetland, surface mining, water quality, earth disturbance, sewage or state fire marshall. Copies of all required permits shall be maintained by the Zoning Officer as a part of the building permit file.

After the issuance of a building permit or site plan approval 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.
ARTICLE 17
SUPPLEMENTARY DISTRICT REGULATIONS

SECTION 17.01 INTENT The Supplementary District Requirements are designed to contain a list of complementary and general requirements which augment and clarify regulations listed elsewhere in this Ordinance. Where applicable, these regulations shall apply uniformly to every use, activity, building or structure hereafter erected, altered, established or expanded. These regulations apply to all zoning districts and are listed comprehensively herein to avoid duplication and repetition throughout the remainder of this Ordinance.

SECTION 17.02 ACCESSORY BUILDINGS AND STRUCTURES Any building or structure attached to a principal building in any manner shall comply in all respects with the yard requirements of this Ordinance for a principal building. No separate or detached building or structure shall be permitted in any required front yard. Accessory buildings located in the R-2 or R-3 Districts shall not be permitted within five (5) feet of any side or rear lot line. In all other districts, unless otherwise specified, accessory buildings shall not be less than ten (10) feet from a side or rear lot line. In all districts, where the entrance to a garage abuts a public alley, said garage entrance shall be no less than twenty (20) feet from the right-of-way of such alley.

SECTION 17.03 ACCESSORY USES

A. Private, non-commercial swimming pools which are designed to contain a water depth of twenty-four (24) inches or more, regardless of whether they are permanently affixed or movable, shall be located on the same lot or tract as the dwelling and shall be permitted neither in the required front yard nor closer to any street line than the dwelling. In all other yards, a pool shall not be closer than fifteen (15) feet to any lot line, as measured from the water's edge. All pools shall be completely enclosed with a continuous impenetrable fence or barrier no less than four (4) feet in height above the ground level and shall be equipped with a lockable gate or retractable ladder which prevents access at less than four (4) feet. Any deck, patio, or impermeable surface, not under roof or otherwise enclosed, which surrounds, is attached to, or associated with a pool shall be no closer than ten (10) feet to the side or rear lot line.

B. Private tennis courts shall be permitted within side or rear yards provided that such facility shall not be less than fifteen (15) feet from side or rear lot lines.

C. Antennas -

1. Antennas may be located as an accessory use in any residential or agricultural district provided that the following conditions are met:

   a. Roof-mounted antennas, including satellite dish antennas, shall only be located on principal structures and shall be subject to review and approval for compliance with current building code requirements. Maximum height of a roof-mounted antenna shall not exceed that permitted for the principal structure.
b. Ground-mounted antennas, including satellite dish antennas, shall be located to the rear of the front building line of the principal structure, shall be mounted at ground level, and shall be anchored to prevent lateral movement. Side and rear setbacks of ten (10) feet shall be maintained. Ground-mounted antennas shall not exceed 15 feet in height.

c. Fixed-guyed antenna towers shall be fascia-mounted or guyed according to approved standards and shall not extend more than thirty-five (35) feet in height above ground level. Wire antennas that are not self-supporting shall be supported by objects within the property lines but not within any front-yard areas. Antenna towers shall be located to the rear of the front building line of the principal structure and at least ten (10) feet from side and rear lot lines. No portion of any antenna array shall extend beyond the property lines or into any front yard area. Guy wires shall not be anchored within any front yard area but may be attached to the principal structure.

d. Antennas shall meet all manufacturer's specifications and shall be neutral in color so as to be as non-intrusive as possible.

2. Antennas may be located as an accessory use in any commercial or industrial district provided that the requirements of Section 15.02(2) of this Ordinance are met.

3. Transmission and/or reception antennas are not excluded from the height requirements of this Ordinance.

D. Nothing in this section shall be construed to limit other uses not mentioned so long as they are clearly accessory to the principal permitted use of the land and do not create a threat to the public health, safety, and/or welfare of the community.

SECTION 17.04 PROJECTIONS INTO YARDS The following projections shall be attached to a building, may be permitted in required yards and shall not be considered in the determination of yard size.

A. Patios, paved terraces, decks, or open, unroofed porches shall be permitted in all yards provided that such structures (1) shall be no closer than five (5) feet to any lot line, (2) shall be no greater than five (5) feet above finished grade.

B. Projecting architectural features - bay windows, cornices, eaves, fireplaces, chimneys, window sills, or other architectural features, provided they do not extend more than five (5) feet into any required yard nor closer than three (3) feet to any adjacent property lines; however, any canopies, porte cocheres or other roofs that extend more than five (5) feet from the building line as defined in Article 1 of this Ordinance, shall be subject to the yard requirements applied from the lot line to the edge of the roof.
C. Stairs, landings, and decks which are unroofed, provided that they are no closer than five (5) feet to any lot line.

D. Open balconies or fire escapes provided such balconies or fire escapes are not supported on the ground and do not project more than five (5) feet into any required yard nor closer than five (5) feet to any adjacent property line.

SECTION 17.05 HOME OCCUPATION REGULATIONS A home occupation as defined in Article 1, may be permitted in any district under the following conditions:

A. The proprietor of the home occupation shall reside on the premises and shall be the property owner or a member of the immediate family of the property owner. The home occupation shall be incidental to the use of the property as a residence, and there shall be no exterior evidence of the occupation nor change to the appearance of the dwelling to facilitate the operation of the occupation, other than one (1) small sign as provided in Article 20 of this Ordinance.

B. The home occupation shall be conducted wholly within the dwelling and shall not occupy more than 25% of the habitable floor area nor more than 750 square feet. This area shall include all functions or activities of the home occupation.

C. The proprietor may employ not more than one (1) assistant who does not reside within the dwelling used for the home occupation.

D. In addition to the parking required for the residence, two (2) off-street parking spaces shall be provided for the home occupation plus one (1) additional space for any assistant. Off-street parking improvements shall comply with Article 19 of this Ordinance.

E. Any home occupation or accessory function to a home occupation which may create objectionable noise, fumes, odor, dust, electrical interference, or substantially more than normal residential traffic shall be prohibited.

SECTION 17.06 MUNICIPAL USES In any district, a building or structure may be erected, altered or extended and land may be developed which is arranged, intended or designed for municipal recreational uses or other community municipal uses, including but not limited to community parks, swimming pool associations, libraries, museums, municipal buildings, post offices, etc. Such buildings and structures shall meet all lot and yard requirements of the district in which it is to be located.

SECTION 17.07 VISIBILITY AT INTERSECTIONS On a corner lot in any district a clear sight triangle shall be provided at all street intersections. Within such triangles, no vision obstructing objects (other than utility poles) shall be permitted which obscure vision above the height of thirty (30) inches and below ten (10) feet as measured from the centerline grade of intersecting streets. Such triangles shall be established from a distance of:

A. Seventy-five (75) feet from the point of intersection of the center lines of intersecting streets, except that,
B. Clear sight triangles of one hundred (100) feet shall be provided for intersections with arterial and major streets.

C. Penna. Department of Transportation regulations relating to clear sight distances for truck traffic shall be applicable to all commercial or industrial subdivisions and land development applications in the Township.

SECTION 17.08 FENCES, WALLS & HEDGES Unless otherwise regulated, fences, walls, and hedges may be permitted in any required yard or along the edge of any yard; however, any fence, wall, or hedge located along the sides or front edge of any front yard shall not be over thirty (30) inches in height and shall not obstruct visibility. Furthermore, not withstanding other provisions of this Ordinance, fences, walls and hedges in residential districts shall not exceed six (6) feet in height unless that portion above six (6) feet shall remain fifty percent (50%) open.

SECTION 17.09 ERECTION OF MORE THAN ONE (1) PRINCIPAL STRUCTURE ON A LOT In any district, more than one (1) structure housing a permitted or permissible principal use may be erected on a single lot, provided that yard and other requirements of this Ordinance and the Lebanon County Subdivision and Land Development Ordinance shall be met for each structure as though it were on an individual lot.

SECTION 17.10 STRUCTURES TO HAVE ACCESS Every building hereafter erected or moved shall be on a lot adjacent to a public street, or provided with a lawfully established means of access to an approved public or private street. All principal structures shall be so located on lots as to provide safe and convenient access for standard vehicles for servicing, fire and police protection, and required off-street parking. If the Zoning Officer determines that existing or proposed access does not meet the above criteria, the property owner shall improve or obtain access to meet the above criteria and, where requested by the Zoning Officer, provide written certification by appropriate emergency management officials to verify feasible emergency vehicle access.

SECTION 17.11 WATER SUPPLY AND SEWERAGE FACILITIES REQUIRED In the interest of protecting the public health, safety, and welfare, every building or structure hereafter erected, altered or moved upon any premises and used in whole or in part for dwelling, commercial or recreational business, or industrial purpose shall be provided with both a safe and sanitary water supply and a safe and sanitary means of collection and disposal of residential, commercial, or industrial sewage. Such facilities shall conform to the minimum requirements set forth by the Department of Environmental Resources.

SECTION 17.12 MINIMUM HABITABLE FLOOR AREA AND LOT AREA REQUIREMENTS Unless otherwise regulated in this Ordinance, every dwelling unit hereafter designed, established, or erected shall contain a minimum habitable floor area of 700 square feet or a total of 175 square feet per person residing in the dwelling, whichever is greater. Existing two-family or multi-family development shall only be expanded or enlarged provided than a minimum lot area of 3,000 square feet is provided for each dwelling unit located on said property.
SECTION 17.13 STEEPLY SLOPED LOTS AND ENVIRONMENTAL SAFEGUARDS  In any district, development on steeply sloped lots (in excess of 15% slope) shall include appropriate design and implementation of measures to prevent and/or control environmental damage, erosion and destruction of vegetation and natural habitat. The following specific criteria shall apply to development on steeply sloped lots:

A. Less than 25% of lot steeply sloped - Development of lots which contain slopes in excess of 15% shall be designed and located to limit or avoid disturbance of the steeply sloped portions of the lot. Removal of trees and vegetation shall be limited to the areas where slope is less than 15%, except when absolutely necessary for buildings, driveway and other essential lot improvements.

B. 25% or more of lot steeply sloped - Development of lots where 25% or more of the lot is steeply sloped in excess of 15% requires careful design and minimal disturbance of the terrain and natural features. Within the Residential Forest District, minimum lot size shall be increased to 150% of that specified by the DISTRICT REQUIREMENTS listed in Section 7.03 of this Ordinance. Within all districts, approval of the lot development is required from the Lebanon County Conservation District to insure adequate erosion and sedimentation control, slope stabilization and revegetation. Specifically, development of these steeply sloped lots shall require:

1. Design and implementation of adequate erosion and sedimentation control facilities; and

2. Design and implementation of effective storm water management facilities to control surface water runoff and the damaging effects of surface water flows on steep slopes; and

3. Minimal disturbance of steep slopes, with limited cut and fill, grading and excavation only where directly related to construction of buildings, driveways and other essential lot improvements, and effective temporary and permanent stabilization of disturbed areas; and

4. No more than 25% of the total vegetative cover of the lot, including trees, shrubs and natural ground cover, shall be removed. Where removal occurs on steep slopes in conjunction with development activities permitted elsewhere herein, the steep slopes shall be replanted and revegetated with similar trees, shrubs and ground cover to obtain equivalent soil stabilization, moisture retention, and protection from ecological damage.

SECTION 17.14 CORNER LOT RESTRICTION In all districts, corner lots shall have no required rear yards, but shall have two (2) required front yards as measured from the road right-of-way line and two (2) required side yards as measured from the lot lines.

SECTION 17.15 EXCEPTIONS TO HEIGHT REGULATIONS The height limitations of this Ordinance shall not apply to church spires; farm structures when permitted by other provisions of this Ordinance (e.g. silos, barns, etc.); belfries, cupolas, penthouses and domes not used for human occupancy; chimneys, ventilators, skylights, water tanks, bulkheads and similar features; utility poles and standards; and necessary mechanical appurtenances usually carried above the roof level. Such features, however shall be erected only to such height as is necessary to accomplish the purpose they are to serve and
then only in accordance with any other governmental regulations. Transmission and/or reception antennas are not excluded from the height requirements of this ordinance.

SECTION 17.16 DANGEROUS STRUCTURES Upon notification and request by the Zoning Officer, any building or structure which has deteriorated to the state where it is dangerous and/or unsafe for human occupancy, constitutes a fire hazard, endangers surrounding buildings, shelters rats or vermin, or endangers the safety of children playing thereabouts, shall be repaired, altered or removed to eliminate the dangerous conditions. Such improvements shall commence within thirty (30) days and be completed within ninety (90) days of notification by the Zoning Officer.

SECTION 17.17 ANIMALS The raising, breeding, keeping or care of animals, livestock, fowl and pets shall be subject to the regulations of the applicable zoning district and the following standards:

A. Customary household pets are permitted within any zoning district, provided that pet numbers and location do not constitute a pet kennel, unless kennel regulations are satisfied and pet kennels are permitted in that district.

B. Novelty pets are permitted within any zoning district, provided that the pets are kept inside a dwelling or in an approved enclosure with shelter, do not constitute a health or safety hazard, and shall meet the following criteria:

1. Applicant shall obtain written approval or licensure from the Pa. State Game Commission.

2. The maximum number of novelty pets shall not exceed two (2).

C. Pet kennels are permitted as specified within the zoning district. Existing pet kennels in zoning districts where not permitted by this Ordinance shall be limited in expansion or alteration by the nonconforming use restrictions of Article 21 and a minimum one hundred (100) feet setback from any road right-of-way or lot line.

D. Riding academies and public or private stables for horses are permitted where specified within the zoning districts, subject to conditions listed therein.

E. Non-intensive animal husbandry is a permitted use within the Agricultural District and a Special Exception use in the R-1 Low Density Residential District. Elsewhere, existing non-intensive animal husbandry uses may be continued and expanded only when in compliance with the nonconforming use restrictions of Article 21 and provided a minimum one hundred (100) feet setback from any road right-of-way or lot line is maintained for any building expansion which houses animals.

F. Intensive animal husbandry involves large numbers of livestock or fowl concentrated within an enclosure. Accordingly, intensive animal husbandry uses are permitted only within the Agricultural District, subject to the following requirements:
1. Structures in which livestock or fowl are kept shall be no closer than one hundred (100) feet to any lot line or road right-of-way and two hundred (200) feet to any residentially zoned property.

2. No storage of manure or odor or dust producing substances shall be permitted within one hundred (100) feet of any lot line or road right-of-way and two hundred (200) feet from any residentially zoned property.

3. Lebanon County Conservation District approval of the site design is required to insure proper disposal of animal wastes. At a minimum, the following shall be required:
   a. Animal waste management plan for the proper storage and disposal of manure.
   b. Nutrient management plan for the proper utilization of nutrients to insure maximum crop production and minimum nutrient loss.
   c. Animal waste storage facilities shall be structurally sound and water tight.
   d. All site plans shall be designed, all structures constructed, and all plans implemented in accordance with applicable state laws, Lebanon County Conservation District standards, and local animal waste ordinances, if any.

4. Existing intensive animal husbandry uses which are lawfully nonconforming may be continued and expanded only when in compliance with the nonconforming use restrictions of Article 21 and when any such expansion satisfies the requirements of Section 17.17(F).

SECTION 17.18 GASOLINE PUMPS AND ALL OTHER SERVICE STATION EQUIPMENT Unless otherwise specified herein, all gasoline pumps, tanks, and all other vehicle service equipment shall be located not less than twenty-five (25) feet from any lot line and/or road right-of-way and located such that vehicles stopped for service will not extend over the property line. Canopies for pumps can extend no further than twelve (12) feet into the front setback line restrictions for the gasoline pumps. Canopies are required to meet side and rear yard setbacks of twenty-five (25) feet. Furthermore, the use and storage of all flammable and combustible liquids shall comply with the requirements set forth by the Fire Marshall Division of the Penna. State Police, base on 37 Pa Code Chs 11 and 13.
SECTION 17.19  PARKING AND STORAGE OF CERTAIN VEHICLES  Automotive vehicles or trailers of any kind without current, valid license plates and/or state inspection shall not be parked or stored on any property other than in completely enclosed buildings or properly approved junk yards. Additionally, such vehicles shall not be parked or stored along public streets in any zoning district.

SECTION 17.20  PARKING, STORAGE, OR USE OF MAJOR RECREATIONAL EQUIPMENT AND/OR TRACTOR TRAILERS, ETC. For purposes of these regulations, major recreational equipment and/or tractor trailers, etc. are defined as including boats; snowmobiles, all terrain vehicles (ATV's) and similar off-road vehicles; travel trailers, pick-up campers or coaches (designed to be mounted on automotive vehicles), motorized dwellings, tent trailers, and the like; trailers, cases or boxes used for transporting recreational equipment, whether occupied by such equipment or not; and tractor trailers, rigs, or cabs. Major recreational equipment and/or tractor trailers, etc. may be parked or stored on any property in a commercial or industrial district subject to the yard setbacks of the applicable off-street parking regulations for that district. They may also be parked in residential and agricultural districts subject to the following regulations:

A. Major recreational equipment and/or tractor trailers, etc. shall be parked or stored (1) in a carport, (2) in an enclosed building or (3) to the rear of the required front yard setback line. Such equipment may not be parked or stored within any public right-of-way.

B. If this equipment is parked or stored to the rear of the required front yard setback line, a minimum setback of ten (10) feet shall be maintained from any side or rear property line. The above mentioned side or rear setback may be reduced to five (5) feet, provided that a screen planting (as defined in Article 18 of this Ordinance) is established and maintained between the equipment parking area and any adjacent property line(s).

C. For loading and unloading purposes only, major recreational equipment and/or tractor trailers, etc. may be parked anywhere on a residential or agricultural premises for a period not to exceed 24 hours.

D. No such major recreational equipment and/or tractor trailers, etc. shall be used for a permanent residence, or any other living, sleeping, or housekeeping activities when parked or stored on a residential or agricultural lot, or in any other location not approved for such use.

SECTION 17.21  MOBILE HOME PARKS AND MOBILE HOME SUBDIVISIONS  All mobile home parks and mobile home subdivisions hereafter erected, established, substantially altered, or expanded shall comply with the requirements of Article 11 of this Ordinance. However, alterations or expansion of said parks or subdivisions shall not require Special Exception approval before the issuance of a Building and Zoning Permit.
SECTION 17.22 PUBLIC UTILITIES EXEMPTIONS For the purposes of this Ordi-
nance, public utilities exemptions to district requirements shall extend only
to accessory support and maintenance structures and buildings not requiring
human occupancy. Such uses and structures including fences shall be located
no closer than ten (10) feet to any lot line or road right-of-way line.
Principal utility structures (e.g. sewage treatment plants, electrical power
plants, etc.) shall be permitted in any district but shall comply in all
respects with the requirements for a principal use of the district in which it
will be located. In either case, said utility corporation shall secure a
Building and Zoning Permit from the Zoning Officer prior to the start of
construction. Said permit application shall include any and all approvals
required by other agencies, etc., for the use specified.
ARTICLE 18

ENVIRONMENTAL IMPROVEMENTS AND ENERGY CONSERVATION REQUIREMENTS

SECTION 18.01 INTENT The environmental improvements and energy conservation requirements are designed to recognize the need for conservation of energy and natural resources and to facilitate the utilization of renewable resources. Environmental improvements are intended to moderate the effects of solar radiation, conserve energy, improve air quality, reduce glare and noise, and control erosion, largely through the planting of trees, shrubs, and other vegetative cover. Energy conservation requirements are designed to allow the installation of renewable energy devices and provide the opportunity for individuals to reduce energy dependence by encouraging the productive use of solar and wind energy components.

SECTION 18.02 DEFINITIONS The following terms are specifically defined for use within this Article:

Active Solar Energy System - A solar energy system that requires external mechanical power to move collected heat.

Dense Screen Planting - A landscaped barrier consisting of predominantly (80% or more) coniferous trees and shrubs, hedges, earth mounding, walls, or a combination thereof established at a minimum height of six (6) feet. Such environmental buffer shall provide a solid visual, noise and pollutant barrier between potentially incompatible uses. Dense screen plantings shall be at least five (5) feet in width with irregularly spaced double or triple rows of plants and shrubs to obtain a dense, solid mass.

Energy Storage Facility - Equipment consisting of containers, heat exchangers, piping, and other transfer mechanisms (including fluids, gases or solids), controls, and related structural support for transporting and storing collected energy (from solar energy systems), including structural elements designed for use in passive solar energy systems.

Interior Island Planting - A durable landscaped planting area located within a vehicular use area or parking lot. Design and location shall provide shade and visual separation of parking and pedestrian areas, improve air quality, and control stormwater runoff from large paved areas. An island or strip shall be a minimum of 50 square feet in area, at least five (5) feet in width and contain at least one (1) shade tree, per forty (40) lineal feet of island or fraction thereof. Islands of forty (40) feet or less in length shall contain at least one (1) shade tree. The remaining area within the island or strip shall be appropriately landscaped with grass, mulch, stones, plants, or other materials not exceeding three (3) feet in height.

Passive Solar Energy System - A solar energy system that uses natural and architectural components to collect and store energy without using any external mechanical power.
Perimeter Planting - A landscaped planting consisting of trees and shrubs established at less than three (3) feet or greater than six (6) feet in height, so shall not interfere with any clear sight triangle. Such plantings shall separate streets and vehicular use areas from parking lots, buildings, and other interior improvements. Perimeter plantings shall consist of individual trees or shrubs spaced a maximum of fifty (50) feet apart to form a linear vegetative border, with grass or ground cover continuously thereunder.

Screen Planting - A landscaped planting consisting of a mixture of coniferous trees or shrubs, shade trees, ornamental trees or shrubs, earth mounding, hedges or a combination thereof established at a minimum height of six (6) feet. Such planting shall separate and protect uses from noise, odor and dust, as well as moderating the effects of winter winds and summer heat. Screen plantings shall be at least three (3) feet in width with regularly spaced trees and shrubs to obtain a pervious, moderately dense planting.

Solar Collector - A freestanding or fixed device, or combination of devices, structures, or part of a device or structure that transforms direct solar energy into thermal, chemical or electrical energy that contributes significantly to a structure's energy supply.

Solar Energy - Radiant energy (direct, diffuse and reflected) received from the sun.

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.

Skyspace - The open space between a solar or wind collector and the sun or prevailing wind which must be free of obstructions that may shade or impede the collector to an extent that would reduce its cost-effective operation.

Wind Energy Conversion System - A device which converts wind energy to mechanical or electrical supply; commonly referred to as windmills.

Wind Rotor - The blades, plus hub to which the blades are attached, that are used to capture wind for the purpose of energy conversion. The wind rotor is used on a pole or tower along with other generating and electrical storage equipment and forms a wind energy conversion system.

SECTION 18.03 REQUIREMENT FOR ENVIRONMENTAL AND ENERGY-CONSERVING IMPROVEMENTS Environmental and energy-conserving improvements shall be required for the following:

A. All new subdivisions and developments.

B. All new uses or buildings erected or established, including said uses or buildings which are to be located on previously subdivided lots or unsubdivided property.

C. Expansion of all buildings or uses except single and two-family dwellings.
D. To separate commercial, industrial, institutional and other non-residential uses from adjoining residential uses or residential districts.

E. Around parking lots with ten (10) or more parking spaces and within the interior of parking lots with twenty-five (25) or more parking spaces, including parking lots expanded beyond these sizes.

F. Areas between parking lots and buildings.

G. Building wall expanses in excess of seventy-five (75) feet which are exposed to westerly winds, except single and two-family dwellings.

H. New streets.

SECTION 18.04 ENVIRONMENTAL AND ENERGY CONSERVING STANDARDS

Environmental improvements shall satisfy the following minimum standards:

A. General Standards

1. A minimum of fifteen percent (15%) of each developed lot shall be landscaped with appropriate ground cover or plantings.

2. Land areas with slopes in excess of fifteen percent (15%) shall be restricted to the removal of not more than twenty-five percent (25%) of the total vegetative cover of the lot, including trees, shrubs and natural ground cover. Where removal occurs on steep slopes in conjunction with development activities permitted by this Ordinance, the steep slopes shall be replanted and revegetated with similar trees, shrubs and ground cover to obtain equivalent soil stabilization, moisture retention, and protection from ecological damage.

3. Existing plant materials shall be preserved, wherever possible, during development. Such existing plants shall be credited toward required plantings. Where topographic, vegetative or engineering features on or adjacent to the site may provide the desired conservation and environmental protection, the design plan may be adjusted to credit use of the alternate protective features, provided the Zoning Officer approves the design.

4. All required trees shall be a minimum 1 1/2" caliper and trees, shrubs and plants shall be disease resistant, saline tolerant, winter hardy and of a species suitable for this geographic region.

5. All landscaping and plantings shall be installed using good planting procedures, utilizing quality plant material.

6. Plantings should not be designed to interfere with southern exposures to solar radiation.
3. **Specific Standards**

1. **Buffer Areas** - Dense screen plantings shall be required within all specified buffer areas. Said plantings shall be centered within the yard space to provide for growth without infringement upon the property line.

   a. Where commercial uses abut a residential district, the buffer area shall be a minimum of fifty (50) feet for the entire length of the residential district area.

   b. Where industrial uses abut a residential district, the buffer area shall be a minimum of one hundred (100) feet and shall be planted with a double-wide dense screen planting (minimum width of 10 feet) for the entire length of the residential district area.

2. **Streets** - Perimeter plantings shall be required along each side of all new streets, a maximum distance of ten (10) feet from the street right-of-way line. Planting strips of five (5) feet or more in width between the sidewalk and the street may be approved for perimeter plantings utilizing appropriate tree species. When divided streets are proposed, perimeter plantings shall also be required within the median strip.

3. **Parking Lots** - Perimeter plantings shall be required around the border of all parking lots containing ten (10) or more parking spaces. Said plantings shall be a maximum of ten (10) feet from the edge of the paved parking surface. Interior island plantings shall be required within all parking lots containing twenty-five (25) or more parking spaces. Interior island plantings shall be provided:

   1) at the ratio of 5 square feet of planting area for each 100 square feet of paved parking and vehicular use area, and
   2) in locations which will divide and separate the parking lot.

4. **Buildings** - Screen plantings shall be required, except for single and two family dwellings, around and along buildings in accordance with the following:

   a. Parking lots of ten (10) or more parking spaces shall be a minimum of twenty (20) feet from the building line of any principal building or structure. The twenty (20) foot setback shall contain appropriate screen plantings.

   b. Building walls over seventy-five (75) feet in length which face westerly, southwesterly or northwesterly shall be bordered by a parallel screen planting which is equal in length to the wall length and is located a maximum of fifty feet from the face of the wall.

**SECTION 18.05 SOLAR, WIND AND ALTERNATE ENERGY STANDARDS** The use of solar, wind and alternate energy systems is encouraged within these regulations and permitted within any zoning district. Although the installation of such systems is not mandatory, where they are utilized, the following standards shall apply:
A. Active and passive solar systems, wind energy systems and similar alternate energy systems, including customary energy storage accessories, shall be permitted for the production, collection, movement, distribution or storage of heated water, air or other medium which is intended for conveyance to a principal or accessory building. Systems may include the following subject to the requirements contained herein:

1. Solar panels with a combined glazing area of 65 square feet or less, provided that:
   a. The solar panels shall not extend more than five (5) feet into any required yard when attached to a principal structure; and
   b. The solar panels shall be a minimum of three (3) feet from any property line, whether freestanding or attached.

2. Solar panels with a combined glazing area in excess of 65 square feet, provided that:
   a. Solar panels attached to a principal structure shall comply with the zoning setbacks prescribed for a principal structure in the applicable zoning district; and
   b. Solar panels which are freestanding or attached to an accessory structure shall comply with the accessory structure requirements of Article 17 of this Ordinance.

3. Solar greenhouses attached to principal structures shall meet all yard requirements for a principal structure in the applicable zoning district. Solar greenhouses attached to accessory structures shall meet all yard requirements specified for accessory structures in Article 17 of this Ordinance.

4. Detached solar greenhouses shall meet all yard requirements specified for accessory structures in Article 17 of this Ordinance.

5. Wind energy conversion systems, provided that:
   a. The structure supporting the wind rotor unit shall be located a minimum distance of the tower height (measured from the ground to the top of the rotor) plus fifteen (15) feet from any property line or road right-of-way. The height of such structure shall not exceed seventy-five (75) feet.
   b. Towers may be ground or roof-mounted and shall be securely fastened as per manufacturer's specifications or a demonstrable equivalent to achieve maximum safety and prevent collapse or fall. Any propeller or turning device that reacts to wind velocity shall have a governor to control the speed of revolutions. Such governors may include a rudder that turns the propeller away from the wind, individually spring-mounted paddles that turn away from the wind, or other suitable manufacturer's tested device. Towers shall be locked or secured to prevent unauthorized access, and in no case shall a permanently mounted ladder be affixed less than ten (10) feet from grade level.
c. Noise levels shall not exceed 60 dBA as measured at the property line of residentially zoned property, or otherwise shall not exceed 70 dBA.

SECTION 18.06 MAINTENANCE AND PROTECTION ASSURANCES The improvements required and permitted within this Article shall be maintained and protected to assure their environmental benefits. The following specific requirements shall apply:

A. Maintenance

1. Plantings - All required plantings shall be maintained in a good condition to present a healthy, neat and orderly appearance. Such plantings shall be kept free from refuse and debris. Plants damaged by insects, disease, vehicular traffic, acts of nature or vandalism shall be replaced by the next planting period.

2. Energy Systems - Energy systems shall be maintained in a safe manner. Broken glass or other potentially hazardous conditions shall be promptly repaired. A disconnected or abandoned energy system shall be removed from the property within sixty (60) days of such abandonment.

B. Protection

1. Plantings - Required plantings shall not be removed except to facilitate the planting of acceptable replacement plants. Property improvements shall be protected at all times by such environmental plantings and extensive trimming or pruning of the plantings to reduce or eliminate the protection shall not be permitted.

2. Energy Systems - Where a solar or wind energy system has been installed, it shall be the responsibility of the property owner to secure any easements or restrictive covenants necessary to protect the sky-space affecting the solar or wind system. Such an agreement shall be negotiated between owners of affected properties, but it is not a requirement for approval of a Building and Zoning Permit for the solar or wind energy system.

SECTION 18.07 VARIANCES The following factors shall be considered, in addition to those within Section 24.06 of this Ordinance, when reviewing petitions for Variances to the provisions of Article 18:

A. Variances shall be granted only for minimum relief and not for purely financial reasons.

B. Variances to planting requirements shall not request relief from planting height, quality or maintenance.

C. Variances for energy systems shall allow for effective placement of energy systems, provided the skyspace of adjoining property owners is not restricted.

D. Variances shall consider the resulting effect on the microclimate on the property.

E. Variance shall consider possible damage to utilities.
SECTION 18.08 PLANS AND PERMITS

A. Plans - Plans depicting environmental and energy improvements shall be submitted at the time of application for a Building and Zoning Permit. Information may be included on the required plot plan specified in Section 22.03 of this Ordinance or submitted on a separate plan. In addition to the information required within Section 22.03 of this Ordinance, plans shall include:

1. Location, size, and species of existing plant material.
2. Delineation of plants to be removed and plants to be retained.
3. Location, planting size, mature size, and species of all plants within required plantings.
4. Proposed treatment of all ground surfaces (e.g. paving, grass, gravel, mulch, stone).

B. Building and Zoning Permits - A Building and Zoning Permit shall be required for installation, expansion or alteration to any of the environmental improvements and energy systems described within this Article. Applicable procedures of Article 22 of this Ordinance shall apply during the processing of such permit applications. Where desired, the Zoning Officer may refer plans to the Lebanon County Conservation District or any other applicable agencies for review and comment prior to formal action on the permit application.
SECTION 19.01 INTENT The regulations concerning off-street parking are intended to insure that adequate, well-designed parking facilities are provided for all new, altered, or expanded buildings and uses. The general intent shall be to require off-street parking spaces, loading and unloading areas, driveway and accessways to (1) satisfy the minimum standards contained within this Article and (2) be designed to prevent overcrowding and congestion and impairment of traffic circulation and access.

SECTION 19.02 DEFINITIONS For the purpose of determining accessory off-street parking requirements, definitions and standards shall be as follows:

A. Parking space - an open or enclosed area accessible from a street or alley for parking of motor vehicles for owners, occupants, employees, customers, or tenants of the principal structure or use. Each parking space shall be not less than ten (10) feet wide and not less than twenty (20) feet long, exclusive of all drives, curbs, and turning space.

B. Floor area - the total area of all the floors measured from the exterior faces of the structure or, where set forth in the schedule in Section 19.05, only the floor area used by a specific use.

C. Seat - the number of seating units installed or indicated, or each twenty-four (24) lineal inches of benches, pews, or space for loose chairs or similar seating facilities; spacing of rows shall be thirty (30) inches on center.

SECTION 19.03 REQUIREMENT FOR OFF-STREET PARKING FACILITIES Accessory off-street parking facilities, including access driveways and loading/unloading areas, shall be required in accordance with the provisions of this Article as a condition precedent to the occupancy of such building or use. Facilities shall be provided for the entire building or use as follows:

A. Whenever a structure is constructed or a new use established, or

B. Whenever the use of an existing structure is changed to a use requiring more parking facilities, or

C. Whenever an existing structure is altered or enlarged so as to increase the amount of parking spaces required under this Article.

SECTION 19.04 GENERAL STANDARDS Off-street parking facilities shall satisfy the following general requirements:

A. Off-street parking areas shall have safe access to and from a street; however, no portion of any street or road right-of-way shall be utilized for off-street parking.
B. Off-street parking spaces shall be designed so that the area necessary to maneuver a vehicle in and out of a space does not extend into any street, road right-of-way, alley or sidewalk. Parking spaces shall also be designed so that vehicles may have access to and from spaces without moving another vehicle.

C. Off-street parking spaces shall be readily accessible to, and a reasonable distance from, the structures and uses served. Such spaces shall be on the same lot as the principal structure or use, except where otherwise permitted in accordance with Section 19.06.

D. All parking spaces shall be available to patrons, customers or visitors throughout the hours of operation of the structure or use for which the spaces are provided. Carnivals, displays, promotions or other events held on parking lots shall not utilize parking spaces required for customers. Adequate additional parking spaces shall be available for the supplemental use.

E. Parking spaces shall be improved and individually delineated in accordance with Section 19.10 of this Ordinance. Additionally, special purpose spaces and areas such as loading/unloading areas, "handicapped" parking, "visitor only" parking, "limited time" parking, and fire and police spaces shall be clearly labeled.

F. Off-street parking requirements will be considered to be met only when actual spaces meeting the requirements of this Article are provided and improved in accordance with Section 19.10. Parking spaces may not thereafter be reduced below the minimum requirements as long as the principal structure or use remains, unless an equivalent number of spaces is provided for use in another approved location.

G. Unless otherwise specifically regulated, improved, hard surface off-street parking for all uses shall be limited to portions of the lot as follows:

1. Parking shall not be permitted within twenty-five (25) feet of any street or road right-of-way; however, provided the minimum 25 feet is satisfied, up to 50% of the required front yard may be utilized for parking.

2. Required side and rear yards may be utilized for parking provided:

   a. The side or rear yard are not a part of a required buffer area.

   b. A minimum setback of ten (10) feet from the property line is maintained in all cases where more prohibitive regulations do not appear herein.

   c. Minimum setbacks of forty (40) feet in all Commercial Districts and one hundred (100) feet in the Industrial District are maintained in all yards abutting a Residential District boundary.
SECTION 19.05 SCHEDULE OF REQUIRED OFF-STREET PARKING SPACES The minimum number of off-street parking spaces required for a specific use is listed in the following chart. Where appropriate when computing the number of required parking spaces, the Zoning Officer may exclude floor area of structures (e.g. storage, employee lounge, bathroom) which does not bear any relationship to the parking needs of the use.

<table>
<thead>
<tr>
<th>Structure or Use</th>
<th>Parking Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>A. Institutional</strong></td>
<td></td>
</tr>
<tr>
<td>1. Civic and educational; primary and secondary school; library; places for public assembly</td>
<td>1 space for each employee plus 1 space for each 4 seats in assembly rooms</td>
</tr>
<tr>
<td>2. Governmental; municipal building used for administrative functions</td>
<td>1 space for each 200 sq. ft. of office floor area plus 1 space for each 4 seats in assembly room</td>
</tr>
<tr>
<td>3. Place of worship</td>
<td>1 space for each 3 seats in principal assembly room</td>
</tr>
<tr>
<td>4. Welfare: Hospital</td>
<td>1 space per 2 beds plus 1 space for each employee on the largest shift</td>
</tr>
<tr>
<td>Health Care Center</td>
<td>1 space per 150 sq. ft. floor area</td>
</tr>
<tr>
<td>5. Special Care Residential Community/ Retirement Housing (individual or combined total, depending upon the use):</td>
<td></td>
</tr>
<tr>
<td>Nursing Home/ Rehabilitation Center</td>
<td>1 space per each 4 personal care units plus 1 space for each employee on the largest shift</td>
</tr>
<tr>
<td>Elderly Housing Complex/ Retirement Home Apartments/ Personal Care Facility</td>
<td>.5 space for each personal care room or apartment plus 1 space for each employee</td>
</tr>
<tr>
<td>Independent living dwellings</td>
<td>2 spaces for each single family dwelling unit</td>
</tr>
<tr>
<td>Administrative Offices</td>
<td>1 space for each employee</td>
</tr>
<tr>
<td>Support services or uses</td>
<td>See applicable use listing under Section 19.05 of this ordinance for additional parking requirements</td>
</tr>
</tbody>
</table>
B. Residential

1. One and two-family dwellings
   2 spaces per dwelling unit; must be off-street, but need not be improved with hard surface

2. Group Family Dwelling
   2 spaces plus those required for resident vehicles

3. Multi-family residence
   2 spaces per dwelling unit
   Town Houses
   2 spaces per dwelling unit, plus 1 space per dwelling unit for overflow parking, to be provided in a common area
   Garden Apartments
   3 spaces per dwelling unit

4. Guest Home
   1 space per guest room, plus 1 space for each employee plus 2 spaces for manager/owner(s)

C. Home Occupation/Day Care

1. Home occupation
   In addition to parking required for the residence, 2 spaces plus 1 additional space for any assistant; must be off-street, but need not improved with hard surface

2. Day Care Home, Family
   2 spaces plus those required for the residence

3. Day Care Home, Group
   2 spaces plus one (1) space for each assistant plus those required for the residence

4. Day Care Center
   See Section 7.02(M3)

D. Commercial

1. Medical and dental offices, clinics, and banks
   1 space per 150 sq. ft. of floor area plus 1 space for each practitioner, doctor, dentist, or professional

2. Professional and other offices
   1 space per 200 sq. ft. of ground floor area; 1 space per 300 sq. ft. of floor area of upper floors

3. Motel, hotel, or boarding house
   1 space per guest room or unit
4. Mortuary or Funeral Home

5. Outdoor retail activities, Flea Markets, etc.

6. Retail stores, service establishments and shopping centers

7. Eating places, bars, taverns

8. Club, lodge, or other assembly halls

9. Indoor or outdoor theater

10. Dance hall, skating rink, swimming pool

11. Amusement Center

12. Carnivals, racetracks and other outdoor amusement or recreation uses

13. Bowling alley

14. Service and storage establishments

15. Gas station, repair garage

16. Auto Body Shop

1 space per 30 sq. ft. of assembly rooms, or 1 space for each 4 seats whichever requires the greater number but in no case less than 20 spaces

1 space for each 200 sq. ft. of stall space and customer circulation area

1 space per 200 sq. ft. of ground floor area; 1 space per 300 sq. ft. of floor area of upper floors

1 space per 50 sq. ft. of floor area, or 1 space per 4 seats whichever requires the greater number of spaces

1 space per 4 seats in building

1 space per each 4 seats

1 space per 100 sq. ft. of area used for dancing, skating, or swimming

1 space per 150 sq. ft. of gross floor, building, or ground area devoted to such use

1 space for each 4 seats or 4 visitors at maximum capacity

6 spaces per bowling lane

1 space for every 2 employees on the combined employment of the 2 largest successive shifts

1 space per employee plus 1 space per 200 sq. ft. of floor area

1 space per employee plus 2 spaces per repair bay
17. Car Wash, Self-Service
   4 spaces per bay/stall, plus 1 space for each employee

18. Car Wash, Full-Service
   10 stacking spaces per bay/stall, plus 1 space for each employee

19. Golf Course
   4 spaces for each green plus 50% of the requirement for any associated uses

20. Golf Course, Par Three or Miniature
   25 spaces per 9 holes, plus 1 space for each employee

21. Golf Driving Range
   1 space per tee, plus 1 space for each employee

E. Industrial

1. Service and storage establishments; laboratories; manufacturing, fabricating or processing plants; and other industrial uses
   1 space for every 2 employees on the largest shift

2. Executive offices, sales offices and outlet stores
   1 space per 200 sq. ft. of executive and sales office floor area in addition to parking requirements for manufacturing area

3. Recycling Processing Facility
   1 space for each vehicle operated by facility plus 1 space for each employee

4. Recycling Collection Facility
   1 space for each vehicle operated by facility plus 1 space for each employee plus 1 space for each 500 sq. ft. of area used for collection area (minimum of 5 spaces required for collection area)

F. Other Structures or Uses

1. For a specific structure or use not scheduled, the Zoning Officer shall apply the unit or measurement of the above schedule deemed to be most similar to the proposed structure or use.

2. In lieu of a similar structure or use, one of the following minimum standards shall be applied when deemed applicable by the Zoning Officer:
   a. 1 space for each 200 sq. ft. of ground floor plus 1 space for each 300 sq. ft. of upper floor areas, or
   b. 1 space per every 4 seats, visitors or clients at maximum capacity or frequenting the premises or main assembly area at any given time.
SECTION 19.06 SEPARATE OR COMBINED USE OF FACILITIES A structure containing one use shall provide the off-street parking spaces as required for the specific use. A structure or group of structures containing two or more uses, operating normally during the same hours, and which have different off-street parking requirements, shall provide spaces for not less than the sum of the spaces required for each use. Where the applicant can demonstrate that adequate off-street parking capacity is not feasible on the same lot as the proposed non-residential use or structure, the new use or structure may be permitted if the applicant:

A. Provides written authorization from an adjoining or nearby property owner to allow establishment and/or use of parking facilities meeting the requirements of this Article on that property; and

B. Obtains authorization on said other property to establish and use parking facilities which will be a maximum of six hundred (600) feet from the use or building proposed by the applicant.

SECTION 19.07 ACCESS DRIVES TO PARKING AREAS AND CURBING FOR ALL USES EXCEPTING SINGLE AND TWO-FAMILY DWELLINGS The location and width of entrance and exit driveways to paved, hard surface parking facilities for all uses excepting single and two-family dwellings, shall be planned to interfere as little as possible with the use of nearby property and with pedestrian and vehicular traffic on the nearest streets. The center line of the access driveways on the frontage street shall be at least eighty (80) feet from the right-of-way line of the nearest intersecting street or any other driveway. Where there is more than one (1) driveway to a parking area, the driveways, whenever possible, shall be limited to one-way travel, either as an entrance to or exit from the parking area. Entrances and exits shall be limited to three lanes. The width of such entrances and exits, measured at the street property line, shall conform with the following schedule:

<table>
<thead>
<tr>
<th>WIDTH (feet)</th>
<th>Minimum</th>
<th>Maximum</th>
</tr>
</thead>
<tbody>
<tr>
<td>One Lane</td>
<td>12</td>
<td>14</td>
</tr>
<tr>
<td>Two Lanes</td>
<td>20</td>
<td>28</td>
</tr>
<tr>
<td>Three Lanes</td>
<td>30</td>
<td>40</td>
</tr>
</tbody>
</table>

In all cases, the radius of the edge of the driveway apron shall be at least fifteen (15) feet so that a car entering or leaving may not obstruct vehicles in other traffic lanes in the driveway or street.

Whenever parking spaces are opposite each other and separated by a driveway or aisle, said area shall be a minimum of twenty (20) feet in width.

SECTION 19.08 DRIVEWAYS AND CURBS FOR SINGLE AND TWO-FAMILY DWELLINGS Access to the lot shall comply with the following regulations:

A. Access shall be by not more than two (2) driveways for each one hundred (100) feet of frontage on any street.

B. No two (2) such driveways shall be closer to each other than twelve (12) feet, and no driveway shall be closer to a side property line than five (5) feet. No flare shall cross an extended side property line.
C. Each driveway shall be not more than thirty-five (35) feet in width, measured at right angles to the center line of the driveway, except as increased by permissible curb return radii. The entire flare of any return radius shall fall within the right-of-way area.

D. On any corner lot, driveways shall not transect any portion of the clear sight triangle as defined in Section 17.07 of this Ordinance.

SECTION 19.09 LOADING AND UNLOADING SPACE Each commercial or industrial use shall provide off-street loading and unloading space at the side or rear of the principal structure according to the following table. Such space or spaces shall be not less than 660 square feet in area with dimension of 12' x 55' per space, which shall be located exclusive of any buffer area, public right-of-way or required front yard. Each space shall have a vertical clearance of not less than 15 feet. Additionally, any loading and unloading spaces necessitated by uses in other districts shall also comply with the specifics of this Section.

<table>
<thead>
<tr>
<th>GROSS FLOOR AREA</th>
<th>LOADING/UNLOADING SPACES REQUIRED</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 to 2000 sq. ft.</td>
<td>0, provided all loading/unloading can be accomplished on-site without restricting traffic flow or disrupting off-street parking access.</td>
</tr>
<tr>
<td>2001 to 10,000 sq. ft.</td>
<td>One (1) space</td>
</tr>
<tr>
<td>10,001 to 50,000 sq. ft.</td>
<td>Two (2) spaces</td>
</tr>
<tr>
<td>50,001 sq. ft. and over</td>
<td>Three (3) spaces plus one (1) additional space for each 40,000 sq. ft. in excess of 50,000 sq. ft.</td>
</tr>
</tbody>
</table>

SECTION 19.10 ILLUMINATION OF PARKING AND LOADING AREAS Parking and loading areas shall be illuminated whenever necessary to protect the public safety. Such illumination shall be so designed and located that the light sources are shielded from adjoining residences and streets, and shall not be of excessive brightness or cause a glare hazardous to pedestrians or drivers.

SECTION 19.11 IMPROVEMENTS TO PARKING AND LOADING AREAS All parking areas, loading areas, and access driveways, except for single and two-family dwellings and home occupations, shall have an asphalt, concrete, or other similar hard surface, in accordance with ordinance requirements of the Township Supervisors. Improved hard surface off-street parking areas for three (3) or more automobiles shall have individual spaces painted or marked. Surface water shall not be permitted to discharge over the public sidewalks or roadways or onto other premises. The maximum grade of the parking area shall not exceed two percent. Appropriate bumper guards or curbs shall be provided.
in order to define parking spaces or limits of paved areas and to prevent vehicles from projecting into required yards. The Zoning Officer may require landscaping in accordance with Article 18 of this Ordinance. All curbs and bumper guards shall be constructed in accordance with standards established by the Township Supervisors.

SECTION 19.12 APPROVAL OF PARKING AND LOADING PLANS Detailed, scaled drawings of off-street parking and loading areas (except for single and two-family dwellings) shall be submitted to the Zoning Officer for approval prior to their construction. The drawings shall show each space, dimensions of driveways, aisles and other features required under the provisions of this Ordinance.
ARTICLE 20

SIGNS AND ADVERTISING STRUCTURES

SECTION 20.01 INTENT The purpose of these regulations is to permit signs or advertising structures that will not, by reason of their size, location, construction, or manner of display, endanger the public safety of individuals, confuse, mislead, or obstruct the vision necessary for traffic safety or otherwise endanger public health, safety, and morals; and to permit and regulate signs in such a way as to support and complement land use objectives set forth in this Ordinance. Signs may be permitted only when in compliance with the provisions of this Ordinance and any and all ordinances and regulations relating to the erection, construction, reconstruction, enlargement, relocation, replacement, alteration or maintenance of signs and similar devices.

SECTION 20.02 AREA OF SIGN The area of a sign shall be construed to include the entire display surface and background, whether open or enclosed, which encompasses lettering, wording, designs, and symbols, but not including any supporting framework and bracing which is incidental to the display itself. The area shall be determined using the largest visible sign or silhouette area. When the sign consists of individual letters or symbols attached to or printed on a surface, the area shall be considered to be the smallest rectangular shape or shapes which can be drawn together to encompass all of the letters and symbols.

All double-faced signs shall be considered as having one (1) sign area, except double-faced "V" signs that have interior angles greater than 45 degrees.

SECTION 20.03 GENERAL REGULATIONS All signs and/or advertising structures, where permitted under the terms of this Ordinance, are subject to the following:

A. No sign shall be located, erected, constructed, reconstructed, replaced, altered, removed for repair, enlarged, or relocated until a permit is obtained from the Zoning Officer, except that no permit shall be required by this Ordinance for the following signs:

1. Signs not exceeding two (2) square feet in area and bearing only property numbers, postal box numbers or names of the occupants of the premises.

2. Flags and insignia of any government, except when displayed in connection with commercial promotion.

3. Legal notices, official traffic signs, community facilities signs, municipality identification signs, non-commercial historical or geographical identification information, or directional signs erected by government bodies. Such signs may be placed within the road right-of-way.

4. Geographical identification and greeting signs erected by civic and service organizations provided that they do not exceed four (4) square feet in area and are comprised of the organization’s standard emblem or seal.
5. Integral decorative or architectural features of buildings, except letters, trademarks, moving parts, or moving lights.

6. Signs directing and guiding traffic and parking on private property, but bearing no advertising matter.

7. Temporary signs as described in Section 20.04A of this Ordinance.

8. Signs identifying farms, farm associations, and agricultural products, provided that no farm or association identification sign exceeds ten (10) square feet in area and no more than one (1) sign shall be erected per road frontage. Signs identifying agricultural products shall not exceed two (2) square feet in area.

9. Hunting, fishing, and trespassing signs and signs indicating private ownership of roadways or property, provided that such signs do not exceed two (2) square feet in area, and when erected along street frontage, the signs shall be spaced at intervals of not less than one hundred (100) feet.

10. Signs up to four (4) square feet in area which are necessary for the identification, protection, and operation of public utility facilities.

B. Every sign shall be maintained in a safe, presentable and good structural condition at all times, including the replacement of defective parts, painting, repainting, cleaning and other acts required for the maintenance of said sign. The Zoning Officer shall require such maintenance, and in the event the sign owner fails to comply with said requirements, the Zoning Officer shall proceed against him as provided in Section 22.01 of this Ordinance. Any sign which pertains to a time, event, or purpose which no longer applies and has been abandoned, as specified in Section 20.04A of this Ordinance, shall be removed by the owner of the sign or the owner of the premises on which the sign is located.

C. All signs not owned by the person, firm or organization advertising thereon shall carry a clearly legible imprint showing the owner's name.

D. No sign shall be so illuminated as to have a glaring effect upon vehicular traffic. No sign shall be illuminated so as to constitute a nuisance. No sign shall contain moving parts or use flashing or intermittent illumination. The source of the light shall be steady and stationary.

E. No sign shall be higher than thirty-five (35) feet from the ground to the highest part of the sign.

F. No sign shall be erected so as to obstruct entrance to or exit from a required door, window, fire escape or other required exitway.

G. No sign shall be erected that screens traffic signals or signs or utilizes red, green or amber lights or reflectorized material that creates a flashing action and is so located as to render ineffective any traffic sign or signal. Any sign which resembles an official traffic sign or signal, by way of its appearance or content, shall be prohibited.
H. Unless otherwise provided, no sign shall be painted, pasted, or otherwise affixed to any tree, rock, utility pole, hydrant, bridge, sidewalk, curb, or street.

I. Unless otherwise provided, no portion of any sign shall be erected within or placed on an existing structure in the road right-of-way. Additionally, no portion of any sign shall be erected in the "clear sight triangle" as specified in Section 17.07.

J. Unless otherwise specified, all signs shall be an on-premises sign which directs attention to a person, business, profession, home occupation or activity conducted on the same lot, and no sign shall be erected until a permit has been secured from the Zoning Officer and approval has been received from any other applicable state or local agencies.

K. No sign shall contain obscene material.

L. For the purposes of this Ordinance, portable signs, if utilized, shall comply with the requirements for ground signs and shall be included in the calculation of the maximum allowable sign area for the use.

M. No ground sign shall exceed fifteen (15) feet in height nor be located closer than fifteen (15) feet from any street or road right-of-way line, and shall be limited to one such sign per premises.

SECTION 20.04 SIGNS PERMITTED IN ALL DISTRICTS The following signs are permitted in any zoning district:

A. Temporary signs which do not require a permit:
   
   1. Temporary signs of painters, mechanics, contractors, realtors, and the like not exceeding a total of sixteen (16) square feet in area, provided such signs are removed as soon as the work has been completed.

   2. Temporary signs and banners of a non-commercial nature across a public right-of-way are permitted provided (a) permission is obtained from the Township Supervisors, (b) they are erected in a location which will not cause a traffic hazard, (c) they meet safety standards and are maintained, and (d) they are removed when their temporary use is completed.

   3. Temporary signs announcing a campaign, drive, or event of civic, philanthropic, educational or religious organization. Such signs shall not exceed twelve (12) square feet in area and shall be removed within forty-eight (48) hours after completion of the campaign, drive, or event.

   4. Temporary signs directing patrons, members, audience or customers to temporary exhibits, shows, events, or activities (e.g. yard sales, fruit sales, conventions, etc.). Such signs shall not exceed twelve (12) square feet in area and shall be removed within forty-eight (48) hours after completion of the campaign, drive, or event.
5. Signs erected in conjunction with a political election provided that all signs are removed within forty-eight (48) hours after the date of the election.

B. Off-premises directional signs which require issuance of a permit:

1. Off-premises directional signs which are used to direct patrons, members, audience, customers, clients to service clubs, churches, commercial, industrial, institutional or other organizations may be erected subject to the following requirements:

a. A sign shall indicate only the name of the organization and the direction to the facility.

b. Except at intersections, no sign shall be placed within three hundred (300) feet of another sign associated with the same principal use.

c. All signs shall be placed within two (2) miles of the use and no more than six (6) signs for each principal use may be erected within the borders of the municipality.

d. All signs shall consist of dark lettering on a light background, excluding standard issue signs. The signs shall not exceed three (3) square feet in area, and no moving parts, flashing lights, or any type of illumination shall be permitted.

e. At intersections of public streets, no more than one (1) sign post accommodating all directional signs may be erected per corner. Said posts shall not exceed six (6) inches in width and shall not be less than three (3) feet nor greater than eight (8) feet in height above ground. No more than one (1) sign per principal use may be attached to any sign post and no portion of any sign shall be erected within the "clear sight triangle" as specified in Section 17.07 of this Ordinance.

f. Application for off-premises directional sign permits shall include a map indicating location of placement requests and the land owner's written approval, name to be placed on sign, and distances from the facility to each sign.

C. One (1) name plate for a home occupation, provided that the sign does not exceed four (4) square feet in size and identifies only the name of the occupant and title of the occupation. If lighted, the sign shall be illuminated without objectionable glare. No displays or changes in facade shall indicate from the exterior that the building is being used for any purpose other than that of a dwelling.

D. Guest Homes – One (1) freestanding or projecting sign for each road frontage. Sign shall be no larger than six (6) square feet in area and shall identify only the name of the guest home and its proprietor(s).

E. One (1) institutional sign and/or one (1) bulletin board for places of worship, schools, day care centers, hospitals, nursing or convalescent homes, special care residential communities, retirement complexes,
libraries, museums, social clubs, and similar uses, provided each sign or bulletin board does not exceed sixteen (16) square feet in area and is located no closer to a road right-of-way than 1/2 the depth of the existing front yard or twenty-five (25) feet whichever is less. If lighted, it shall be illuminated without objectionable glare. Additionally, if such property fronts on more than one (1) street, each street frontage may contain the above mentioned signs.

F. Subdivision signs:

1. Temporary - a sign advertising lots for sale, giving prices, dimensions, services, etc., and which shall be removed within thirty (30) days of the sale date of the last lot.

2. Permanent - a sign containing only the name of the development or subdivision and designed to be permanently affixed to the land.

One (1) sign per road frontage may be permitted provided the sign is placed at an entrance to the subdivision, is located on the property to be subdivided, and does not exceed twenty-four (24) square feet in area. No portion of any sign shall be erected within the "clear sight triangle" as specified in Section 17.07.

SECTION 20.05 SIGNS IN RESIDENTIAL AND AGRICULTURAL DISTRICTS The following types of on-premises signs may be permitted in residential and agricultural districts unless otherwise prohibited:

A. Signs for the advertisement of agricultural businesses as follows:

1. For each property involved in agri-business, one sign may be erected, provided no sign or portion thereof shall be located closer to the road right-of-way than 1/2 the depth of the existing front yard or twenty-five (25) feet, whichever is less.

   a. Wall, or projecting sign - maximum sign area shall not exceed sixteen (16) square feet.
   b. Freestanding sign - maximum sign area shall not exceed twenty-five (25) square feet.
   c. Ground sign - maximum sign area shall not exceed twenty-five (25) square feet.

B. Signs for nonconforming commercial or industrial uses as follows:

1. For each property involved in a commercial or industrial use, a total sign area of thirty (30) square feet shall be permitted. No sign or portion thereof shall be located closer to the road right-of-way than 1/2 the depth of the existing front yard or fifteen (15) feet, whichever is less.

   a. Projecting sign - maximum sign area shall not exceed twelve (12) square feet.
   b. Freestanding or ground sign - maximum sign size shall not exceed sixteen (16) square feet. Additionally, all ground
signs shall be a minimum of fifteen (15) feet from the street or road right-of-way.

c. Wall or Window sign - maximum sign size shall not exceed twelve (12) square feet.

C. Signs as permitted in Section 20.04 of this Ordinance.

SECTION 20.06 SIGNS IN COMMERCIAL AND INDUSTRIAL DISTRICTS The following types of signs may be permitted in commercial and industrial districts unless otherwise prohibited:

A. Signs for the advertisement of agri-business as permitted in Section 20.05(A) of this Ordinance.

B. For individual commercial, office, institutional, and industrial uses, signs shall be limited to a maximum total sign area of 250 square feet per street frontage. All signs shall be on-premises signs, and shall be either wall, projecting, roof, freestanding or ground signs which comply with the following standards:

1. One (1) wall sign for each road frontage provided it is attached to the wall of the principal building and projects horizontally not more than twelve (12) inches therefrom and occupies not more than fifteen (15) percent of the total area of the front of the principal building. It shall not project more than three (3) feet above the roof line or parapet wall.

2. One (1) projecting, marquee or roof sign for each road frontage provided it shall not project beyond a vertical plane two (2) feet inside the road right-of-way line and does not exceed twenty (20) square feet in area. Said signs shall not exceed a height of thirty-five (35) feet.

3. One (1) freestanding or ground sign for each road frontage, provided it does not exceed sixty (60) square feet in area. The freestanding sign shall not extend beyond a vertical plane two (2) feet inside the lot from the road right-of-way line and shall not exceed a height of thirty-five (35) feet. The ground sign shall be a minimum of fifteen (15) feet from any street or road right-of-way line.

C. In cases where multiple commercial, industrial or office uses exist as a homogeneous, cooperative unit (e.g. a general shopping district, shopping center or mall, office complex, industrial park, etc.), the identification sign for the entire district, center, mall, complex or park shall be permitted subject to the following conditions:

1. Such identification signs shall be freestanding signs, not attached to any building, and shall contain only the name and/or logo of the district, center (mall), complex or park.

2. A maximum of two (2) such signs shall be permitted for any one (1) district, center (mall), complex or park.

3. The maximum size of the identification signs shall not exceed 250 square feet per road frontage; however, an additional 250 square
feet of sign area (per road frontage) may be attached to the
identification sign structure and utilized for a listing of
individual stores or businesses within the district, center, mall,
complex or park and/or a changeable copy sign. The additional sign
area allowed for listing stores and/or businesses shall be located
below the identification sign.

4. Individual signs for each store or business within a shopping
district, shopping center (mall), or industrial park shall comply
with the requirements of Section 20.06(B1) or 20.06(B2).

5. The height of all signs and their supporting structures shall be a
maximum of thirty-five (35) feet as measured from the ground.

6. Commercial signs located in the interior of shopping centers
(malls), office complexes, etc. are exempt from the maximum size
limitations.

D. Signs as permitted in Section 20.04 of this Ordinance.

SECTION 20.07 NONCONFORMING SIGNS Any sign erected, constructed, replaced,
altered, enlarged, or relocated before the effective date of this Ordinance,
that would not otherwise be permitted under the terms of this Ordinance, may
remain and continue to be used, maintained and repaired provided:

A. A nonconforming sign shall not be replaced, altered, relocated, or recon-
structed except to bring the sign into total compliance with the provi-
sions of this Ordinance.

B. A nonconforming sign may be used, maintained and repaired subject to the
following requirements:

1. Maintenance and repair of a nonconforming sign is permitted when
said activities are necessary to maintain the sign in a presentable,
functional condition. Maintenance and repair activities shall not
include alterations, relocation or reconstruction but may include:
replacement of defective parts, painting, repainting, cleaning and
other acts required for the maintenance of said sign. Prior to the
removal of a nonconforming sign for maintenance, repair or message
change, a permit shall be secured from the Zoning Officer. Said
permit shall allow the applicant to reerect the repaired or re-
message nonconforming sign within thirty (30) days of issuance. If
the nonconforming sign is not erected within the specified time, it
shall lose its nonconforming status and any successive sign shall
conform with all applicable Ordinance requirements.

2. Nothing in this Ordinance shall prohibit the change in advertising,
identifying, or directional message of a nonconforming sign so long
as the change does not involve any alterations, relocation or recon-
struction of the nonconforming sign. Message changes of a noncon-
forming sign that are a result of a transfer in ownership of the
premises on which the principal use is located, excluding contract
advertising signs, shall be prohibited and any successive sign shall
conform to the Ordinance requirements. If the message change
requires removal of the sign, a permit shall be secured as in the
above sub-section.
3. A nonconforming sign, which has been damaged or destroyed by fire, explosion, accident, or calamity, to an extent which is greater than fifty (50) percent of the sign or sign value, may not be repaired except in compliance with the provisions of this Ordinance. A nonconforming sign which has sustained less than fifty (50) percent damage of the sign or sign value may be repaired provided:

   a. The repaired sign is virtually unchanged, except for building materials and message, or is less nonconforming than the original sign; and

   b. Repair is completed within sixty (60) days from the date of damage. Failure to repair within sixty (60) days shall result in the loss of nonconforming sign rights and any successive sign shall conform with all applicable Ordinance requirements.

4. When a nonconforming sign has been demolished or destroyed by deterioration or removal, or has been moved from its location for reasons other than for an approved repair, maintenance or a change in message, said sign shall not be reconstructed or replaced except in complete conformity with the provisions of this Ordinance.

C. A nonconforming sign which pertains to a time, event, purpose or use which no longer applies, has been abandoned or changed, shall be removed by the owner of the sign or the owner of the premises on which the sign is located.

D. Proposed signs that are associated with a nonconforming use shall conform to the regulations of the district in which the sign is located.
ARTICLE 21
NONCONFORMITIES

SECTION 21.01 INTENT Within any zoning district established by this Ordinance or any subsequent amendment thereto there exists:

A. Lots
B. Uses of Land
C. Structures, or
D. Uses of structures or land and structures in combination

which were lawful prior to the passage or amendment of this Ordinance, but which would be prohibited, regulated, or restricted under the terms of this Ordinance or future amendment, and are hereinafter referred to as nonconforming. It is the intent of this Ordinance to permit these nonconformities to remain or continue until they are brought into compliance. It is further the intent of this Ordinance that nonconformities shall not be used as grounds for adding other structures or additional uses prohibited elsewhere in the same district.

Nonconforming uses are declared by this Ordinance to be incompatible with permitted uses within the same zoning district. Any extension or enlargement of a nonconforming use of a structure, of land, or structure and land in combination may be permitted only as provided within this Ordinance. Extension or enlargement of a nonconforming use by the addition of uses not normally accessory to the existing nonconforming use shall not be permitted.

To avoid undue hardship, nothing in this Ordinance shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this Ordinance and upon which actual construction has been carried on diligently. Additionally, where excavation, demolition or removal of an existing building has begun preparatory to rebuilding, such activities shall be deemed actual construction provided that work is carried on diligently.

SECTION 21.02 NONCONFORMING LOTS OF RECORD Following the effective date of adoption of this Ordinance, a permitted principal structure and accessory structure(s) may be erected upon any single nonconforming lot of record. Said lot must be in separate ownership and not of continuous frontage with other lots in the same ownership at the time of adoption of this Ordinance. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, that are generally applicable in the district. However, yard dimensions and requirements other than those applying to area or width, or both, of the lot shall conform to the regulations for the district in which such lot is located. Variance of any prescribed requirements shall be obtained only through action of the Zoning Hearing Board.

If two or more contiguous nonconforming lots held under single ownership have been duly approved by the Township Supervisors and are on record in the office of the Recorder of Deeds of Lebanon County for no more than three (3) years
before the date of adoption of this Ordinance, such lots may be developed, as recorded, provided that yard dimensions and requirements other than those applying to area or width shall conform to the regulations for the district in which such lots are located.

If two or more contiguous nonconforming lots held under single ownership have been duly approved by the Township Supervisors and are on record in the office of the Recorder of Deeds of Lebanon County for more than three (3) years before the date of adoption of this Ordinance, such lots may be developed, provided that:

A. The lot area and lot width of all lots is 75% or more of the required lot area and width; and

B. All yard, lot coverage and other applicable requirements of the district can be satisfied; and

C. Contiguous nonconforming lots which cannot satisfy requirements A and B of this subsection shall be combined, enlarged or resubdivided to satisfy requirements A and B.

No portion of a nonconforming lot shall be sold or used in manner which further diminishes compliance with the lot area and lot width requirements of this Ordinance, nor shall a portion of a conforming lot be sold or used in a manner which creates a nonconforming lot.

SECTION 21.03 NONCONFORMING USES OF LAND

Where lawful use of land exists at the time of the passage of the Ordinance which would not be permitted by the regulations imposed by this Ordinance, and where such use involves no principal structure, the use may be continued, provided that:

A. No such nonconforming use of land which is ceased, removed, discontinued or abandoned for a period of 180 consecutive dates shall thereafter be reestablished. This cessation, discontinuance or abandonment time limit may be extended by an additional 180 day time period where contracts or agreements are being negotiated, provided 1) the property owner makes written application for an extension, citing the reasons necessary for the extension and the length of extension requested and 2) the Zoning Officer issues a Temporary Certificate of Zoning Compliance to register the reasons for extension, the length of extension, and the nature of the nonconformity.

B. No principal structures shall be erected in connection with such nonconforming use of land.

C. Expansion of nonconforming uses shall be limited to a maximum aggregate enlargement of 50% of the area of land so used, as compared to the land in nonconforming use at the date of adoption of this Ordinance. Contiguous land owned at the effective date of this Ordinance may be used for expansion of the nonconforming use. However, for purposes of this Ordinance, approved streets or road rights-of-way define the limit of expansion of any nonconforming use of land, and such uses shall not extend across said streets or road rights-of-way.

SECTION 21.04 NONCONFORMING STRUCTURES

A lawful structure existing at the effective date of adoption of this Ordinance that could not otherwise be built due to restrictions on lot coverage, height, yards, its location on the lot,
or other requirements concerning the structure, may remain, subject to the following provisions:

A. A nonconforming structure shall not be enlarged or altered in a way which increases its nonconformity, but a structure or portion thereof may be altered to decrease its nonconformity.

B. A nonconforming structure or portion thereof may be extended along established, existing building lines provided:
   1. The extension meets all other applicable yard, lot coverage and height regulations; and
   2. Extension or enlargement along the nonconforming setback shall be limited to a maximum 100% increase of the area of land covered by the portion of structure which is in a nonconforming status. Extension or enlargement in a conforming manner shall not be subject to the 100% limitation. Any extension or enlargement shall be regulated by other applicable yard, lot coverage and height restrictions.

C. A nonconforming structure which has been damaged or destroyed to any extent by fire, explosion, accident or calamity may be repaired or reconstructed provided:
   1. The rebuilt structure is unchanged in its original size or location, or is less nonconforming than the original structure; and
   2. Repair or reconstruction is commenced within one (1) year from the date of damage or destruction. Failure to repair or reconstruct within one (1) year shall result in loss of nonconforming rights and any successive structure shall conform with all applicable Ordinance requirements.

D. A nonconforming structure which has been demolished or destroyed to any extent by deterioration or removal shall not be reconstructed or structurally replaced, except that:
   1. Any conforming portion of the nonconforming structure may be reconstructed or replaced; and
   2. Repairs and maintenance shall be permitted to maintain the nonconforming structure in a safe condition. However:
      a. Restoration and repairs shall be limited to protective exterior improvements; and
      b. A maximum aggregate of 50% of the structural or weight bearing components of the nonconforming structure may be replaced, during structural alterations, so that repairs and maintenance do not actually involve replacement of the old structure with a new one over any period of time.

E. Should a nonconforming structure be moved for any reason then:
   1. Relocation on part of the same land area previously covered by the structure shall equal or decrease the nonconformity; or
2. Relocation to a previously unoccupied area shall conform to all applicable Ordinance requirements.

SECTION 21.05 NONCONFORMING USES OF STRUCTURES OR LAND AND STRUCTURES IN COMBINATION If lawful use involving principal structures or land and structures in combination exists at the effective date of adoption of this Ordinance, the use may be continued so long as it remains otherwise lawful, subject to the following:

A. Abandonment of a nonconforming use of a structure (or land and structure in combination) shall remove the nonconforming status of the structure (or land and structure in combination) so that the nonconforming use may not thereafter be reestablished. Furthermore, use of the structure (or land and structure in combination) shall thereafter conform with the regulations for the zoning district in which it is located. Abandonment shall be deemed to have occurred when the nonconforming use is ceased, removed or discontinued for a period of 180 consecutive days. However, this cessation, discontinuance or abandonment time limit may be supplemented by an additional 180 day time period where contracts or agreements are being negotiated, provided 1) the property owner makes written application for an extension, citing the reasons necessary for the extension and the length of extension requested and 2) the Zoning Officer issues a Temporary Certificate of Zoning Compliance to register the reasons for extension, the length of extension, and the nature of the nonconformity.

B. Extension or enlargement of 1) the structure containing the nonconforming use or 2) the area of land used for storage, display or sales of products or materials in combination with the nonconforming use, shall be subject to the following:

1. Expansion of the nonconforming use shall be limited to a maximum aggregate enlargement of 50% of the area of land so used at the date of adoption of this Ordinance, subject to the requirements that:
   a. The structure containing the nonconforming use may be enlarged to cover 50% additional land area (lot coverage); and
   b. Expansion may include only the same number of stories existing on the structure at the effective date of this Ordinance. Additional stories shall not be permitted; and
   c. The area of land used for storage, display or sales of products or materials in combination with the nonconforming use may be enlarged to cover 50% additional land area.
   d. Contiguous land may be used for the maximum 50% expansion, provided the land so used was owned at the effective date of this Ordinance and expansion does not extend across any street or road right-of-way.

C. Any nonconforming use of a structure (or land and structure in combination) may, as a Special Exception, be changed to another nonconforming use provided the Zoning Hearing Board finds that the proposed use is equally appropriate or more appropriate to the district than the existing nonconforming use.
D. Where the nonconformity applies to use of structure (or land and structure in combination), removal or destruction of the structure shall eliminate the nonconforming status of the land. Removal or destruction, for the purposes of this subsection, shall include the removal or destruction of an aggregate of 75% or more of the structural or weight bearing components of the structure.

SECTION 21.06 USES UNDER SPECIAL EXCEPTION PROVISIONS NOT NONCONFORMING USES

Any existing use which is permitted as a Special Exception in a district under the terms of this Ordinance (other than a change through Zoning Hearing Board action from one nonconforming use to another nonconforming use not generally permitted in the district) shall not be deemed a nonconforming use in such district. However, expansion, enlargement or change to that existing use shall be subject to the same criteria specified for Special Exception approval within the district and administrative sections of this Ordinance, although Zoning Hearing Board action shall not be required.

SECTION 21.07 NONCONFORMING SIGNS

Any sign erected, constructed, or placed before the effective date of this Ordinance which does not conform to the applicable provisions of Article 20 of this Ordinance is a nonconforming sign. No such sign shall be replaced, relocated or otherwise changed until approval is obtained in accordance with the requirements of Article 20 of this Ordinance.

SECTION 21.08 NONCONFORMING USES, ACTIVITIES, CONSTRUCTION AND OTHER DEVELOPMENT IN THE GENERAL FLOOD PLAIN DISTRICT

In addition to the requirements of Article 21 of this Ordinance, all nonconforming uses, activities, construction, and other development occurring within the General Flood Plain (GFP) District shall also comply with the applicable requirements of Article 16 of this Ordinance and the Lebanon County Floodproofing Building Code.
ARTICLE 22
ADMINISTRATION AND ENFORCEMENT
BUILDING AND ZONING PERMITS AND CERTIFICATES OF ZONING COMPLIANCE

SECTION 22.01 ADMINISTRATION, ENFORCEMENT AND AUTHORITY

A. A Zoning Officer designated by the Township Supervisors shall administer and enforce this Ordinance. He may be provided with the assistance of such other persons as the Township Supervisors may direct. The Zoning Officer shall administer the Zoning Ordinance in accordance with its literal terms, and he shall not have the power to permit any construction, use or change of use which does not conform to the Zoning Ordinance.

B. If the Zoning Officer shall find that any of the provisions of this Ordinance are being violated, he shall notify in writing the person(s) responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it. He shall have the authority to order discontinuance of illegal uses of land, buildings, or structures; removal of illegal buildings, signs or structures or illegal additions, alterations or structural changes; discontinuance of any illegal work in process; or any other action provided by this Ordinance to ensure compliance with, or prevent violation of, its provisions.

C. The Zoning Officer is authorized to institute civil enforcement proceedings as a means of enforcement when acting within the scope of his employment.

SECTION 22.02 BUILDING AND ZONING PERMITS REQUIRED

A. No building, structure, sign or land shall be erected, constructed, reconstructed, altered, converted, removed, moved, added to, used or the use therein changed unless and until a Building and Zoning Permit is obtained from the Zoning Officer.

B. The permit requirements shall apply to all permanent, temporary, seasonal, part-time or movable buildings, structures, signs or uses, unless exempted elsewhere in this Ordinance.

C. No Building and Zoning Permit shall be issued by the Zoning Officer except in conformity with the provisions of this Ordinance, unless he receives a written order from the Zoning Hearing Board in the form of an Administrative Review, Special Exception or Variance as provided by this Ordinance.

SECTION 22.03 APPLICATION FOR A BUILDING AND ZONING PERMIT

Applications for a Building and Zoning Permit shall be filed by the property owner, his authorized agent or an individual with a proprietary interest in the property, said individual to hereafter be known as the applicant. Applications shall be submitted to the Zoning Officer and contain the following:
A. **BUILDING AND ZONING PERMIT APPLICATION FORM** On a form supplied by the Zoning Officer, the applicant shall provide information to describe the size, location and nature of the proposed building, structure or use. The applicant shall sign the application form to verify the accuracy of the information.

B. **PLOT PLAN** All applications for a Building and Zoning Permit shall be accompanied by a plot plan in accordance with the following:

1. Three (3) copies of the plot plan shall be submitted. In lieu thereof, an 8 1/2" x 11" plot plan is acceptable, provided it is suitable for photocopying.

2. The plot plan shall show, where applicable, size, shape, and dimensions of the lot; size and location of all existing buildings; size, location and use of all proposed buildings, additions or alterations; parking lots, parking spaces, driveways, signs and other site improvements; and other information as may be necessary to determine conformance with this Ordinance. The applicant shall sign the plot plan to verify the accuracy of the information.

3. Engineering, architectural or surveyor's plans may be required by the Zoning Officer where necessary to accurately depict the proposed work on a property.

4. The Zoning Officer may waive the plot plan requirement where the applicant satisfactorily demonstrates that minimum standards are greatly exceeded.

C. **OTHER PERMIT PREREQUISITES** At the time of application, the applicant shall produce, where applicable, a valid sewage permit, road encroachment permit, Labor and Industry approval, subdivision approval or other approval preliminary to issuance of the Building and Zoning Permit.

D. **APPLICATION FEE** All applications for a Building and Zoning Permit shall be accompanied by a fee in accordance with the current schedule of fees resolution adopted by the Township Supervisors.

**SECTION 22.04 INCOMPLETE APPLICATIONS** When an applicant fails to 1) complete and sign the Building and Zoning Permit application form, 2) submit a plot plan and attest to its accuracy by signature, 3) pay the required application fee, 4) secure and produce other permit prerequisites, or 5) submit other information required by the Zoning Officer, the application for a Building and Zoning Permit shall be deemed incomplete. The Zoning Officer may notify the applicant to request supplemental information to complete the application. Such notice shall prescribe a time period, not to exceed thirty (30) days, for completion of the application by submission of the supplementary information. Failure to complete the application shall result in written disapproval, in accordance with Section 22.05(B) of this Ordinance.

**SECTION 22.05 APPROVAL OR DISAPPROVAL OF A BUILDING AND ZONING PERMIT** After an application has been determined to be complete or the applicant has failed to submit requested information in a timely fashion, the Zoning Officer shall take official action to approve or disapprove the permit application in accordance with the following:
A. **APPROVAL** When a completed application is found to conform with the provisions of the Zoning Ordinance, the Zoning Officer shall issue an approved Building and Zoning Permit within twenty (20) days of application completion. Issuance of the permit shall be accompanied by an approved plot plan, where applicable, and a placard for display on the premises during the construction or alteration period. Building and Zoning Permits are nontransferrable and are valid for work authorized therein only for the owner and property so designated.

B. **DISAPPROVAL** When a completed application is found not to conform with the provisions of the Zoning Ordinance, the Zoning Officer shall disapprove the application for a Building and Zoning Permit within twenty (20) days of application completion. Plot plans submitted with the application shall also be disapproved. Failure to complete the application within the prescribed time period shall also result in disapproval. The disapproval shall be in writing, citing the deficiencies of the application. Appeals from a disapproval by the Zoning Officer shall be taken in the manner set forth in Article 24 of this Ordinance.

SECTION 22.06 **REVOCATION OF A BUILDING AND ZONING PERMIT** Building and Zoning Permits are issued on the basis of plans and applications approved by the Zoning Officer and authorize only the use, arrangement and construction set forth in such approved plans.

A. A Building and Zoning Permit shall be revoked, in writing, by the Zoning Officer for any of the following reasons:

1. When use, alteration or construction does not comply with or exceeds the scope of that authorized by the Building or Zoning Permit; or
2. When information pertinent to the application for a Building and Zoning Permit has been falsified or misrepresented; or
3. When other provisions of this Ordinance are violated in conjunction with the use, alteration or construction authorized by the Building and Zoning Permit; or
4. When the original decision of the Zoning Officer did not conform to the requirements of this Ordinance.

B. Written revocation shall be provided to the applicant and shall indicate the reasons for such action and an order to cease the unlawful construction, development, use, etc. Additionally, the revocable offenses shall be deemed a violation of this Ordinance and subject the violator to the penalties provided by Article 31 of this Ordinance.

C. In lieu of revoking the Building and Zoning Permit for the reasons listed in Section 22.06(A), the Zoning Officer may issue a Cease and Desist Order in situations where revocation is not immediately necessary and the possibility for compliance exists. The Cease and Desist Order shall consist of a written notice to the owner of record which provides information in accordance with Section 30.02(B). Activity on the property shall not recommence unless and until compliance is reached and written notice to proceed has been issued by the Zoning Officer. Where appropriate, the Zoning Officer may subsequently revoke the Building and Zoning Permit for noncompliance.
SECTION 22.07 EXPIRATION OF A BUILDING AND ZONING PERMIT

A. An approved Building and Zoning Permit shall expire:

1. If the work described therein has not begun within ninety (90) days from the date of issuance; or

2. If the work described therein has not been completed within two (2) years from the date of issuance.

B. Upon expiration of a Building and Zoning Permit, work shall cease and shall not thereafter commence unless and until a new Building and Zoning Permit is obtained.

SECTION 22.08 CERTIFICATE OF ZONING COMPLIANCE

The Zoning Officer shall maintain Certificate of Zoning Compliance forms which shall be utilized to record the following:

A. NONCONFORMITIES Owners or occupants of nonconforming uses of land or structures and land in combination shall obtain a Certificate of Zoning Compliance to document wherein the use differs from the provisions of this Ordinance. Authorization to renew, change, extend, enlarge or alter the nonconformity shall not be granted unless and until the specifics of the nonconformity are first recorded on a Certificate of Zoning Compliance and the change or alteration is found to comply with Article 21 of this Ordinance. The Zoning Officer may require written documentation to verify the characteristics of the use and the dates of establishment.

B. APPROVED USES AND STRUCTURES Owners or occupants of uses or structures authorized by approved Building and Zoning Permits may request a Certificate of Zoning Compliance to verify that the use or construction completed is in compliance with the approved permit and the provisions of this Ordinance. Similarly, owners or occupants of pre-existing conforming uses or structures may request a Certificate of Zoning Compliance. Upon receipt of such a request, the Zoning Officer shall inspect the premises and approve or disapprove a Certificate of Zoning Compliance.

C. Nothing contained herein shall preclude the Zoning Officer from conducting routine inspections and investigations to determine zoning compliance, nor shall it prevent him from responding to complaints on zoning violations. Furthermore, violations of the conditions, uses or construction approved within a Certificate of Zoning Compliance shall be a violation of this Ordinance, punishable in accordance with Article 31 of this Ordinance.

SECTION 22.09 CONTINUATION OF USE, CONSTRUCTION, DEVELOPMENT, ETC. DEEMED UNLAWFUL BY ZONING OFFICER

Upon written notification by the Zoning Officer of a violation of the terms of this Ordinance, all use, construction, development, etc. cited by said notification shall cease immediately and shall not recommence until such time as written compliance is received from the Zoning Officer or the Zoning Hearing Board has granted approval, with or without conditions, of the use, construction, development, etc. Application for appeal does not authorize continuation of said use, construction, development, etc. until a final legal determination has been made and the appeal period has expired.
ARTICLE 23

ZONING HEARING BOARD: ESTABLISHMENT AND PROCEDURE

SECTION 23.01 BOARD MEMBERSHIP

A. A Zoning Hearing Board shall be established. The membership of the board shall consist of three (3) residents of the municipality appointed by the Township Supervisors. The terms of office of the three-member board shall be three (3) years and shall be so fixed that the term of office of one (1) of the members shall expire each year. Members of the Zoning Hearing Board may be removed from office by the Township Supervisors for cause upon written charges and after a public hearing. Vacancies shall be filled by resolution of the Township Supervisors for the unexpired term of the member affected. Members of the Zoning Hearing Board shall hold no other office in the municipality.

B. The Township Supervisors may appoint by resolution at least one (1) but no more than three (3) residents of the municipality to serve as alternate members of the Zoning Hearing Board. The term of office of an alternate member shall be three (3) years. When seated pursuant to the provisions of this Ordinance, an alternate shall be entitled to participate in all proceedings and discussions of the board to the same and full extent as provided by law for board members, including specifically the right to cast a vote as a voting member during the proceedings, and shall have all the powers and duties set forth in this Ordinance and as otherwise provided by law. Alternates shall hold no other office in the municipality, including membership on the Planning Commission and Zoning Officer. Any alternate may participate in any proceeding or discussion of the board but shall not be entitled to vote as a member of the board nor be compensated unless designated as a voting alternate member of the Zoning Hearing Board.

SECTION 23.02 PROCEEDINGS OF THE ZONING HEARING BOARD

A. The Zoning Hearing Board shall adopt rules necessary to conduct its affairs, in keeping with the provisions of this Ordinance and the PMPC.

B. Meetings shall be held at the call of the chairman and at such other times as the Zoning Hearing Board may determine. The chairman, or in his absence, the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings shall be open to the public.

C. The Zoning Hearing Board may employ or contract for and fix the compensation of legal counsel, as the need arises. The legal counsel shall be an attorney other than the municipal solicitor. The board may also employ or contract for and fix the compensation of experts and other staff and may contract for services as it shall deem necessary. The compensation of legal counsel, experts and staff and the sums expended for services shall not exceed the amount appropriated by the Township Supervisors for this use.
SECTION 23.03 HEARINGS, APPEALS, AND NOTICE

A. Appeals to the Zoning Hearing Board concerning interpretation or administration of this Ordinance may be taken by any person aggrieved or by any office or bureau of the governing body of the Township affected by any decision of the Zoning Officer. Such appeals shall be taken within a reasonable time, not to exceed sixty (60) days or such lesser period as may be provided by the rules of the Board, by filing with the Zoning Officer and with the Zoning Hearing Board a notice of appeal specifying the grounds thereof. The Zoning Officer shall forthwith transmit to the Board all papers constituting the record from which the action appealed was taken.

B. The Zoning Hearing Board shall fix a reasonable time for the hearing of an appeal, give public notice thereof, as well as due notice to the parties in interest, and decide the same within 45 days after the hearing. However, where a hearing has been continued (e.g. scheduling further testimony, conducting a site inspection or accepting briefs), the decision shall be rendered within 45 days of the final hearing on the case.

C. Conduct of the Zoning Hearing Board shall be in accordance with Article IX of the PIVIPC. The concurring vote of two (2) members on a three (3) member Board shall be necessary to reverse any order, requirement, decision, or determination of the Zoning Officer, or to decide in favor of the petitioner on any matter upon which it is required to pass under this Ordinance, or to effect any variation in the application of this Ordinance.

SECTION 23.04 STAY OF PROCEEDINGS An appeal stays all proceedings in furtherance of the action appealed unless the Zoning Officer from whom the appeal is taken certifies to the Zoning Hearing Board after notice of appeal is filed with him, that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life and property. In such case, proceedings shall not be stayed other than by a restraining order which may be granted by the Zoning Hearing Board or by a court of record on application, or notice to the Zoning Officer from whom the appeal is taken and due cause shown.
SECTION 24.01 AUTHORITY AND PROCEDURES The Zoning Hearing Board shall have the authority to hear and decide petitions of appeal, where applicable for Administrative Reviews, Special Exceptions, Variances and Ordinance Challenges. Petitions for appeal and subsequent hearings shall be in accordance with the provisions of the PMPC, and the following:

A. A written petition shall be submitted by the petitioner on the form provided by the Zoning Officer. The petition shall, in addition to information pertaining to the petitioner and property location, specify the type of appeal being taken and the grounds for the appeal. The petition shall be considered complete when, along with the above information, a fee is submitted in the amount set forth by resolution by the Township Supervisors.

B. Notice of the public hearing shall be provided to all interested parties, all property owners adjoining the affected property, and all property owners within two hundred (200) feet of the affected property. Furthermore, notice of said hearing shall be advertised according to the PMPC, and conspicuously posted on the affected property at least one (1) week prior to the hearing. Continued or reconvened hearings shall not require notice and advertising in accordance with this subsection, provided the time and date of the subsequent hearing is announced at the original hearing.

C. The public hearing shall be held within sixty (60) days from the date of the petitioner's request unless the applicant has agreed to an extension of time. Any party may appear in person or by agent or attorney.

D. The parties to the hearing shall be the Township Supervisors, any person affected by the petition who has made a timely appearance of record before the Board, and any other person, including civic or community organizations. The Board may supply forms and require persons to enter appearances, in writing, in order to become parties.

E. The hearing shall be conducted by the Board or the 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 Board; however, the applicant, in addition to the municipality, may, prior to the decision, waive decision or findings by the Board and accept the decision or findings of the Hearing Officer as final.

F. The Chairman, Acting Chairman or 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.

G. Parties shall have the right to be represented by counsel and have the right to respond and present evidence and argument and cross-examine adverse witnesses on relevant issues. Formal rules of evidence shall not apply, but irrelevant, immaterial or unduly repetitious evidence may be excluded.
H. The Board or the Hearing Officer shall keep a taped recording, or a steno- graphic record, if requested, of the proceedings. The appearance fee for a stenographer shall be shared equally by the petitioner and the Board. The cost of the original transcript shall be paid either by the Board, if the Board or Hearing Officer orders the transcript; the person appealing the decision of the Board; or the party requesting the original tran- script. The cost of additional copies of the original shall be paid by the person requesting such copies.

I. The Board or the Hearing Officer shall not communicate, directly or indirectly, with any party or his representatives in connection with any issues involved except upon notice and opportunity for all parties to participate; shall not take notice of any communications, reports, staff memoranda or other materials, except advice from their solicitor, unless the parties are afforded the opportunity to contest the material so noticed; and shall not inspect the site or its surroundings after the commencement of hearings with any party or his representatives unless all parties are given opportunity to be present.

J. The Board or the Hearing Officer shall render a written decision or findings, if no decision is called for, within forty-five (45) days after the last hearing before the Board or Hearing Officer. Where the petition is contested or denied, the decision shall be accompanied by findings of fact, related conclusions with reference to the provisions of law relied upon and the appropriate reasons for arriving at those conclusions. If the hearing is conducted by a Hearing Officer and there has been no stipulation that his decision or findings are final, the Board shall make his report and recommendations available within forty-five (45) days, and the parties shall be entitled to make written representations thereon to the Board prior to final decision or entry of findings. The Board's decision shall be entered no later than thirty (30) days after the report of the Hearing Officer. Where the Board fails to render the decision within the period named above or fails to hold the hearing within sixty (60) days from the date of the petitioner's request, the decision shall be deemed to have been rendered in favor of the applicant, unless the applicant has agreed, in writing or on the record, to an extension of time. When a decision has been deemed to be rendered in favor of an applicant because of the Board's failure to meet or render a decision on time, the Board shall give public notice of said decision within ten (10) days of the last day it could have met to so act. If the Board fails to provide such notice, the applicant may do so. Nothing in this Ordinance shall prejudice the right of any party opposing the petition to appeal the decision to a court of competent jurisdiction.

K. A copy of the decision or findings, where no decision is called for, shall be delivered to the applicant personally or mailed to him not later than the day following its date. To all other persons who have filed their names and addresses with the Board not later than the day of the last hearing, the 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.

L. The procedures described herein shall apply to all Zoning Hearing Board hearings, and the following sections shall further explain when the Zoning Hearing Board has jurisdiction in legal matters and the specific powers and duties of the Zoning Hearing Board for the various appeals permitted by this Ordinance and the PMPC.
SECTION 24.02 JURISDICTION OF ZONING HEARING BOARD The Zoning Hearing Board shall have exclusive jurisdiction to hear and render final adjudications in the following matters:

A. Substantive challenges to the validity of any land use ordinance, except those brought before the Township Supervisors as curative amendments.

B. Challenges to the validity of a land use ordinance raising procedural questions or alleging defects in the process in enactment or adoption, such challenges to be appealed within thirty (30) days of the effective date of said Ordinance.

C. Appeals from the determination of the Zoning Officer (classified as Administrative Reviews), including but not limited to granting, denial or failure to act upon an application for a permit; the issuance of a cease and desist order; permit revocation; or the registration or refusal to register a nonconforming use, structure or lot.

D. Appeals from a determination by the Township Engineer or the Zoning Officer with reference to the administration of flood plain regulations contained in this or other township ordinances affecting land use.

E. Petitions for Variances from the terms of this Ordinance or from a flood hazard ordinance regulating land use, should such regulations ever be enacted separately, following the guidelines enumerated in Article 24 of this Ordinance.

F. Petitions for Special Exceptions under this Ordinance or a flood hazard ordinance regulating land use, should such regulation be enacted separately, following the guidelines enumerated in Article 24 of this Ordinance.

G. Appeals from the determination of the Zoning Officer or that officer or agency which shall be charged with the responsibility to administer transfers of development rights or performance density provisions under this Ordinance.

H. Appeals from the determination of the Township Engineer or Zoning Officer in the determination of land use regulations with reference to sedimentation and erosion control and stormwater management when such regulations are not within the scope of the reviews conducted for subdivisions and land development plans or planned residential developments, as enacted. When such regulations are within the scope of those reviews, appeal is taken to the Township Supervisors pursuant to the enumerated jurisdictions of the Township Supervisors in Article 24 of this Ordinance.

SECTION 24.03 JURISDICTION OF THE TOWNSHIP SUPERVISORS The Township Supervisors shall have exclusive jurisdiction to hear and render final adjudications in the following matters:

A. Establish a schedule of fees and charges for activities required by this Ordinance.

B. Applications for approval of subdivisions and land development plans.
C. Applications for curative amendments.
D. Applications for amendments to the Zoning Ordinance.
E. Appeals from the determination of the Zoning Officer or the Township Engineer in the administration of provisions of law with reference to sedimentation and erosion control and stormwater management insofar as those provisions are within the scope of applications under the subdivision and land development regulations, as enacted. When not within such scope, the appeal is taken to the Zoning Hearing Board pursuant to the jurisdictions of the Zoning Hearing Board enumerated in Article 24 of this Ordinance.
F. Petitions for Conditional Uses specifically authorized in this Ordinance.

SECTION 24.04 ADMINISTRATIVE REVIEWS

A. The Zoning Hearing Board shall hear and decide appeals, to be classified as Administrative Review procedures, where it is alleged by the appellant that the Zoning Officer has failed to follow prescribed procedures, has misinterpreted or misapplied a provision of this Ordinance, or has otherwise made an error in any order, requirement, decision or determination in the enforcement of this Ordinance. An Administrative Review shall also be utilized by an appellant who desires a determination or interpretation of the meaning or intent of a requirement of this Ordinance which has inconclusive or unclear language.

B. After the public hearing on an appeal, the Zoning Hearing Board shall have the authority, so long as such action is in conformity with the terms of this Ordinance, to reverse, affirm, or modify, wholly or partly, the order, requirement, decision, or determination made by the Zoning Officer.

SECTION 24.05 SPECIAL EXCEPTIONS The Zoning Hearing Board shall hear and decide petitions for Special Exceptions specifically authorized in this Ordinance. Decisions to grant or deny the petition shall be subject to the following:

A. Such use shall be specifically authorized as a Special Exception in this Ordinance.
B. The Special Exception use shall satisfy all requirements and conditions specified within this Ordinance.
C. Where it is deemed necessary to implement the purposes and intent of this Ordinance, reasonable conditions and safeguards, in addition to those expressed in this Ordinance, may be required by the Board in granting the Special Exception.
D. The Special Exception shall be compatible with adjacent and nearby properties and shall not adversely affect the public health, safety or welfare.
E. The Special Exception use shall be designed to provide satisfactory arrangement for:
   1. Ingress and egress to property and proposed structures thereon, with particular reference to automotive and pedestrian safety and conven-
2. Off-street parking and loading areas where required, with particular attention to the items in #1 above, the requirements of Article 19 of this Ordinance, and the economic, noise, glare, or odor effects of the Special Exception on adjoining properties in the district.

3. Refuse and service areas to be located and maintained in a safe and sanitary manner, well screened on three sides. Trash and rubbish shall be stored in covered verminproof containers.

4. Utilities to be located underground where possible and to be compatible with the surrounding area. Availability, ease of access and safety precautions shall be considered.

5. Screening and buffering with reference to type, dimensions, and character, in accordance with Article 18 of this Ordinance.

6. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district and compliance with Article 20 of this Ordinance.

7. Required yards and other open spaces as specified elsewhere in this Ordinance.

**SECTION 24.06 VARIANCES**

A. The Zoning Hearing Board shall hear and decide petitions for Variances from the terms of this Ordinance as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of the Ordinance would result in unnecessary hardship. A Variance may be granted provided that all of the following findings are made, where relevant, in a given case:

1. 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 Ordinance in the neighborhood or district in which the property is located; and

2. 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 Ordinance and that the authorization of a Variance is, therefore, necessary to enable the reasonable use of the property, and

3. That such unnecessary hardship has not been created by the petitioner; and

4. That the Variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public
welfare; and

5. 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; and

6. That the Variance, if authorized, will not confer on the petitioner
any special privilege that is denied by this Ordinance to the owners
of other lands, structures, or buildings in the same zoning district;
and

7. That nonconforming use of neighboring lands, structures, or buildings
in the same district and permitted or nonconforming use of lands,
structures or buildings in other zoning districts shall not be con-
sidered grounds for the granting of a Variance; and

8. That a Variance shall not be granted solely for financial reasons or
to facilitate financial gain.

B. In granting a Variance, reasonable conditions and safeguards may be
attached where it is deemed necessary to implement the purposes and intent
of this Ordinance.

SECTION 24.07 ORDINANCE CHALLENGES The Zoning Hearing Board shall hear
challenges to the validity of the zoning ordinance or map, except as provided
by the PMPC. In all such challenges, the Zoning Hearing Board shall take
evidence and make a record thereon. At the conclusion of the hearing, the
Zoning Hearing Board shall decide all contested questions and shall make
findings on all relevant issues of fact.

SECTION 24.08 EXPIRATION OR REVOCATION OF A ZONING HEARING BOARD DECISION

A. The granting or approval of a Special Exception or Variance shall be valid
only for the petitioner and the property specified in the petition.
Alterations or changes to the use or building authorized by the Zoning
Hearing Board shall require re-application to the Board. If the Special
Exception of Variance has not been implemented within two (2) years of
the date of the Zoning Hearing Board decision, said approval shall expire
and become null and void. If the property affected by the Variance or
Special Exception is transferred in ownership prior to the implementation
of the Variance or Special Exception, said approval shall immediately
become invalid upon such transfer of ownership.

B. The Zoning Hearing Board may revoke approval of a Variance or Special
Exception where:

1. The petitioner repeatedly violates conditions or safeguards specified
in the Board's decision, or

2. The petitioner initiates use or construction contrary to the Board's
decision, or

3. The petitioner is found to have misrepresented or falsified infor-
mation pertinent to the Board's decision, or

4. The Board's original decision was in error and the revocation is
instituted within thirty (30) days of the original decision or prior
to substantial reliance thereon by the petitioner.

C. Violation of the conditions or safeguards or use or construction contrary to that specified by the Zoning Hearing Board decision shall be deemed a violation of this Ordinance, punishable under Article 31 of this Ordinance. Revocation of the Zoning Hearing Board approval shall not preclude the Zoning Officer from instituting civil enforcement procedures or the Borough from proceeding in a court of law or equity to prevent or remedy violations of this Ordinance.
ARTICLE 25

APPEALS FROM THE ZONING HEARING BOARD

Any person or persons or agent of the Township aggrieved by any decision of the Zoning Hearing Board may appeal to the Court of Common Pleas. Appeals and time limitations for the filing of said appeals shall be taken in accordance with the PMPC and other prevailing laws of the Commonwealth of Pennsylvania.

ARTICLE 26

DUTIES OF ADMINISTRATIVE OFFICIAL

ZONING HEARING BOARD, TOWNSHIP SUPERVISORS

AND

COURTS ON MATTERS OF APPEAL

It is the intent of this Ordinance that all questions of interpretation and enforcement shall be first presented to the Zoning Officer and then the Zoning Hearing Board. Recourse from the decisions of the Zoning Hearing Board shall be to the courts as provided in Article 25.

It is further the intent of this Ordinance that the duties of the Township Supervisors in connection with this Ordinance shall not include hearing and deciding questions of interpretation and enforcement that may arise. The procedure for deciding such questions shall be as stated in this Ordinance. Under this Ordinance, the Township Supervisors shall have only the duties of (1) considering and adopting or rejecting proposed amendments or the repeal of this Ordinance, as provided by law, (2) establishing a schedule of fees and charges as stated in Article 27, and (3) those duties specifically noted in Section 24.03 and other articles of this Ordinance.

ARTICLE 27

SCHEDULE OF FEES, CHARGES, AND EXPENSES

The Township Supervisors shall establish a schedule of fees, charges, and expenses and a collection procedure for Building and Zoning Permits, Certificates of Zoning Compliance, appeals, petitions, and other matters pertaining to this Ordinance. The schedule of fees shall be posted in the office of the Zoning Officer, and may be altered or amended only by the Township Supervisors.
ARTICLE 28

AMENDMENTS

SECTION 28.01 The regulations, restrictions, and boundaries set forth in this Ordinance may from time to time be amended, supplemented, changed, or repealed. However, no such action may be taken until after a public hearing is held by the Township Supervisors., at which parties in interest and citizens shall have an opportunity to be heard.

SECTION 28.02 Notice of the time and place of such hearing shall be published in a newspaper of general circulation once each week for two (2) successive weeks. The first publication shall not be more than thirty (30) days and the second publication shall not be less than seven (7) days from the date of the hearing. If the proposed amendment includes a change to the Official Zoning Map, notice of the public hearing shall be conspicuously posted at sufficient points along the tract to notify potentially interested parties. The affected tract or area shall be posted at least one (1) week prior to the date of the hearing.

SECTION 28.03 If the amendment is initiated by any parties other than the Township Planning Commission, the Township Supervisors shall submit each such amendment to the Township Planning Commission at least thirty (30) days prior to the hearing on such proposed amendment to provide the Township Planning Commission with an opportunity to submit recommendations.

SECTION 28.04 In all cases, the proposed amendment shall be submitted to the Lebanon County Planning Department at least thirty (30) days prior to the hearing for review and comment.

SECTION 28.05 If after any public hearing held upon an amendment, the proposed amendment is revised, or further revised, to include land previously not affected by it, the Township Supervisors shall hold another public hearing, pursuant to public notice, before proceeding to vote on the amendment.

SECTION 28.06 Within thirty (30) days after enactment, a signed copy of the amendment to the Zoning Ordinance shall be forwarded to the Lebanon County Planning Department.
ARTICLE 29

PROVISIONS OF ORDINANCE

DECLARED TO BE MINIMUM REQUIREMENTS

In their interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements, adopted for the promotion of the public health, safety, or general welfare. Wherever the requirements of this Ordinance are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances, deed restrictions, or covenants, the most restrictive or that imposing the higher standard shall govern.
ARTICLE 30

COMPLAINTS REGARDING VIOLATIONS

SECTION 30.01 Whenever a violation of this Ordinance occurs, or is alleged to have occurred, any person may file a formal complaint in writing. Such complaint stating fully the causes and basis thereof shall be filed with the Zoning Officer. He shall record properly such complaint, investigate, and take action thereon as provided by this Ordinance. Any person may also report a complaint orally, but such complaint shall not mandate formal investigation on the part of the Zoning Officer.

SECTION 30.02 If it appears that a violation of the provisions of this Ordinance has occurred, the Zoning Officer shall initiate enforcement proceedings by sending an enforcement notice in the following manner:

A. 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;

B. An enforcement notice shall state at least the following:

1. The name of the owner of record and any other person against whom the municipality 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 the ordinance.

4. The date before which the steps for compliance must be commenced and the date before which the steps must be completed.

5. 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 in this Ordinance.

6. 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.
ARTICLE 31

PENALTIES FOR VIOLATION

SECTION 31.01 Any person, partnership, or corporation who or which has violated the provisions of this Zoning Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Zoning Officer on behalf of the Township of West Cornwall, pay a judgment of not more than $500 per day plus all court costs, including reasonable attorney fees incurred by the Township of West Cornwall as a result thereof.

SECTION 31.02 District justices shall have initial jurisdiction in proceedings brought by the Zoning Officer in accordance with this Article. No judgment shall commence or be imposed, levied or be 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 Zoning Officer may enforce the judgment on behalf of the Township of West Cornwall pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice, determining that there has been a violation, further determines that there was a good faith basis for the person, partnership, or corporation violating this Ordinance to have believed that there was no violation, in which event there shall be deemed to have been only one (1) such violation until the fifth (5th) day following the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation.

SECTION 31.03 All fines collected for violation of the Zoning Ordinance shall be paid over to the Township of West Cornwall.

SECTION 31.04 The owner or tenant of any building, structure, premises, or part thereof, and any architect, builder, contractor, agent, or other person who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided.

SECTION 31.05 Nothing herein contained shall prevent the Township, or the Zoning Officer at the request of the Township, from taking appropriate action or proceeding to prevent, restrain, correct or abate such building, structure, landscaping or land, or to prevent, in or about such premises, any act, conduct, business or use constituting a violation of this Ordinance.

ARTICLE 32

SEPARABILITY CLAUSE

Should any section or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.
ARTICLE 33
REPEAL OF CONFLICTING ORDINANCES
EFFECTIVE DATE

All ordinances or parts of ordinances in conflict with this Zoning Ordinance, or inconsistent with the provisions of this Ordinance, are hereby repealed to the extent necessary to give this Ordinance full force and effect. This Ordinance shall become effective on ______________________.

Ordained and enacted into law this 8th day of September, 1997, to become effective five (5) days from the date hereof.

ATTEST:

[Signatures]

Township Supervisors
Township of West Cornwall

[Signatures]
WEST CORNWALL TOWNSHIP
ORDINANCE NO. ______
AMENDING ORDINANCE #37, "THE ZONING ORDINANCE"


WHEREAS, ARTICLE VI, Pennsylvania Municipalities Planning Code, empowers the township to enact a zoning ordinance and to provide for its administration, enforcement, and amendment, and

WHEREAS, the Township of West Cornwall adopted such an ordinance on the 10th day of December, 1973, effective five (5) days thereafter, and

WHEREAS, the Township Board of Supervisors deems it necessary for the purpose of promoting the health, safety, morals, and general welfare of the Township to amend said Ordinance #37, and

WHEREAS, the Township Planning Commission of West Cornwall Township proposed said amendments in accordance with Article VI, Pennsylvania Municipalities Planning Code,

WHEREAS, said amendment was submitted to the Lebanon County Planning Department pursuant to Article VI, Pennsylvania Municipalities Planning Code, and

WHEREAS, the Township Planning Commission divided the Township into districts and has prepared regulations pertaining to such districts in accordance with the West Cornwall Township Comprehensive Plan and the community Goals and Objectives stated therein, designed to lessen congestion in the streets, to secure safety from fire, panic, and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent overcrowding of the land; to avoid undue concentration of population; and to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements, and

WHEREAS, the Township Planning Commission has given reasonable consideration, among other things to the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the municipality, and

WHEREAS, the Township Board of Supervisors has given due public notice of the amendment, and
WHEREAS, all requirements of the Pennsylvania Municipalities Planning Code, with regard to the preparation of the recommendation of the Township Planning Commission and subsequent action of the Township Supervisors have been met;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF WEST CORNWALL, LEBANON COUNTY, PENNSYLVANIA.
WEST CORNWALL TOWNSHIP - ORDINANCE NO. 105

AN ORDINANCE AMENDING THE ZONING ORDINANCE WITH RESPECT TO CERTAIN PROVISIONS IN ARTICLE 10 R-2, MEDIUM DENSITY RESIDENTIAL DISTRICTS AND RESTATING THE SAME IN ITS ENTIRETY.

The Zoning Ordinance of West Cornwall Township (Ordinance No. 37, as amended), is hereby further amended as follows:

Article 10, R-2 Medium Density Residential Districts, is deleted in its entirety and the following substituted therefore:

SECTION 10.01 - PURPOSE & INTENT

The regulations of the R-2 Residential Districts are designed to provide for and promote a variety of medium density housing types and land uses in a manner which is consistent with the existing development pattern and building characteristics. This district represents those areas of the Township where public sewer and water facilities, if not currently provided, are most likely to be extended, and where higher density development could then be supported. This district also represents land areas which can access directly onto major roadways so that medium density residential development and increased vehicle traffic associated therewith will not place a burden on minor roadways nor impact existing residential neighborhoods with high volumes of traffic and associated noise and safety issues which develop therefrom.

SECTION 10.02 - PERMITTED USES

A. Single family detached and semi-detached dwellings.

B. Two-family detached and semi-detached dwellings.

C. Townhouses, provided that the following requirements are met:

1. Minimum lot area of three thousand five hundred (3,500) square feet per dwelling unit.

2. Maximum development density shall not exceed five (5) dwelling units per gross acre. In areas of steep slopes where more than twenty percent (20%) of the project site is steeply sloped (in excess of fifteen percent (15%)), maximum density shall be reduced to four (4) dwelling units per gross acre.

3. Minimum lot width of twenty-four (24) feet for two-story townhouses. Where a one or one and one-half story townhouse is developed, the minimum lot width shall be twenty-eight (28) feet.
4. A minimum front and rear yard of twenty-five (25) feet each, as measured from the property line or any paved parking area, shall be provided for each townhouse unit.

5. Side yard minimums of fifteen (15) feet shall be provided from the unattached sides of buildings; however, a minimum side yard of twenty-five (25) feet shall be provided from any paved parking area perimeter boundary line.

6. No group of townhouses shall consist of more than five (5) attached units, with no more than three (3) continuous dwellings with the same front or rear setback, each variation of the setback being at least four (4) feet. Developers are encouraged to use variety in design and construction to enhance appearance.

7. No detached accessory buildings or structures shall be permitted on individual lots. All townhouses shall be designed to provide at least four hundred (400) cubic feet of storage area attached to the principal structure. The exterior of the attached storage area shall be constructed of the same material and shall have the same finished appearance at the principal structure and all other requirements of this Ordinance shall be met. Garages and other normal accessory structures may be attached to the principal structure on each individual lot provided all other requirements of this Ordinance are met. Detached accessory buildings and structures for common use by the entire development shall be permitted on common areas as per Article 17 of this Ordinance.

8. Townhouse development shall be in compliance with Section 10.04 of this Ordinance.

9. The site shall be served by public water and sewer facilities, with design for individual unit service where lots are to be sold.

10. Off-street parking, as required in Section 10.04 and by Article 19 of this Ordinance shall be located on the lot or within one hundred fifty (150) feet of the dwelling unit to be served.

11. Townhouse development requires the submission of a subdivision plan and compliance with the Lebanon County Subdivision and Land Development Ordinance.

D. Garden apartments provided that the following conditions are met:

1. Maximum development density shall not exceed eight (8) dwelling units per gross acre.

2. A minimum site size of twenty-four thousand (24,000) square feet shall be provided for garden apartment development.

3. Garden apartment buildings shall contain at least four (4) but not more than sixteen (16) dwelling units in a single structure.
4. A minimum setback of thirty (30) feet shall be provided from any road right-of-way, driveway, or paved parking area. Additionally, the building setback line shall be a minimum distance of thirty (30) feet from any front, side, or rear property line.

5. A minimum isolation distance of fifty (50) feet shall be provided between garden apartment buildings.

6. The site shall be served by public water and public sewer facilities.

7. If provided, balconies shall not extend more than eight (8) feet from the face of any principal building and the minimum floor area of any balcony shall be seventy-two (72) square feet.

8. If patios are provided at ground level, they shall be designed for visual privacy and shall be a minimum of one hundred fifty (150) square feet.

9. Garden apartment development shall be in compliance with Section 10.04 of this Ordinance.

10. Off-street parking, as required by Section 10.04 and by Article 19 of this Ordinance, shall be located within one hundred fifty (150) feet of the dwelling unit to be served. Furthermore, parking facilities and driveways shall be located no less than twenty-five (25) feet from any road right-of-way and ten (10) feet from all other property lines.

11. Garden apartment development requires the submission of a subdivision plan and compliance with the Lebanon County Subdivision and Land Development Ordinance.

E. Group Family Dwellings subject to the conditions listed in Section 6.02(I) of this Ordinance.

F. Churches and similar places of worship and parish houses.

G. Parks and playgrounds.

H. Municipal buildings and community facilities such as police and fire protection facilities, museums, libraries, etc., provided that they do not contain restaurants, cafes, membership clubs or other places offering food, beverages, dancing or entertainment.

I. Nursery, kindergarten, elementary, middle and high schools.

J. Guest Homes, subject to the conditions listed in Section 6.02(J) of this Ordinance.

K. Family Day Care Homes, as regulated in Section 6.02(K) of this Ordinance.
L. Customary accessory uses and buildings incidental to any of the above permitted uses as provided for in Article 17 of this Ordinance,

M. Upon approval by the Zoning Hearing Board, the following Special Exception Uses are permitted, provided the use complies with the conditions listed herein and the applicable requirements specified in Article 24 of this Ordinance:

1. Special Exception uses specified in Section 9.02(K-#1 through #7) of the R-1, Low Density Residential District, subject to the conditions stated therein.

2. Institutions of higher education, convents, and monasteries provided that the following conditions are met;
   a. A minimum lot area of three (3) acres for the first three hundred (300) students or enrollees plus one (1) acre for each additional one hundred (100) students or enrollees.
   b. Dormitory or residential quarters shall be located a minimum of one hundred (100) feet from any property line.

3. Conversion apartments provided that the following conditions are met:
   a. Conversion apartments may be established only within an existing single-family dwelling and must be an independent dwelling unit.
   b. The property shall be served by public water and sewer facilities.
   c. The conversion apartment shall contain a minimum of three hundred fifty (350) and a maximum of eight hundred seventy-five (875) square feet of habitable floor area; however, no conversion apartment shall occupy more than forty percent (40%) of the area of the single family dwelling unit nor reduce said unit to less than seven hundred (700) square feet of habitable floor area.
   d. A minimum of two (2) off-street parking spaces shall be provided for each dwelling unit.
   e. There shall be no exterior evidence of the conversion apartment except for the existence of an entrance that is separate and private from that of the single-family dwelling.

SECTION 10.03 - LOT AREA, BUILDING HEIGHT AND YARD REQUIREMENTS

A lot width, lot area, lot coverage, yard setback and building height requirement of not less than the dimensions shown in the following table, unless otherwise specified heretofore in Section 10.02 or elsewhere in this Ordinance, shall be provided for every dwelling unit and/or principal non-residential building or use erected, altered or established in this district.
### DISTRICT REQUIREMENTS

<table>
<thead>
<tr>
<th>USE</th>
<th>LOT REQUIREMENTS</th>
<th>YARD REQUIREMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>Min. Lot Area</strong></td>
<td><strong>Min. Lot Width</strong></td>
</tr>
<tr>
<td><strong>NON-RESIDENTIAL BUILDING</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single Family Detached</td>
<td>3 acres</td>
<td>250’</td>
</tr>
<tr>
<td><strong>RESIDENTIAL (No Public Utilities)</strong></td>
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<td></td>
</tr>
<tr>
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<td>1 acre</td>
<td>125’</td>
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<tr>
<td><strong>RESIDENTIAL (Public Water or Sewer)</strong></td>
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<td>Single Family Detached</td>
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<td>100’</td>
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<tr>
<td>Single Family Semi-Detached</td>
<td>10,000 sq. ft./lot</td>
<td>80’/lot</td>
</tr>
<tr>
<td>Two Family Detached</td>
<td>8,000 sq. ft./unit</td>
<td>60’/lot*</td>
</tr>
<tr>
<td>Two Family Semi-Detached</td>
<td>5,000 sq. ft/unit</td>
<td>80’/lot</td>
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<tr>
<td>Townhouse</td>
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<tr>
<td>Garden Apartment</td>
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* Minimum lot width to party wall.
** Yard requirements apply to unattached sides of building.

No building shall exceed two and one-half (2½) stories or thirty-five (35) feet, whichever is less, unless authorized as a Special Exception.
SECTION 10.04 - SUPPLEMENTAL TOWNHOUSE AND GARDEN APARTMENT STANDARDS.

The following design criteria shall apply as additional requirements for townhouse and garden apartment development:

A. The developer shall vary architectural treatments within dwelling units. Variations may include those of exterior elevation, building setbacks, provisions of balconies, architectural details, pitch of roof, exterior materials, or use of color. Adjacent building groups shall be of different color siding or exterior material.

B. Variety and flexibility in design layout and arrangement of buildings, parking areas, services, recreation areas, common open space, and plantings that fully consider the particular characteristics of site and natural amenities is highly desired.

C. The setback area from any adjacent property line or right of way shall be called a buffer area. Said side or rear yard buffer areas shall be landscaped with a screen planting which shall be designed, located and maintained in accordance with the requirements of Article 18 of this Ordinance.

D. All utility lines within a townhouse or garden apartment development shall be placed underground.

E. All open space, green areas, patios, courts and buffer yards shall be landscaped and maintained to insure the safety, privacy and comfort of townhouse and garden apartment residents. Landscaping of individual lots shall be controlled and regulated by a landscape plan, plan notes and deed restrictions as to type, size and quantity of trees and shrubs to provide for a harmonious, integrated landscape of the development.

F. Exterior storage areas for trash and rubbish shall be well screened on three (3) sides and contained in covered, vermin proof containers.

G. Fences or shrub fence lines shall not be permitted within townhouse or garden apartment developments with the exception of buffer areas as described in Section 1104 C.

H. Curbing, sidewalks, and street lighting shall be required throughout townhouse and garden apartment developments. Curbs shall be rolled or slant concrete. Sidewalks shall be a minimum of five (5) feet wide concrete. Street lights shall be spaced at no less than one hundred fifty (150) feet intervals, with type and design approved by the Township.

I. Where a proposed townhouse or garden apartment development adjoins an R-I, RF or A district, a perimeter buffer of one hundred (100) feet is required. Said buffer area shall contain screening landscape materials with no vehicular access permitted to cross these buffer areas.

J. Notwithstanding any other requirements or regulations governing construction and
occupancy, townhouses and garden apartments shall be constructed with a two (2) hour fire rated wall between each dwelling unit, said wall to extend from floor slab to roof.

K. A minimum of three (3) off-street parking spaces shall be provided for each dwelling. Two (2) of the parking spaces shall be designated and assigned to each townhouse, with the third (3rd) space allotted for overflow and guest parking. Overflow and guest parking may be pooled in a common remote lot, but may be no further than one hundred fifty (150) feet away from the townhouse units for which they are provided. Parking spaces may not be stacked such that one vehicle will be blocked from accessing its space by another vehicle. For townhouses with garages, the driveway which provides access to the garage shall not be utilized as one of the three required parking spaces. On street parking spaces may not be used to meet the three space per unit requirement.

L. For layouts which are designed for vehicles to back out of driveways onto the street, street design shall utilize a sixty (60) feet right-of-way with a minimum of thirty-eight (38) feet wide paved cartway.

M. Streets which provide direct access to more than twenty-four (24) units shall be designed with a sixty (60) foot wide right-of-way with a minimum of thirty-eight (38) foot wide paved cartway.

N. Developments of more than fifty (50) units shall have a minimum of two (2) points of ingress and egress to perimeter streets.

O. Developments of more than one hundred (100) units shall be designed with boulevard type entrances at which curbed center islands of at least ten (10) feet width and fifty (50) feet length shall be provided. The center islands shall be landscaped with street trees and shrubs of a variety and cultivar approved by the Township. Additional right-of-way and paved cartway widths shall be provided for these boulevard type entrances.

P. Sidewalks shall be designed and located in such a manner to provide for a five (5) foot wide planting strip along the curb. Street trees shall be located in this planting strip at a spacing no less than fifty (50) feet on center. Street tree locations shall be coordinated with driveway and street light locations for uniformity and symmetry to the extent possible.

Q. Postal delivery service shall be provided at community postal centers. Individual mail boxes are not allowed.

R. Developments shall provide for recreational facilities and opportunities in accordance with the West Cornwall Township Recreation, Parks and Open Space Plan and accompanying Ordinance.

SECTION 10.05 - MINIMUM OFF-STREET PARKING REQUIREMENTS

In addition to the requirements listed in Article 10, the off-street parking regulations of Article 19 shall apply where applicable to the uses permitted in this District.
SECTION 10.06 - SIGNS AND ADVERTISING STRUCTURES

Signs shall be permitted in accordance with Article 20 of this Ordinance.

SECTION 10.07 - SUPPLEMENTARY DISTRICT REGULATIONS

The Supplementary District Regulations in Article 17 shall apply, where applicable, as additional requirements for this district.

SECTION 10.08 - ENVIRONMENTAL IMPROVEMENTS AND ENERGY CONSERVATION REQUIREMENTS

The environmental and energy requirements in Article 18 shall apply, where applicable, as additional requirements for this district.

This Ordinance shall become effective five (5) days after adoption.

ENACTED INTO ORDINANCE this 9th day of December, 2002.

WEST CORNWALL TOWNSHIP SUPERVISORS
Lebanon County, Pennsylvania

By: [signature]
 Supervisor

By: [signature]
 Supervisor

By: [signature]
 Supervisor

ATTEST:
[signature]