

Section 423 Commercial Recreation Facilities

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- 423.A. Within the (BI and C) Zones, commercial recreation facilities are permitted by special exception, provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 704.C.2. and specifically as follows:
- 423.B. If the subject property contains more than two (2) acres, it shall front on an arterial or collector road;
- 423.C. Those uses involving extensive outdoor activities shall provide sufficient screening and/or landscaping measures to mitigate any visual and/or audible impacts on adjoining properties;
- 423.D. Maximum permitted height for structures regulated by this Section can exceed forty-five (45) feet provided:
1. that such structures shall not be used for occupancy;
 2. that the proposed structure is setback a horizontal distance at least equal to its height from each property line;
 3. the applicant must demonstrate that adequate emergency vehicles and equipment and/or employed fire suppression measures are available; and,
 4. the applicant must demonstrate compliance with the BOCA National Fire Prevention Code, 1999 as may be amended;
- 423.E. The applicant shall furnish qualified written evidence regarding the character of the proposed use and management strategies to assure that activities conducted upon the site will not be detrimental to the use of adjoining properties due to hours of operation, noise, light, litter, dust and pollution;
- 423.F. Required parking will be determined based upon the types of activities proposed and the schedule listed in Section 315 of this Ordinance. In addition, the Zoning Hearing Board may require an unimproved grassed overflow parking area to be provided for peak use periods. Such overflow parking areas shall be accessible only from the interior driveways of the permanent parking lot. Overflow parking areas shall contain fencing to prevent vehicles from crossing adjoining properties or directly accessing adjoining roads;
- 423.G. Any booths or other structures used for the collection of admission and/or parking fees shall be set back and arranged to prevent vehicle back-ups on adjoining roads during peak arrival periods. Any other collection of fees (roaming parking lot attendants) shall be conducted in a manner to prevent vehicle back-ups on adjoining roads. If, at any time after the opening of the commercial recreation facility, the Supervisors determine that traffic back-ups are occurring on adjoining roads, and such back-ups are directly related to the means of access to the subject property, the Supervisors can require the applicant to revise means of access to relieve the undue congestion; and,
- 423.H. Any outside pedestrian waiting lines shall be provided with a means of shade.

Section 424 Concentrated Animal Feeding Operations (CAFOs) and Concentrated Animal Operations (CAOs)

- 424.A. Within the (A) Zone, concentrated animal feeding operations (CAFOs) and concentrated animal operations (CAOs) are permitted by permitted use, provided that the applicant has met his/her

Comment [DG1]: Solicitor needs to review because of recent legal changes. 7/15/20

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burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those specifically as follows:

- 424.B. Any building, or area used for the housing, feeding, watering, or running of livestock or poultry shall be set back at least five hundred (500) feet from any land within the (LDR and MU) Zones;
- 424.C. Any building, or area used for the housing, feeding, watering, or running of livestock or poultry shall be set back at least one hundred fifty (150) feet from all permanent surface waters, wetland areas, and wells that provide water for human consumption;
- 424.D. Any new concentrated animal feeding operation and all expansions to existing operations shall be required to submit a plan for control of erosion and sedimentation prepared by a Professional Engineer and consistent with the requirements of the Nutrient Management Act. This plan shall be required even if not required by the provisions of the Nutrient Management Act itself; All subsequent operations and activities shall be conducted in accordance with such plans. If at any time, the nutrient management plan is amended, the applicant must submit written evidence of plan approval to the Zoning Officer;
- 424.E. The applicant shall furnish evidence from the local field office of the Natural Resources and Conservation Service (NRCS) that the proposed use has a certified conservation plan that meets NRCS standards and specifications. All subsequent operations and activities shall be conducted in accordance with such conservation plan. If, at any time, the conservation plan is amended, the applicant must again furnish evidence from the (NRCS) that the amended plan has been approved;
- 424.F. The applicant shall furnish evidence from the Cumberland County Conservation District that the proposed use has an approved Nutrient Management Plan. All subsequent operations and activities shall be conducted in accordance with such Nutrient Management Plan. If, at any time, the Nutrient Management Plan is amended, the applicant must again furnish evidence from the Cumberland County Conservation District that the amended plan has been approved;
- 424.G. The applicant shall submit, and abide by written qualified evidence describing those methods that will be employed to:
 - 1. minimize odor on nearby properties in accordance with an approved odor management plan under PA Nutrient Management Act;
 - 2. dispose dead animals according to the regulations of the Pennsylvania Department of Agriculture. In the event of a catastrophic event in which mass disposal is warranted the Pennsylvania Department of Agriculture can require whatever disposal methods are deemed appropriate to safeguard animal and public health; and,
 - 3. comply with the above-required nutrient management plan and conservation plan;
- 424.H. Any exhaust or ventilation fans employed shall be oriented and directed such that no direct exhaust velocity is perceptible at any adjoining property lines;
- 424.I. Any driveway or access drive providing for vehicular access to the proposed use shall maintain a fifty (50) foot wide radius for all turns and intersections;
- 424.J. Any on-site manure storage facilities comply with the requirements of Section 455 of this Ordinance;
- 424.K. All buildings used for the housing of livestock shall be fitted with a solid concrete slab or slotted floor;

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- 424.L. The property whereupon the concentrated animal feeding operation is located shall be graded such that runoff from the area of the operation is not discharged onto surrounding properties, onto public roads, or into any permanent surface water;
- 424.M. Applicants for any new concentrated animal feeding operation and all expansions to existing such operations must demonstrate compliance with all State and Federal regulations governing the specific operation; and,
- 424.N. The applicant shall establish and maintain a riparian buffer along any watercourse that is located upon the subject property in accordance with Section 511 of this Ordinance.

Section 425 Convenience Stores

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425.A. Within the (C) Zone, convenience stores are permitted by right, provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those specifically as follows:

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425.B. All uses must comply with applicable standards contained throughout this Ordinance. When any of the following uses require a special exception or conditional use, such approvals shall be obtained prior to application for the zoning permit for the convenience store. The zoning permit must also demonstrate compliance with any conditions of approval imposed upon any of the specific uses. The following lists some of those typically associated with convenience stores and their respective requirements:

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Use	Section No.
Amusement arcade	405
Automobile filling station	411
Car wash	417
Drive-thru or fast food restaurant	429

425.C. The applicant must furnish evidence as to how the use will be controlled so as to not constitute a nuisance due to noise or loitering outside the building;

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425.D. The convenience store shall provide for one off-street parking space for each 350 square feet of gross floor area; and,

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425.E. An acceptable working plan for the cleanup of litter shall be furnished and implemented by the applicant.

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Section 426 Convention and/or Conference Centers

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426.A. Within the (I) Zone, convention and/or conference centers are permitted by special exception, provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 704.C.2. and specifically as follows:

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426.B. Convention and/or conference centers may include any of the following uses, provided such uses are primarily sized, located and designed as one integrated development (e.g., shared parking, signage, access, lighting, storm water management, etc.).

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1. Offices;
2. Hotels and motels;
3. Meeting rooms and auditoriums;
4. Banquet and social halls;
5. Restaurants and taverns (excluding fast-food restaurants);
6. Nightclubs, subject to the requirements of Section 461 of this Ordinance;
7. Indoor theaters and arenas;
8. Sports stadiums;
9. Retail shops and concessionaires;
10. Personal service shops (i.e., barbers, salons, dry cleaners, tailors, shoe repair, but excluding adult-related uses);
11. Commercial day-care facilities;
12. Information centers and booths; and,
13. Outdoor activities provided that no such activities shall be conducted upon any area of required off-street parking or off-street loading, including, but not limited to, outdoor amusements, shows for automobiles, consumer goods, agricultural equipment, supplies and livestock, sports equipment, boats, home and building materials and landscaping, community festivals, carnivals, circuses, concerts and other similar events.

| **426.C.** Minimum Required Lot Area - Ten (10) acres; Deleted: 427

| **426.D.** The applicant must demonstrate that adequate means of sewage disposal and water supply will serve the proposed use; Deleted: 427

| **426.E.** The subject property shall provide a suitable means of vehicular access that conveniently connects to an arterial or collector road; Deleted: 7

| **426.F.** Required parking will be determined based upon a combination of the types of activities proposed, and Section 315 of this Ordinance. In addition, an unimproved, grassed, overflow parking area to be provided for peak use periods shall be required. Such overflow parking areas shall be accessible only from the interior driveways of the permanent parking lot. Overflow parking areas shall contain fencing to prevent vehicles from crossing adjoining properties or directly accessing adjoining roads. Soil erosion, sedimentation and storm water runoff shall be controlled in accordance with all applicable laws and regulations; Deleted: 7

| **426.G.** Any booths or other structures used for the collection of admission and/or parking fees shall be set back and arranged to prevent vehicle backups on adjoining roads during peak arrival periods. Any other collection of fees (roaming parking lot attendants) shall be conducted in a manner to prevent vehicle backups on adjoining roads. If, at any time after opening, the Township determines that traffic backups are occurring on adjoining roads, and such backups are directly related to the means of access to the subject property, the Township can require the applicant to revise means to relieve the undue congestion; Deleted: 7

| **426.H.** The applicant shall furnish expert evidence that the proposed use will not be detrimental to the use of adjoining properties due to hours of operation, noise, light, litter, dust, and pollution. All lighting on the site must comply with Section 310 of this Ordinance; Deleted: 7

| **426.I.** Those uses involving extensive outdoor activities and/or display shall provide sufficient screening and/or landscaping measures to mitigate any visual and/or audible impacts on adjoining properties and roads. No outdoor storage is permitted; Formatted: Left

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426.J. A traffic impact study shall be prepared in accordance with Section 319 of this Ordinance; **Deleted: 7**

426.K. Any exterior public address system shall be designed and operated so that the audible levels of any messages conveyed over the system will not exceed the ambient noise levels of the use, as measured at each of the property lines. Any noise generated on the site must comply with Section 311 of this Ordinance; **Deleted: 7**

426.L. The convention and/or conference center is eligible to utilize planned center signage, as listed in Section 322 of this Ordinance; and, **Deleted: 7**

426.M. All uses within the convention and/or conference center shall be linked with sidewalks and/or pathways to facilitate safe and efficient pedestrian movements. **Deleted: 7**

Section 427 Domestic Composts **Deleted: 428**

427.A. Within any Zone, domestic compost is a permitted accessory use to a residence, subject to the following requirements: **Deleted: 428**

427.B. The placement of a framed enclosure for composting is subject to all residential accessory use setbacks. **Deleted: 428**

427.C. Only waste materials from the on-site residence shall be deposited within the compost enclosure; **Deleted: 428**

427.D. In no case shall meat or meat by-products be composted; and, **Deleted: 428**

427.E. All composting enclosures shall be maintained such that they will not create a nuisance to nearby properties. **Deleted: 428**

Section 428 Drive-Thru and/or Fast-Food Restaurants **Deleted: 429**

428.A. Within the (C) Zone, drive-thru and/or fast food restaurants are permitted by special exception, provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 704.C.2. and within the (MU) Zone, drive-thru and/or fast-food restaurants are permitted by conditional use, provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 805.B. and both specifically as follows: **Deleted: 429**

428.B. Exterior trash/recycling receptacles shall be provided and routinely emptied so to prevent the scattering of litter. All applications shall include a description of an acceptable working plan for the cleanup of litter; **Deleted: 429**

428.C. Within the (C) Zone, all drive-thru window-lanes shall be separated from the parking lot's interior driveways and shall provide at least two hundred feet (200') of on-site stacking per lane, preceding the food order location. Furthermore each drive-thru lane shall have on-site directional signs, indicator lights or pavement markings identifying the direction of travel and lane status (ie. open vs. closed); **Deleted: 429**

428.D. Any exterior speaker/microphone shall be arranged, operated and/or screened to comply with Section 313 of this Ordinance; **Formatted: Left**

428.E. All exterior areas shall be completely enclosed by a minimum four foot (4') high fence; and, **Formatted: Font: 9 pt**

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428.F. All lighting systems shall be arranged, operated and/or screened to comply with Section 310 of this Ordinance;

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Section 429 Dry Cleaners, Laundries and Laundromats

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429.A. Within the (C) Zone, dry cleaners, laundries and laundromats are permitted by special exception, provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 704.C.2. and specifically as follows:

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429.B. The applicant must demonstrate that adequate means of sewage disposal and water supply will serve the proposed use;

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429.C. All activities shall be conducted within a completely enclosed building;

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429.D. During operation or plant clean-up and maintenance, all windows and doors on walls facing adjoining residential zones shall be kept closed; and,

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429.E. Any exhaust ventilation equipment shall be directed away from any adjoining properties within the (LDR and MU) Zones.

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Section 430 Family Day-Care Facilities

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430.A. Within the (RR, A, LDR and MU) Zones, family day-care facilities are permitted as a permitted accessory use, subject to the following criteria:

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430.B. Family day-care facilities must be conducted within dwellings having a minimum lot size of twenty thousand (20,000) square feet;

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430.C. A family day-care facility shall offer care and supervision to no more than six (6) different non-residents during any calendar day;

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430.D. All family day-care facilities with enrollment of more than three (3) non-residents shall furnish a valid Registration Certificate for the proposed use, issued by the PA Department of Public Welfare;

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430.E. An outdoor area shall be provided, at a minimum rate of sixty-five (65) square feet per non-resident. Off-street parking lots shall not be used as outdoor areas. Outdoor areas shall not be located within the front yard and must be set back twenty-five (25) feet from all property lines. Outdoor areas shall be completely enclosed by a four (4) foot high fence, and screened from adjoining residentially-zoned properties. Any vegetative materials located within the outdoor play areas shall be of a non-harmful type (poisonous, thorny, allergenic, etc.); and,

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430.F. Passenger "drop-off" and "pick-up" areas shall be provided on-site, and arranged so that passengers do not have to cross traffic lanes on or adjacent to the site.

Comment [DG2]: Need to revisit 7.20.15

PENDING SOLICITOR REVIEW

Section 431 Farm Occupations

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431.A. Within the (RR, A and LDR) Zones, farm occupations, as defined herein, if conducted as an accessory use to a principal agricultural use of the property are permitted by right subject to the following requirements:

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431.B. The use must be conducted within an enclosed building. Where practicable the farm occupation shall be conducted within an existing farm building. Any new building constructed for use by the farm occupation must be no less than one hundred feet (100') from any adjoining roads or properties;

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431.C. No part of a farm occupation shall be located within one hundred feet (100') of any side or rear lot line, nor three hundred feet (300') of any adjoining land within an (LDR or MU) Zone. Such distances shall be measured as a straight line between the closest points of any physical improvement associated with the farm occupation and the property/zoning line;

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431.D. Any sign used for a farm occupation shall not exceed thirty-two (32) square feet in size;

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431.E. For farm parcels of up to fifty (50) acres in size, while the farm occupation is in operation, no non-farm subdivision of the site shall be permitted; and,

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431.F. The applicant is required to submit written information indicating that the disposal of all materials and wastes will be accomplished in a manner that complies with State and Federal regulations. Such evidence shall, at a minimum include, copies of contracts with waste haulers licensed to operate within Cumberland County, which have been contracted to dispose of the materials and wastes used, or generated, on-site or some other legal means of disposal. The zoning permit for this use shall remain valid, only so long as such contracts remain in effect and all materials and wastes are properly disposed of on a regular basis. Should the nature of the farm occupation change in the future, such that the materials used, or wastes generated, changes significantly, either in type or amount, the owner of the farm occupation shall so inform the Zoning Officer, and shall provide additional evidence demonstrating continued compliance with the requirements of this Section.

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Section 432 Farmers and/or Flea Markets

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432.A. Within the (C) Zone, farmers and/or flea markets are permitted by special exception, provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 704.C.2. and specifically as follows:

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432.B. The retail sales area shall be considered to be that of the smallest rectangle, or other regular geometric shape which encompasses all display stands, booths, tables, or stalls, plus any adjoining aisles and/or walkways from which consumers can inspect items for sale. The retail sales area shall include all indoor and/or outdoor areas as listed above;

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432.C. The retail sales area shall be set back at least fifty (50) feet from all property lines, and shall be calculated as part of the maximum permitted lot coverage, regardless of its surface treatment;

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432.D. Off-street parking shall be provided at the rate of one space per each two hundred (200) square feet of retail sales area, and shall be designed and used in accordance with Section 315 of this Ordinance. No required off-street parking spaces shall be used for the display and/or storage of items for sale;

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432.E. Off-street loading shall be provided at the rate similar to that imposed on retail sales as listed in Section 314 of this Ordinance. The retail sales area, as described above, shall be used to calculate needed loading space(s);

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432.F. All outdoor display and sale of merchandise shall occur between official sunrise and no later than official sunset;

432.G. Any exterior amplified public address system shall be arranged and designed so as to prevent objectionable impact on adjoining properties and the applicant shall demonstrate compliance with Section 313 of this Ordinance;

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432.H. All lighting systems shall be arranged, operated and/or screened to comply with Section 310 of this Ordinance; and,

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432.I. Trash receptacles shall be provided amid any outdoor retail sales area. Such trash receptacles shall be routinely emptied so as to prevent the scattering of litter and debris. All applications shall include a description of an acceptable working plan for the clean-up of litter.

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Section 433 Fences and Walls

Comment [DG3]: Reisinger will make recommend

433.A. Within the (RR, A, and MU) Zones fences and walls are permitted by right within required yard areas, provided that no fence or wall (except agricultural, required junkyard, athletic court, outdoor shooting range walls or fences, or a retaining walls as noted below) shall be erected to a height of more than:

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1. three (3) feet in a front yard; except that,
2. fences and walls erected upon reverse frontage lots may extend up to height of six (6) feet within those yards that do not contain vehicular access onto an adjoining road; and,
3. six (6) feet in any side or rear yard.

433.B. Within the (RR, A, C, RI and I) Zones, no fence or wall (except agricultural, required junkyard or tennis court walls or fences, or a retaining walls as noted below in Section 435.D.) shall be erected to a height of more than ten (10) feet in any yard.

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433.C. No fence or wall shall interfere with the required clear sight triangles in Sections 301, 303 and 305.C. of this Ordinance;

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433.D. The use of retaining walls higher than three (3) feet up to a maximum height of twelve feet (12') is permitted, subject to the following findings:

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1. That the proposed height of the retaining wall is necessary to facilitate an efficient use of the site and/or protect an important or sensitive natural or cultural feature of the site;
2. That the applicant has submitted written expert evidence from a professional engineer registered to practice within the Commonwealth of Pennsylvania that the proposed retaining wall is designed and will be constructed to assure structural integrity and will in no way adversely affect any drainage pattern and/or underground utility lines nor interfere with their rights-of-way;
3. That the applicant has provided sufficient separation and physical barriers between the proposed retaining wall and any pedestrian and/or vehicle movement areas to ensure adequate vehicle and pedestrian safety; and,
4. That the base of the retaining wall is setback a horizontal distance at least equal to its height from each property line.

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433.E. The use of barbed wire and electric fences is expressly prohibited except in the case of agricultural fences used to contain livestock.

433.F. Fences and walls shall be constructed of durable materials suited for its purpose and the use of discarded materials, vehicles, and appliances is prohibited. No wall or fence shall be constructed of corrugated metal, corrugated fiberglass, or sheet metal.

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Section 434 Fish Hatcheries and/or Fish Farms

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434.A. Within the (RR and A) Zone, fish hatcheries and/or fish farms are permitted by conditional use, provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 805.B. and specifically as follows:

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434.B. The applicant must furnish evidence of receipt of an approved artificial propagation license from the PA Department of Agriculture, Bureau of Animal Health.

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434.C. A written plan that describes the methods used to: (1) contain and prevent animal escape; (2) dispose of deceased animals in compliance with applicable State laws; (3) handle, and dispose of animal wastes in a manner that is compatible with surrounding uses both on and off of the site; and, (4) offer the humane treatment and care of animals at all times.

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Section 435 Freestanding Communication Antennas, Towers and Equipment

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435.A. Within the (A, RR and I) Zones, freestanding communication antennas, towers and equipment that are not co-located are permitted by special exception, provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 704.C.2. and specifically as follows:

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Comment [DG4]: PENDING SOLICITOR REVIEW 7.20.15

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435.B. Prerequisite Co-location Analysis

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1. Approval of a new freestanding communication antenna, tower and equipment will only be permitted after qualified expert demonstration by the applicant that no other opportunity exists within a two (2) mile radius of the proposed site to co-locate such antenna onto any of the following:
 - a. utility transmission towers;
 - b. observation towers;
 - c. communication towers;
 - d. water towers.

2. In order to demonstrate compliance with this Section, the applicant must prepare and submit an inventory map of all such co-location opportunities within a two (2) mile radius of the proposed site and list the specific reason why each co-location site is not possible, for one or more of the following reasons:
 - a. Written refusal by current tower owner to accommodate proposed antenna;
 - b. Topographic limitations that prevent adequate transmission coverage;
 - c. Adjacent impediments blocking adequate transmission coverage;
 - d. Technical limitations of the system that prevent adequate transmission coverage;
 - e. Proposed antenna exceeds structural capacity of structure or tower;
 - f. Inadequate space on structure or tower;
 - g. Reserved space on existing structure or tower for other antennas; and/or,
 - h. Other specifically described limiting factors rendering existing structure or tower unusable.

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435.C. Siting Requirements - The applicant shall demonstrate, using technical evidence, that the proposed location is necessary for the efficient operation of the system. All other uses associated with the communication antenna or tower, such as a business office, maintenance depot, business sign, or vehicle storage, shall not be located on the site, unless the use is otherwise permitted in the Zone in which the site is located;

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435.D. Future Co-location Requirements - In order to reduce the number of towers needed in the Township in the future, any proposed new tower or other support structure shall be designed to accommodate other co-located antennas, including, but not limited to, police, fire and emergency services;

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435.E. Required Antenna Towers - Except as provided below, a monopole antenna tower shall be required when new towers are proposed, unless the applicant can conclusively demonstrate that:

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1. The cost of erecting a monopole would preclude the provision of adequate service to the public;
2. The use of a monopole would produce an unsafe antenna support structure at the proposed location;
3. The proposed alternative antenna structure would have the least adverse visual impact on the environment and surroundings; and/or,
4. The proposed alternative antenna support structure is more architecturally compatible with surrounding uses and blends in better with the existing characteristics of the site and its surroundings.

435.F. Permitted Height - The applicant shall submit expert testimony that the communication antenna or tower is the minimum height required to function satisfactorily. In no case shall an antenna or tower exceed one hundred ninety-nine feet (199') in height;

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435.G. Required Setbacks - Any communication antenna or tower shall be set back from each property line a distance equal to its height, plus fifty feet (50'). This setback shall also be applicable to guy wire anchors for the communication antenna or tower. No antenna or tower shall be located within five hundred horizontal feet (500') of:

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1. Any land within the (LDR and MU) Zones;
2. The nearest property line of any existing residence;
3. The nearest property line of any approved lot which has been subdivided during the last five (5) years for residential purposes, which has not yet been constructed; and,
4. The nearest property line of any lot proposed for residential purposes that has been submitted for preliminary or final subdivision approval.

435.H. Required Finishes and Lighting - Communication antennas or towers shall be painted in order to reduce visual impact. Support structures may be painted green up to the height of nearby trees, to lessen visual impact. No communication antenna or tower may be artificially lighted, except when required by the Federal Aviation Administration, State regulations or by Township requirements;

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435.I. Anti-climbing Requirements - All communication antennas or towers shall be fitted with anti-climbing devices, as approved by the manufacturers;

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435.J. Compliance With Communication Requirements - The applicant shall be required to demonstrate that it is licensed by the Federal Communications Commission to operate the proposed use and that it will comply with the applicable standards governing human exposure to electromagnetic radiation by the Federal Communications Commission. The applicant shall also demonstrate

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compliance with guidelines recommended by the American National Standard Institute (ANSI) (ANSI/ EEEEC95-1-1992) with respect to radio frequency emissions;

435.K. Compliance With Aviation Requirements - The applicant shall demonstrate that the proposed use will comply with all applicable Federal Aviation Administration and Commonwealth Bureau of Aviation regulations;

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435.L. Required Historic Site Findings - In accordance with Section 106 of the National Historic Preservation Act as an undertaking requiring a Federal permit, license or approval, the applicant shall be required to obtain a Letter of Determination from the State Historic Preservation Office of the Pennsylvania Historical and Museum Commission, determining that the proposed use will not adversely affect any historic resources;

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435.M. Required Construction Certification - The applicant shall furnish a sealed statement from a registered engineer that the support methods employed will prevent the collapse, toppling or falling of the communication antenna or tower, or portion thereof, and will prevent the windborne scattering of ice onto adjoining properties and/or roads;

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435.N. Required Fencing and Signage - All communication antennas or towers and guy wire anchors shall be completely enclosed by a minimum eight foot (8") high non-climbable fence. All ground-mounted satellite dishes that are used to transmit video format data shall also require prominent posting on the fence of signage warning of dangerous radiation levels. Any gates within the fence shall be self-closing and shall be locked when the site is unattended;

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435.O. Required Parking - If a tower site is fully automated, two (2) off-street parking spaces shall be required. If the site is not automated, the number of required parking spaces shall equal the number of people on the largest shift, but in any event, may not be less than two (2) off-street parking spaces;

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435.P. Required Landscaping - The applicant shall be required to provide landscaped screening, as defined herein, around the ground-level features of the proposed use (e.g., tower base, fence, parking and loading, related buildings, guy wire anchors, etc.). In addition, existing vegetation on and around the site shall be preserved to the greatest extent possible;

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435.Q. Required Removal Plan - The applicant shall submit a plan for the removal of the communication antenna when it becomes functionally obsolete or is no longer in use. The applicant shall be responsible for the removal of the antenna within three (3) months from the date it ceases operation or the antenna becomes obsolete;

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435.R. Required As-Built Plan - Prior to issuance of a certificate of use and occupancy, the applicant shall be required to submit an "as-built" site plan, prepared by either a registered surveyor or a professional engineer, depicting elevations, the communication antenna or tower, buildings, fences, screening, access, and any accessory structures; and,

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435.S. Required Biennial Inspection - Beginning in December of 2010, and by December 1 of each even-numbered year thereafter, any approved communication antenna or tower shall be inspected by an expert who is regularly involved in the maintenance, inspection and/or erection of such antennas or towers. At a minimum, this inspection shall be conducted in accordance with the Tower Inspection Class Checklist provided in the Electronics Industries Association (EIA) Standard 222 "Structural Standards for Steel Antenna Towers and Antenna Support Structures." A copy of said inspection report shall be provided to the Township, along with a review fee in the amount to be determined by resolution by the Board of Supervisors. Failure to provide this inspection report and review fee shall constitute a violation of this Ordinance.

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Section 436 Funeral Homes

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436.A. Within the (C) Zones, funeral homes are permitted by right subject to the following criteria and within the (MU) Zone, funeral homes are permitted by conditional use provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 805.B. and specifically as follows:

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436.B. One off-street parking space shall be provided for each 50 square feet of gross floor area shall be designed to prevent back-ups onto adjoining roads; the applicant shall describe what measure will be used to prevent back-ups (e.g. overflow parking, parking attendants, etc.) to prevent such back-ups;

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436.C. All parking areas shall be setback at least ten feet (10') from adjoining lot lines.

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436.D. No direct vehicular access shall be permitted onto an arterial road from the site.

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Section 437 Garage / Yard / Moving Sales

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437.A. Within the (C, RR, A, LDR and MU) Zones, and upon properties with principal residential dwelling units, garage yard and/or moving sales are an accessory permitted use, subject to the following standards:

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437.B. Such sales may only be conducted by an owner or occupant of a lot;

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437.C. No more than four (4) total sales may be conducted during any calendar year;

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437.D. No garage/yard/moving sale shall be conducted for a period longer than three (3) consecutive days;

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437.E. Such sales may offer personal possessions for sale, no import of stocking of inventory shall be permitted.

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437.F. Not more than four (4) signs, not to exceed six (6) square feet each in area, shall be permitted to advertise the garage/yard sale. Said signs shall be removed within six (6) hours of the completion of the sale;

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Comment [DG5]: Check real estate signage (See Notes)

437.G. In no case shall any aspect of the garage/yard sale be conducted in the street right of way.

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437.H. The conduct of a garage/yard/moving sale beyond the extent described herein represents a commercial business and shall require appropriate zoning authorization.

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Section 438 Golf Courses and Driving Ranges

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438.A. Within the (RR, MU, A and B) Zones, golf courses and driving ranges are permitted by special exception provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 704.C.2. and specifically as follows: Golf courses must comply with all of the following criteria, while freestanding driving ranges must comply with Sections 441.B., 441.C., 441.F., and 441.J:

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438.B. In no case shall the golf course design permit or encourage a golf ball to be driven across any building, building lot, parking lot, street, access drive, or driveway;

438.C. Golf Paths - Golf paths shall be graded so as to discharge storm water runoff. Surface conditions of paths shall be adequately protected from an exposed soil condition.

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1. The golf course design shall minimize golf path crossings of streets, access drives and driveways. Easily identifiable golf paths must be provided for crossings of streets, access drives or driveways. The golf course design shall both discourage random crossing and require use of the golf path crossings of streets, access drives and driveways. Golf path crossings shall conform to the following:
 - a. Each crossing shall be perpendicular to the traffic movements;
 - b. Only one (1) street, access drive or driveway may be crossed at each location;
 - c. No crossing is permitted between a point fifteen feet (15') and one hundred fifty feet (150') from the cartway edge of a street, access drive or driveway intersection;
 - d. The crossing must be provided with a clear sight triangle of seventy-five feet (75'), measured along the street, access drive or driveway centerline and the golf path centerline, to a location on the centerline of the golf path, five feet (5') from the edge of the roadway. No permanent obstruction over thirty inches (30") high shall be placed within this area;
 - e. Sight Distance - Golf path intersections shall be designed to provide adequate sight distance with regard to both horizontal and vertical alignment. The required sight distance shall be governed by Section 301.3. of this Ordinance;
 - f. The golf cart path shall not exceed a slope of eight percent (8%) within twenty-five feet (25') of the cartway crossing;
 - g. Golf path crossings shall be signed, warning motorists and pedestrians and golfers. The surface of the golf path shall be brightly painted with angle stripes; and,
 - h. Golf path crossings of collector or arterial streets shall consist of a tunnel or bridge that is not located at street grade. The golf course design shall both prohibit on-grade crossing of collector or arterial streets and require the use of the tunnel. The construction of the collector or arterial roadway crossing of the tunnel shall comply with PennDOT standards.

438.D. All golf course buildings shall be set back seventy-five feet (75') from any adjoining roads and one hundred feet (100') from adjoining residential structures or parcels;

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438.E. Golf courses may include the following accessory uses, provided such uses are reasonably sized, and located so as to provide incidental service to the golf course employees and users:

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1. Clubhouse, which may consist of:
 - a. Restaurant, snack bar, lounge, and banquet facilities;
 - b. Locker and rest rooms;
 - c. Pro shop;
 - d. Administrative offices;
 - e. Golf cart and maintenance equipment storage and service facilities;
 - f. Guest lodging;
 - g. Fitness and health equipment, including workout machines, spas, whirlpools, saunas, and steam rooms;
 - h. Game rooms, including card tables, billiards, ping-pong, and other similar table games; and,

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- i. Baby-sitting rooms and connected fence-enclosed playlots.
- 2. Accessory recreation amenities located outside of a building, including:
 - a. Driving range, provided that no lighting is utilized;
 - b. Practice putting greens;
 - c. Swimming pools;
 - d. Tennis, platform tennis, handball, racquetball, squash, disc golf, volleyball, and badminton courts;
 - e. Bocce ball, croquet, shuffleboard, quoits, horseshoe pits, and washers courses;
 - f. Picnic pavilions, picnic tables, park benches, and barbecue pits;
 - g. Hiking, biking, horseback riding, and cross-country ski trails; and,
 - h. Playground equipment and playlot games, including 4-square, dodgeball, tetherball, and hopscotch.
- 3. Freestanding maintenance equipment and supply buildings and storage yards.

438.F. All outdoor storage of maintenance equipment and/or golf carts shall be set back at least one hundred feet (100') and screened from adjoining residential structures and roads;

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

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438.H. If the facility is to rely upon non-public sources of water, a water feasibility study will be provided to enable the municipality to evaluate the impact of the proposed development on the groundwater supply and on existing wells. The purpose of the study will be to determine if there is an adequate supply of water for the proposed development and to estimate the impact of the new development on existing wells in the vicinity. A water feasibility study shall include the following information:

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

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

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438.J. The applicant shall demonstrate that proposed lighting will comply with Section 310 of this Ordinance.

Section 439 Health, Fitness, Social, Fraternal and Other Private Clubs

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439.A. Within the (C and I) Zones, health, fitness, social, fraternal and other private clubs are permitted by special exception, provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 704.C.2. and within the (MU) Zone, health, fitness, social, fraternal and other private clubs are permitted by conditional use provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 805.B. and specifically as follows:

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439.B. The applicant must furnish evidence as to how the use will be controlled so as to not constitute a nuisance due to noise or loitering outside the building;

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439.C. Off-street parking shall be provided, as required by the combination of elements comprising the use, including accessory uses in accordance with Section 315 of this Ordinance;

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439.D. All outdoor recreation facilities shall be set back at least fifty feet (50') from the street right-of-way line, and twenty-five feet (25') from all other lot lines;

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439.E. Any accessory eating, or retail use, shall not be directly accessible without passing through the main clubhouse building;

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439.F. All lighting (including but not limited to outdoor recreation areas) shall be designed and arranged to comply with Section 310 of this Ordinance;

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439.G. If an exterior amplified public address system is to be utilized, the applicant shall submit qualified expert evidence that the proposed public address system will be designed and operated in a manner to comply with Section 313 of this Ordinance.

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439.H. An acceptable working plan for the cleanup of litter shall be furnished and implemented by the applicant; and,

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439.I. This use shall expressly exclude adult uses, casinos, nightclubs, off-track betting parlors and outdoor shooting ranges.

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Section 440 Heavy Equipment and/or Commercial Truck Sales, Service and/or Repair Facilities

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440.A. Within the (I) Zone, heavy equipment and/or commercial truck sales, service and/or repair service facilities are permitted by special exception, provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 704.C.2. and specifically as follows:

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440.B. All service and/or repair activities shall be conducted within a completely enclosed building or fenced in area;

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440.C. All uses involving drive-thru service shall provide sufficient on-site stacking lanes to prevent vehicle backups on adjoining roads;

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440.D. No outdoor storage of parts, equipment, lubricants, fuel, or other materials used or discarded, as part of the service or repair operation, shall be permitted. All exterior storage and/or display areas

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shall be screened from adjoining properties within the (LDR and MU) Zones. All exterior storage/display areas shall be set back at least fifty feet (50') from adjoining street lines, and shall be covered in an all-weather, dust-free surface;

440.E. The demolition or junking of vehicles, boats, machinery, trucks, trailers, mobile homes, and heavy equipment vehicles, and/or parts thereof, on the property is prohibited; Deleted: 3

440.F. Any ventilation equipment outlets associated with the service/repair work area(s) shall not be directed toward any adjoining property within the (LDR and MU) Zones; Deleted: 3

440.G. All vehicles shall be repaired and removed from the premises promptly and no vehicle shall remain on the site for more than 45 days unless it is stored within a completely enclosed building; and, Deleted: 3

440.H. The applicant shall furnish evidence of how the storage and disposal of materials will be accomplished in a manner that complies with all applicable State and Federal regulations. Deleted: 3

Section 441 Heavy Industrial Uses Deleted: 444

441.A. Within the (I) Zone, heavy industrial uses, as defined herein, are permitted by special exception, provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 704.C.2. and specifically as follows: Deleted: 444

441.B. The applicant shall provide a detailed description of the proposed use in each of the following topics: Deleted: 444

1. The nature of the on-site processing operations, the materials used in the process, the products produced, and the generation and methods for disposal of any wastes and/or by-products. In addition the applicant shall furnish evidence that the storage and disposal of materials will be accomplished in a manner that complies with State and Federal regulations;
2. The general scale of the operation in terms of its market area, specific floor space requirements for each step of the industrial process, the total number of employees on each shift, and an overall needed site size;
3. Any environmental impacts that are likely to be generated (e.g., odor, noise, smoke, dust, litter, glare, vibration, electrical disturbance, waste water, storm water, solid waste, etc.) and specific measures employed to mitigate or eliminate any negative impacts. The applicant shall further furnish expert evidence that the impacts generated by the proposed use fall within acceptable levels as regulated by applicable laws and ordinances, including, but not limited to, those of Sections 310, 313 and 316 of this Ordinance; and,
4. A traffic impact study prepared by a professional traffic engineer, according to Section 319. of this Ordinance.

441.C. Any use where diesel operated trucks periodically congregate will have in place an anti-idling policy, with a maximum idling time per truck of five (5) minutes. Deleted: 444

Section 442 Helicopter Pads, Private Deleted: 445

442.A. Within the (A & I) Zones, helicopter pads, private as an accessory use are permitted by special exception, provided that the applicant has met his/her burden of proof that the proposed use meets Deleted: 445

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all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 704.C.2. and specifically as follows:

- | [442.B.](#) All facilities shall be designed and operated in strict compliance with all applicable State and Federal laws and regulations; Deleted: 445
- | [442.C.](#) The applicant shall furnish evidence of the obtainment of a license from the Pennsylvania Department of Transportation, Bureau of Aviation, prior to the approval of the conditional use application; Deleted: 445
- | [442.D.](#) The applicant shall furnish evidence of the techniques that will be used to employ “fly-neighbory” guidelines to avoid adverse audio-visual impacts to nearby residents and livestock; Deleted: 445
- | [442.E.](#) No part of the take-off/landing pad shall be located nearer than three hundred feet (300') from any property line; and, Deleted: 445
- | [442.F.](#) The heliport may include auxiliary facilities, such as fueling and maintenance equipment subject to compliance with Section 514 of this Ordinance. Deleted: 445

Section [443](#) Historic Structure Conversions

Deleted: 446

- | [443.A.](#) Within the (RR, A, LDR and C) Zones, historic structure conversions are permitted by special exception, provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 704.C.2. and within the (MU) Zone, historic structure conversions are permitted by conditional use provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 805.B. and specifically as follows: Deleted: 446
- | [443.B.](#) The proposed use will enable the preservation, restoration or rehabilitation of the historic structure, as defined herein. The applicant is required to submit expert evidence that any alterations, improvements, extensions, additions or other modifications to the historic structure will be accomplished in a manner that does not jeopardize the historic status of the site and/or its structures. The applicant shall be required to participate in a meeting with the Pennsylvania Historic and Museum Commission (PHMC) or the Cumberland County Historical Society (ACHS) according to Section 518.C.2. of this Ordinance and present the PHMC’s/ACHS’s written findings as part of the special exception application for this use; Deleted: 446
- | [443.C.](#) The proposed use is compatible with the surrounding area. In determining compatibility, the likely impacts of the proposed use including but not limited to traffic, lighting, noise, litter, activity levels, buffer and screen plantings, signs, hours of operation and the number of proposed employees shall be considered. In addition, any public health and safety impacts that will be generated by the proposed use shall also be considered. All uses must demonstrate adequate means of water supply and sewage disposal. These characteristics of the proposed use will be evaluated within the context of the property considering the nature and character of the surrounding area, topography, pedestrian and vehicular access, and any other relevant factors or circumstances; Deleted: 446
- | [443.D.](#) The proposed use is consistent with the purpose of the underlying Zone and it satisfies all applicable requirements of the underlying Zone and any specific criteria attached to the proposed use as listed within this Article 4 of the Zoning Ordinance. Any proposed use that is incompatible with the Zone and the neighborhood in which the subject property is located shall be denied. As required, land development approvals must be obtained; Deleted: 446
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- | [443.E.](#) All proposed off-street parking, off-street loading and waste storage containers shall be screened from adjoining roads, residences and properties within the (LDR and MU) Zones; and,

443.F. Notwithstanding other regulations contained elsewhere within this Ordinance no more than one (1) sign shall be permitted containing up to a maximum eight (8) square feet and is located at least ten (10) feet from each lot line.

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Section 444 Home Improvement and Building Supply Stores

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444.A. Within the (C and I) Zones, home improvement and building supply stores are permitted by special exception, provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 704.C.2. and specifically as follows:

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444.B. All outdoor storage and display areas (exclusive of nursery and garden stock) shall be screened from adjoining roads and properties;

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444.C. If the subject property contains more than (2) acres, it shall front along an arterial or collector road;

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444.D. The retail sales area shall be all areas open for public display, including, but not limited to, shelves, racks, bins, stalls, tables, and booths, plus any adjoining aisles or walkways from which consumers can inspect items for sale. The retail sales area shall include both interior and exterior areas, as listed above;

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444.E. Off-street parking shall be provided at the rate of one (1) space for each two hundred fifty (250) square feet of interior retail sales area, plus one (1) space for each five hundred (500) square feet of exterior retail sales area;

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444.F. All exterior retail sales areas shall include a dust-free surface and a completely-enclosed minimum six foot (6') high fence;

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444.G. The applicant shall furnish expert evidence that any exterior amplified public address system has been arranged and designed so as to comply with Section 313 of this Ordinance;

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444.H. The applicant shall furnish expert evidence that any exterior lighting has been arranged and designed so as to comply with Section 310 of this Ordinance;

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444.I. Any drilling, cutting, sawing, mixing, crushing, or some other preparation of building materials, plus any testing or repair of motorized equipment, shall be conducted within a completely-enclosed building;

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444.J. For uses upon properties greater than one (1) acre, the applicant shall submit a traffic impact study, as governed by Section 319 of this Ordinance; and,

Deleted: 448.C. No more than one (1) home occupation may be located in any dwelling unit;¶
¶

444.K. The applicant shall submit an acceptable working plan for the collection, recycling and disposal of litter and wastes.

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Section 445 Home Occupations

445.A. Within the (RR, A, LDR and MU) Zones, home occupations, as defined herein, if conducted as an accessory use to a principal residence, are permitted by right subject to the following requirements:

Deleted: 448.E. . No mechanical equipment shall be employed in a home occupation, other than that customarily utilized for hobby or domestic purposes;¶

445.B. Up to two (2) nonresident employees shall be permitted;

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445.C. The home occupation shall not alter the appearance of the building as a dwelling unit;

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- | 445.D. No sales of any goods or merchandise shall occur on the premises that would require customer visitation to the site, other than those goods or merchandise which are produced on the premises;
- | 445.E. Home occupations shall be limited to not more than twenty-five percent (25%) of the floor area of the dwelling unit;
- | 445.F. No accessory building or structure may be utilized as a home occupation;
- | 445.G. In addition to the required parking spaces for the dwelling unit, one (1) parking space for each nonresident employee and patron on site at one time shall be provided;
- | 445.H. Only one sign advertising a home occupation shall be permitted. Such sign shall not be illuminated and shall be limited to eight (8) square feet in display area. Signs located within one hundred (100) feet of a road cartway may not be a freestanding sign as defined herein;
- | 445.I. The applicant shall submit evidence of all applicable State approvals; and,
- | 445.J. The applicant is required to submit written information indicating that the disposal of all materials and wastes will be accomplished in a manner that complies with State and Federal regulations. Such evidence shall, at a minimum include, copies of contracts with waste haulers licensed to operate within Cumberland County, which have been contracted to dispose of the materials and wastes used, or generated, on-site or some other legal means of disposal. The zoning permit for this use shall remain valid, only so long as such contracts remain in effect and all materials and wastes are properly disposed of on a regular basis. Should the nature of the home occupation change in the future, such that the materials used, or wastes generated, changes significantly, either in type or amount, the owner of the home occupation shall so inform the Zoning Officer, and shall provide additional evidence demonstrating continued compliance with the requirements of this Section.

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- Deleted: 448.G. No manufacturing shall occur on the premises other than the products of customary hobbies and fabrication of garments by a seamstress or tailor;¶
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448.H. . No goods shall be displayed so as to be visible from the exterior of the premises or related to service provided;¶
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Section 446 Hospitals with Related Uses

- | 446.A. Within the (I) Zone, hospitals with related uses are permitted by conditional use, provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 805.B. and specifically as follows:
- | 446.B. Minimum Lot Area - Five (5) acres;
- | 446.C. The subject property shall have frontage along an arterial or collector road;
- | 446.D. Adequate provision shall be made for a system of roads sufficient to accommodate predictable vehicular traffic and to ensure safe and efficient vehicular access for emergency vehicles and equipment;
- | 446.E. Emergency entrances shall be located on a building wall which faces away from adjoining residential properties or properties within the (LDR and MU) Zones, or separated by at least three hundred feet (300') from properties within the (LDR and MU) Zones;
- | 446.F. The applicant shall submit a traffic impact study, as governed by Section 319 of this Ordinance;
- | 446.G. The applicant is required to submit written information indicating that adequate provision shall be made for the collection, disposal and recycling of garbage, trash, and medical and hazardous waste;

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446.H. Where more than one (1) of the uses enumerated in 449.I. below are proposed, either at one time or separately over time, integrated site function and design shall be required, consistent with the creation of a campus-like environment;

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446.I. The following uses are expressly permitted provided they are designed, located and operated in a manner that supports the overall hospital use and campus:

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1. Commercial day-care facilities;
2. Commercial schools with exclusively health care-related curricula intended to prepare enrolled students for careers in health care, nursing schools, and other allied health technology training programs;
3. Health and fitness clubs;
4. Hospitals and hospices;
5. Intermediate care and skilled nursing facilities;
6. Medical and dental offices;
7. Outpatient health services, including, but not limited to, laboratories, radiological and diagnostic imaging services, blood banks, outpatient surgery centers, and outpatient clinics and patient-care facilities;
8. Accessory buildings, uses and services customarily incidental to the above uses, including, but not limited to, the following:
 - a. Administrative offices;
 - b. Automobile parking lots and parking garages;
 - c. Housing for students, employees and their families in accordance with the standards of the (MU) Zone;
 - d. Helistop (see Section 449.J.1.);
 - e. Incinerators and autoclaves (see Section 449.J.2.);
 - f. Lodging facilities for patients and their families;
 - g. Public uses and essential services (e.g., private central utility plant, electrical switching facility, steam generation facility, heating facility, ventilation facility, and oxygen facility);
 - h. Retail sales of medical/health care-related supplies (e.g., durable medical equipment, prosthetics, pharmaceutical supplies) and retail sales/ service for the convenience of employees, patients and visitors (e.g., uniforms, flowers, gifts, uniform cleaning, barber/beauty salons, automatic teller banking, restaurants). All retail sales and services shall be located within buildings in which other permitted uses are located. Retail sales and services may not exceed five percent (5%) of the floor area of existing buildings; and,
 - i. Short-term, intermittent educational programs which are not intended to prepare students for careers in health care, but, rather, are intended to inform employees, patients, health care providers, or the public regarding health care issues;

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446.J. Specific Requirements for Selected Accessory Uses:

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1. **Helistops** - The helistop shall only be used for the emergency transport by helicopter of patients to or from other permitted health care-related uses. The helistop shall not include auxiliary facilities, such as fueling and maintenance equipment. The helistop shall be set back a minimum of three hundred feet (300') from any adjoining property and any street. The applicant must demonstrate compliance, through a written statement, and continue to comply with applicable State and Federal standards; and,
2. **Incinerators and Autoclaves** - Only the processing of waste generated on-site is permitted. All processing and storage of waste shall be conducted within a completely-enclosed building. All storage of waste shall be in a manner that is leak and vector-proof. No storage of waste shall exceed seven (7) days in length. The incinerator shall be set back at least a distance equal to its height from all lot lines. The applicant must demonstrate compliance, through a written statement, and continue to comply with all applicable State and Federal standards and regulations.

Section 447 Junkyards

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447.A. Within the (RI) Zone, junkyards are permitted by conditional use, provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 805.B. and specifically as follows:

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447.B. **Minimum Lot Area** - Ten (10) acres;

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447.C. The outdoor area devoted to the storage of junk shall be completely enclosed by a minimum eight foot (8') high, sight-tight fence or wall which shall be set back at least fifty feet (50') from all property lines;

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447.D. The setback area between the fence and the lot lines shall be kept free of junk storage, weeds and all scrub growth and shall be devoted to landscaping and/or screening in accordance with Section 321 of this Ordinance;

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447.E. All buildings used to store junk shall be completely enclosed and set back at least fifty feet (50') from all property lines;

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447.F. No material may be stored or stacked exceeding a height of eight (8) feet or so that it is visible from adjoining properties and roads;

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447.G. All additional Federal and State laws shall be satisfied;

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447.H. All junk shall be stored or arranged so as to permit access by firefighting equipment with vehicle access lanes of no less than twelve feet (12') in width spaced no more than five hundred feet (500') apart at the greatest separation distance. Such access lanes shall be kept free from obstruction at all times;

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447.I. The manner of storage and arrangement of junk, and the drainage facilities of the premises shall prevent the accumulation of stagnant water upon the premises and no inflammable liquid shall be permitted to remain in any junked container, whether the container is a separate item or is an integral part of, another item, at any time.

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447.J. No material shall be burned at any time;

- 447.K. Junkyards shall be maintained in such a manner as to cause no public or private nuisance, nor to cause any offensive or noxious sounds or odors, nor to cause the breeding or harboring of rats, flies, mosquitoes or other vectors;
- 447.L. No junk shall be located on land with a slope in excess of five percent (5%); and,
- 447.M. No junk yard shall be located within two hundred feet (200') of any land within the (LDR or MU) Zones.

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Section 448 Kennels

- 448.A. Within the (A) Zone, kennels are permitted by special exception, provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 704.C.2. and specifically as follows:
- 448.B. The following lists minimum required lot sizes and required setbacks based upon the number of animals kept:

Type and Number of Animals Kept	Minimum Required Lot Area	Minimum Required Setback of Unenclosed Animal Boarding Buildings, Pens, Stalls, Runways, and Running Areas from the Nearest Property Line
1 dog to 50 dogs	5 acres	150 feet
1 to a maximum of 200 animals, other than dogs	5 acres	150 feet
1 dog to 50 dogs, plus 1 to a maximum of 200 animals, other than dogs	5 acres	150 feet
More than 50 dogs	10 acres	300 feet
More than 51 dogs, plus more than 200 animals, other than dogs	10 acres	300 feet

Deleted: 453 Man-Made Lakes, Dams, Ponds, and Impoundments ¶

453.A. . Within any Zone, man-made lakes, dams, ponds, and impoundments are permitted as accessory uses by right, subject to the following:¶

¶

453.B. All lakes, dams, ponds, and impoundments located along, and connected to, a stream that involve any of the following, shall require a permit from the PA DEP, Bureau of Dams and Waterways, Division of Dam Safety, or a letter indicating that the proposed use does not require a PA DEP permit:¶

¶

<#>The lake, dam, pond, retention, or impoundment contains a volume of at least fifty (50) acre feet;¶

¶

<#>The dam reaches a height of fifteen feet (15'); and,¶

¶

<#>The lake, dam, pond, or impoundment impounds the water from a watershed of at least one hundred (100) acres. ¶

¶

<#>Those uses that do not exceed the preceding thresholds are subject to the requirements listed in Section 464 of this Ordinance. ¶

¶

453.C. . All such lakes, dams, ponds, and impoundments shall be located seventy-five feet (75') from all adjoining lot lines, as measured from the closest point of the adjoining property line to the maximum anticipated water surface elevation;¶

¶

453.D. All lakes, dams, ponds, and impoundments not contiguous to a stream that have an intake, outlet, or both, and/or ...

- 448.C. The applicant shall explain those measures that will ensure that the proposed use will comply with the noise regulations listed in Section 313 of this Ordinance;
- 448.D. The applicant must furnish a plan for the storage and disposal of deceased animals within 24 hours of an animal's death;
- 448.E. The applicant must demonstrate evidence of compliance with the PA Dog Law;
- 448.F. The applicant must explain measures to be used to ensure that all animal wastes shall be regularly cleaned up and properly disposed of to prevent odors and unsanitary conditions and,
- 448.G. The applicant is required to submit written information indicating that the disposal of all materials and wastes will be accomplished in a manner that complies with State and Federal regulations with particular attention to those pesticides, insecticides and detergents used.

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Section 449 Mobile Home Parks

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449.A. Within the (MU) Zone, mobile home parks are permitted by conditional use, provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 805.B. and specifically as follows:

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449.B. The minimum parcel size for any mobile home park development shall be five (5) acres;

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449.C. The maximum permitted density shall be limited to six (6) units per net acre;

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449.D. Each single mobile home lot shall contain no less than (4,200) square feet, and be at least forty feet (40') wide;

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449.E. No mobile home lot shall be within twenty-five feet (25') of a park boundary, or within fifty feet (50') of an outside street right-of-way. This area shall constitute the mobile home park boundary area;

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449.F. No mobile home park office or service building shall be located within thirty feet (30') of a park boundary or an outside street right-of-way; nor within thirty feet (30') of the right-of-way of an interior park street, or the paved edge of a common parking area or common walkway; nor within thirty feet (30') of an adjacent structure or mobile home;

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449.G. Each mobile home shall have a minimum front yard of twenty feet (20'), rear yard of fifteen feet (15'), and two sides of ten feet (10') each. In no case shall the distance between any two mobile homes be less than twenty feet (20');

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449.H. A paved on-site walkway of a minimum width of four feet (4') shall be provided to each mobile home unit from an adjacent street;

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449.I. Except as required herein, streets, curbs and sidewalks shall be constructed in accordance with the SALDO;

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449.J. All roads in the park shall be private access drives and shall be paved with a bituminous or concrete surface at least twenty feet (20') wide. If on-street parking is proposed an additional width of eight feet (8') shall be required for each lane of parking;

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449.K. Each mobile home lot shall abut on a park access drive with access to such access drive. No direct access to any mobile home lots shall be from public streets or highways;

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449.L. Each mobile home space shall contain no more than one (1) mobile home, nor more than one (1) family;

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449.M. No less than ten percent (10%) of the total mobile home park area shall be set aside for recreation and open space purposes. Such area may not include any of the required mobile home park boundary area. No service buildings or offices may be constructed within the required recreation and open space area;

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449.N. Each mobile home stand shall have attachments for waste disposal, water supply facilities and electrical service, and such facilities shall be properly connected to an approved method of sewage disposal, and water and electrical supply;

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449.O. Protective skirting shall be placed around the area between the stand surface and the floor level of each mobile home so as to prevent that area from forming a harborage for rodents, creating a fire hazard, or exposing unsightly conditions;

449.P. No recreation vehicle, travel or vacation trailer or other form of temporary living unit shall be placed upon any mobile home stand or used as a dwelling within the mobile home park;

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449.Q. Service and Accessory Buildings:

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1. Construction - All service and accessory buildings, including management offices, storage areas, laundry buildings, and indoor recreation areas shall conform to the requirements of any applicable building code, and such shall be maintained so as to prevent deterioration caused by decay, corrosion, termites, or other destructive elements. Attachments to mobile homes in the form of sheds and lean-tos are prohibited;
2. Mobile Home Park Office - Every mobile home park shall have an office on-site for the mobile home park manager. Every mobile home park containing fifteen (15) or more mobile home spaces shall have a structure designed and clearly identified for such office; and,
3. Use - Service and accessory buildings located in a mobile home park shall be used only by the occupants of the same and their guests;

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Deleted: Section 455 Manure Storage Facilities¶

¶ 455.A. . Within the (RR, A and LDR) Zones manure storage facilities that are accessory to an agricultural or horticultural use are permitted by right subject to the following requirements: ¶

¶ 455.B. The applicant shall submit written evidence from a professional engineer licensed to practice within the Commonwealth of Pennsylvania, that the design and construction of the manure storage facility shall be in accordance with the Pennsylvania Department of Environmental Protection's publication *Manure Management Manual for Environmental Protection*, and any revisions, supplements, and replacements thereof, published by the Pennsylvania Department of Environmental Protection;¶

¶ 455.C. . The applicant shall furnish evidence of his/her manure management plan, as applicable under State law. All subsequent operations and activities shall be conducted in accordance with such plan;¶

¶ 455.D. All manure storage facilities shall be operated and maintained in accordance with the Pennsylvania Department of Environmental Protection's publication *Manure Management Manual for Environmental Protection*, and any revisions, supplements, and replacements thereof, published by the Pennsylvania Department of Environmental Protection; and, ¶

449.R. Each mobile home shall be provided with a minimum of two (2) paved parking spaces which shall be located on the mobile home space. If on-street parking is not provided, one additional off-street parking space per unit shall be provided in a common visitor parking compound. Such visitor parking compounds shall be sized, arranged, and located so that the spaces are within three hundred feet (300') walking distance to those units served;

449.S. Each mobile home shall be placed on a six inch (6") thick poured concrete pad over a six inch (6") stone base, the length and width of which shall be at least equal to the length and width of the mobile home it is to support. Every mobile home shall be anchored to the mobile home pad where it is located, prior to the unit being occupied, and no more than seven (7) days from the arrival of the mobile home. The anchoring system shall be designed by a registered professional engineer to prevent tilting of the unit, and resist a minimum wind velocity of ninety (90) miles per hour; and,

449.T. All mobile home parks shall be screened from adjoining properties and roads. Screening methods shall be described and graphically depicted as part of the special exception application.

Section 450 Medical Residential Campuses

Deleted: Section 456 . Mass Transit and/or Taxicab Terminals¶

450.A. Within the (MU) Zone, medical residential campuses are permitted by conditional use, provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 805.B. and specifically as follows:

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450.B. The campus shall achieve a balanced residential/medical environment which cannot be achieved through the use of conventional zoning techniques;

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450.C. Residences shall be functionally, physically and architecturally integrated with medical service and recreational activity centers;

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450.D. Commercial, medical and recreational uses shall be grouped together and located near the populations being served;

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450.E. The minimum land area devoted to the campus shall be ten (10) contiguous acres;

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450.F. The site shall front on and have access to a collector or arterial road;

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- 450.G. All buildings or structures containing nonresidential use(s), off-street parking lots and loading areas shall be set back at least fifty feet (50') from all lot lines of the campus property;
- 450.H. The maximum permitted overall density is ten (10) dwelling units per acre. For purposes of this Section, any two (2) care beds associated with a medical use shall constitute one (1) dwelling unit. No more than fifty percent (50%) of the total number of permitted dwelling units shall consist of care beds. For the purposes of this Section, "care beds" shall be defined as any bed where a resident of the medical residential campus may sleep that is not part of a dwelling unit upon which the maximum permitted density is computed. Examples of care beds would include, but not be limited to those associated with medical and/or nursing care, or those associated with congregate or communal living quarters;
- 450.I. All buildings or structures used solely for residential purposes shall be set back at least fifty feet (50') from all lot lines of the campus property;
- 450.J. The maximum permitted height is sixty feet (60'), provided that for buildings exceeding thirty-five (35) feet in height, the minimum setback from each lot line is equal to the height of the structure and the applicant must demonstrate compliance with Section 240 of this Ordinance;
- 450.K. No more than sixty percent (60%) of the subject property shall be covered with buildings, parking and loading areas and/or other impervious surfaces;
- 450.L. Each off-street parking lot shall provide at least ten percent (10%) of the total parking spaces as those designed for the physically handicapped. Furthermore, such parking spaces shall be located throughout the campus in such a manner to be conveniently accessible to the buildings/uses for which they are required;
- 450.M. Only those uses which provide a harmonious, balanced mix of medical, residential, limited commercial and recreational uses, primarily serving campus residents, and public, quasi-public and medical services for the off-campus retirement-aged community will be permitted. Uses may include, but need not be limited to the following:
 1. Dwelling, nursing homes, and congregate living facilities for the elderly or physically handicapped;
 2. Medical facilities including offices, laboratories, clinics, professional or paramedical training centers, and ambulatory care facilities;
 3. Commercial uses which are strictly related and subordinate to the residential/medical character of the campus and which directly serve the residents and employees of, or visitors to, the center. The uses should be chosen to reflect their local orientation to the immediate campus vicinity and should be of a size and scope so as not to interfere with existing or proposed retail uses located in the off-campus area; and,
 4. Recreational and social uses, such as athletic facilities, community centers, and assembly halls, limited to use only by campus residents, employees, or visitors; and,
- 450.N. The applicant must comply with all State requirements at all times.

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Deleted: Section 458 Methadone Treatment Facility

458.A. . Within the (RI) Zone, methadone treatment facilities are permitted by conditional use, provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 805.B. and specifically as follows:¶

458.B. An methadone treatment facilities shall not be permitted to be located within one thousand feet (1,000') of any other methadone treatment facilities;¶

458.C. . No methadone treatment facilities shall be located within one thousand feet (1000') of any land within the (LDR and MU) Zones;¶

458.D. No methadone treatment facilities shall be located within one thousand feet (1000') of any parcel of land which contains any one or more of the following specified land uses:¶

1. . Amusement park;¶
2. . Camp (for minors' activity);¶
3. . Child care facility;¶
4. . Church or other similar religious facility;¶
5. . Community center;¶
6. . Museum;¶
7. . Park;¶
8. . Playground;¶
9. . School; or¶
10. . Other lands where minors congregate.¶

458.E. . The distance between any two methadone treatment facilities shall be measured in a straight line, without regard to intervening structures, from the closest poi(...

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Section 451 Mining, Quarrying and Related Processing Operations

451.A. Within the (RI) Zone, mining, quarrying and related processing operations, including the recycling of related materials are permitted by conditional use provided that the applicant has met his/her

burden of proof that the proposed use meets all applicable regulations contained within this Ordinance (except as may be limited by Section 103.4. of this Ordinance) including but not limited to those general criteria contained within Section 805.B. and specifically as follows:

451.B. GENERAL

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Quarries and mineral extraction-related uses including the recycling of related materials operations:

1. may not substantially injure or detract from the lawful existing or permitted use of neighboring properties;
2. may not adversely affect any public or private water supply source;
3. may not adversely affect the logical, efficient, and economical extensions of public services, facilities and utilities throughout the Township;
4. may not create any significant damage to the health, safety, welfare of the Township and its residents and property owners;
5. may not result in the land area subject to quarrying being placed in a condition which will prevent the use of that land for economically and ecologically productive uses upon completion of the quarry operation; and,
6. must demonstrate compliance with all applicable State regulations at all times.

451.C. SITE PLAN REQUIREMENTS

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As a part of each application the applicant shall furnish an accurately surveyed site plan on a scale no less than 1:2400, showing the location of the tract or tracts of land to be affected by the operation. The surveyed site plan shall be certified by a registered professional engineer or a registered professional land surveyor with assistance from experts in related fields and shall include the following:

1. The boundaries of the proposed land affected, together with the drainage area above and below the area.
2. The location and names of all streams, roads, railroads and utility lines on or immediately adjacent to the area.
3. The location of all buildings within one thousand (1,000) feet of the outer perimeter of the area affected and the names and addresses of the owners and present occupants.
4. The purpose for which each building is used.
5. The name of the owner of the affected area and the names of adjacent landowners, the municipality and the county.

451.D. MINIMUM LOT AREA - Fifty (50) acres;

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451.E. FENCING

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Operations that have a highwall, as defined herein, fifteen feet (15'), or higher, shall be required to enclose the actual area of mining with a minimum eight foot (8') high chain link fence and like latching gates. Operations with no highwalls, or highwalls of less than fifteen feet (15') high, shall be required to enclose the area of mining with a minimum forty-seven inches (47") high with a minimum 11 gauge woven wire fence that has openings no larger than six inches (6") in any

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direction and has posts at intervals of no more than ten feet (10'). All woven wire fences shall be equipped with latching minimum six (6) bar tube or panel gates, at vehicular access points;

All gates shall be latched at times when the site is unattended. The Township will accept departures from the above-described fence/gate specifications, only if the applicant can demonstrate that the proposed fence/gate will achieve an equal or higher level of protection;

Along all fences, the applicant will be required to post and maintain "No Trespassing" and/or "Danger" signs at intervals of no less than one (1) sign per each hundred (100) lineal feet of fence/gate. Such signs shall be no larger than two (2) square feet per sign and shall not be posted higher than five feet (5') above grade. All fences/gates shall be maintained in good condition and shall not be allowed to become deteriorated or unsightly;

There shall be no advertising placed upon the fencing/gate, except as may be permitted in Section 322 of this Ordinance;

451.F. SETBACKS

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The following table identifies minimum setbacks imposed upon specific features of the quarry and other extractive-related uses from adjoining and/or nearby uses:

Quarry-Related Feature	Existing Residence	Existing Nonresidential Building	LDR or MU Zone	Adjoining Road	Public/ Nonprofit Park	Cemetery or Streambank	Adjoining Property
Stockpiles or Spoil piles	300 ft.	300 ft.	300 ft.	100 ft.	300 ft.	300 ft.	100 ft.
Mineral Processing Equipment (e.g., crushers, sorters, conveyors, dryers, etc.)	300 ft.	300 ft.	300 ft.	100 ft.	300 ft.	300 ft.	100 ft.
Quarry Pit	300 ft.	300 ft.	300 ft.	100 ft.	300 ft.	300 ft.	100 ft.
On-Site Access Roads & Off-Street Parking, Loading & Vehicle Storage and Weighing Facilities	300 ft.	300 ft.	300 ft.	100 ft.	300 ft.	300 ft.	100 ft.
Other Operational Equipment, Structures &/or Improvements	300 ft.	300 ft.	300 ft.	100 ft.	300 ft.	300 ft.	100 ft.

451.G. VEHICULAR ACCESS

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Vehicular access shall be arranged as to minimize danger and congestion along adjoining roads and to avoid the creation of nuisances to nearby properties. Access drives used by trucks shall only intersect with collector or arterial roads.

- I. All access drives shall be designed and located so as to permit the following minimum sight distances measured from a point at least ten (10) feet behind the curb line or edge of cartway of an intersecting public street. No sight obstructions shall be permitted which are greater than three (3) feet or less than ten (10) feet above the street surface.

Speed Limitation on Public Street (mph)	Required Sight Distance (feet)
25	240
30	275
35	315
40	350
45	426
50	475

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Speed Limitation on Public Street (mph)	Required Sight Distance (feet)
55	550

2. All access drives serving the site shall have a paved, minimum thirty-five (35) foot wide cartway for a distance of at least two hundred (200) feet from the intersecting street right-of-way line. In addition, a fifty (50) foot long, gravel section of access drive should be placed just beyond the preceding two hundred (200) foot paved section to help collect any mud that may have attached to a vehicle's wheels;
3. In general, access drives shall intersect public streets at ninety degrees (90°) as site conditions permit, however in no case shall access drives intersect public streets at less than seventy degrees (70°). Said angle shall be measured from the centerline of the street to the centerline of the access drive.

451.H. TRAFFIC IMPACT

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The applicant shall furnish a traffic impact study prepared in accordance with Section 319 of this Ordinance;

451.I. RECLAMATION

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The applicant shall demonstrate compliance with Section 7.(c) of the Pennsylvania Act No. 1984-219, as may be amended. The applicant shall provide a detailed description of the proposed use of the site, once reclamation has been completed, including a description of any zoning and/or subdivision approvals or remedies that would be necessary to accommodate the proposed use. A planting plan shall also be required for areas of the reclaimed site that are not to be underwater. Such plan shall demonstrate the covering of the site with sufficient arable soil that can stabilize the site with a vegetative ground cover that prevents excessive soil erosion and will support a mix of indigenous vegetation. Finally, the applicant shall provide written notification to the Township within thirty (30) days, whenever a change in the reclamation plan is proposed to the PA DEP;

451.J. BUFFERING AND SCREENING

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A minimum one hundred foot (100') wide buffer strip shall be located along all property lines. No structures, storage, parking, or any other related activity or operation shall be permitted within this buffer strip. All uses shall be screened from adjoining roads and properties. Such screening shall be comprised of an earthen berm at least ten feet (10') in height. Such berm shall be located on the subject property and placed so as to maximize the berm's ability to absorb and/or block views of, and the noise, dust, smoke, etc. generated by, the proposed use. The berm shall be completely covered and maintained in an approved vegetative ground cover. Along any adjoining property line and road shall be located a minimum ten foot (10') wide landscape screen. Such landscape screen shall consist of evergreen shrubs and trees arranged to form both a low-level and a high-level screen. The high-level screen shall consist of deciduous and evergreen trees of not less than five feet (5') in height at the time of planting that shall be planted at intervals of not more than ten feet (10'). The low-level screen shall consist of evergreen trees and shrubs of not less than three feet (3') in height at the time of planting that shall be planted at intervals of not more than five feet (5'). The landscape screen shall be located outside of the fence required by Section 459.E. of this Ordinance and must be permanently maintained; and,

451.K. OPERATIONS PROGRESS REPORT

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Within ninety (90) days after commencement of surface mining operations, and each year thereafter, the operator shall file an operations and progress report with the Zoning Officer, setting forth all of the following:

1. The name or number of the operation;
2. The location of the operation with reference to the nearest public road;
3. A description of the tract or tracts, including a site plan showing the location of all improvements, stockpile, quarry pits, etc;
4. The name and address of the landowner or his duly authorized representative;
5. An annual report of the type and quantity of mineral produced;
6. The current status of the reclamation work performed in pursuance of the approved reclamation plan;
7. A maintenance report for the site that verifies that all required fencing, berming and screening has been specifically inspected for needed repairs and/or maintenance, and that such needed repairs and/or maintenance has been performed; and,
8. Verification that the proposed use continues to comply with all applicable State regulations. The operation shall furnish copies of any approved permits and/or any notices of violation issued by the Pennsylvania Department of Environmental Protection.

451.L. WATER RESTORATION

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In accordance with Section 11.(g) of the PA Noncoal Surface Mining and Conservation and Reclamation Act, any mining/processing operation that affects a public or private water supply due to contamination, interruption, or diminution shall restore or replace the affected water supply with an alternate source of water adequate in quantity and quality for the purposes served by the affected supply; and,

451.M. MAXIMUM PERMITTED HEIGHT

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No piling of spoiled materials and/or waste materials shall exceed a height of fifty feet (50') above the natural unexcavated grade. Such pilings must be periodically and sufficiently covered with earth and the seed of a year-round ground cover in order to achieve a stable condition.

Section 452 Storage Unit Centers

Deleted: 460

452.A. Within the (C and I) Zones, storage unit centers are permitted by special exception, provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 704.C.2. and specifically as follows:

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452.B. One (1) off-street parking space shall be provided for each fifty (50) storage units, plus two per any residential use associated with an on-site manager;

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452.C. Parking shall be provided by parking/driving lanes adjacent to the buildings. These lanes shall be at least twenty-six feet (26') wide when cubicles open onto one side of the lane only, and at least thirty feet (30') wide when cubicles open onto both sides of the lane;

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452.D. Required parking spaces may not be rented as, or used for, vehicular storage. However, additional external storage area may be provided for the storage of privately-owned recreation vehicles, so long as such external storage area is screened from adjoining land within the (LDR and MU) Zones and adjoining roads, and is located behind the minimum front yard setback line. This provision shall not be interpreted to permit the storage of partially dismantled, wrecked, or inoperative vehicles;

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452.E. Except as noted above, all storage shall be kept within an enclosed building except that the storage of flammable, highly combustible, explosive or hazardous chemicals shall be prohibited. Any fuel tanks and/or machinery or other apparatuses relying upon such fuels shall be stored only in an external storage area as described above; **Deleted: 460**

452.F. Because of the danger from fire or explosion caused by the accumulation of vapors from gasoline, diesel fuel, paint, paint remover, and other flammable materials, the repair, construction, or reconstruction of any boat, engine, motor vehicle, or furniture is prohibited; **Deleted: 460**

452.G. No door openings for any storage unit shall be constructed facing any property within the (LDR and MU) Zones unless such units are screened from adjoining land within the (LDR and MU) Zones; **Deleted: 460**

452.H. Storage unit centers shall be used solely for the dead storage of property. The applicant shall adequately demonstrate that all storage unit centers rental and/or use contracts shall specifically prohibit the following examples of uses expressly prohibited upon the site: **Deleted: 460**

1. Auctions, commercial wholesale or retail sales, or garage sales except for owner to dissolve property left in abandoned units;
2. The servicing, repair, or fabrication of motor vehicles, boats, trailers, lawn mowers, appliances, or other similar equipment;
3. The operation of power tools, spray-painting equipment, table saws, lathes, compressors, welding equipment, kilns, or other similar equipment;
4. The establishment of a transfer and storage business; and,
5. Any use that is noxious or offensive because of odors, dust, noise, fumes, or vibrations;

452.I. The storage unit centers will be surrounded by a six foot (6') to eight foot (8') high fence; and, **Deleted: 460**

452.J. All outdoor lights shall be shielded to direct light and glare only onto the site and may be of sufficient intensity to discourage vandalism and theft. Said lighting and glare shall be deflected, shaded and focused away from all adjoining property. The applicant shall demonstrate compliance with Section 310 of this Ordinance. **Deleted: 460**

Section 453 Nightclubs **Deleted: 461**

453.A. Within the (C) Zone, nightclubs are permitted by special exception, provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 704.C.2. and specifically as follows: **Deleted: 461**

453.B. No part of the subject property shall be located within two hundred feet (200') of any land within the (LDR and MU) Zones; **Deleted: 461**

453.C. The applicant shall furnish evidence that the proposed use will not be detrimental to the use of adjoining properties due to hours of operation; **Deleted: 461**

453.D. The applicant shall furnish evidence as to how the use will be controlled as to comply with Sections 310 of this Ordinance; **Deleted: 61**

453.E. The applicant shall furnish evidence as to how the use will be controlled as to not constitute a nuisance due to loitering outside the building; and, **Formatted: Left**

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453.F. An acceptable working plan for the cleanup and recycling of litter shall be furnished and implemented by the applicant.

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Section 454 Noncommercial Keeping of Livestock

Comment [DG6]: PROVIDE AS PERMITTED USE IN RR AND A ZONES IN ARTICLE 2 (7.20.15)

454.A. Within the (RR and A) Zones, the noncommercial keeping of livestock, as defined herein, is permitted by right as an accessory use to a principal residence.

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Section 455 Nursing, Rest or Retirement Homes

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455.A. Within the (MU & LDR) Zones nursing, rest or retirement homes are permitted by special exception, provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 704.C.2. and within the (MU & LDR) Zones nursing, rest or retirement homes are permitted by conditional use, provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 805 and both specifically as follows:

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¶ 462.B. Minimum Lot Area – All uses shall comply with the minimum lot area requirements within each respective Zone; however, in no case shall a lot contain less than one (1) acre for group 1 and 2 animals and two (2) acres for group 3 animals. Additionally, the following list specifies additional requirements by size of animals kept. The keeping of a combination of animal types (Group 1, 2 and 3) shall require an animal density equal to the ratio of the number of animals, by type. ¶

455.B. Within the (MU & LDR) Zones the minimum lot area shall be two (2) acres;

455.C. Within the (MU & LDR) Zones, all parking areas shall be set back a minimum of twenty-five feet (25') from all property lines. All off-street parking and/or loading areas shall be screened from adjoining lots and streets;

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455.D. A nursing, rest or retirement home may erect one (1) sign no larger than eight (8) square feet in size, which must be set back ten feet (10') from all lot lines;

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455.E. Both public sewer and public water shall be utilized;

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455.F. At least ten percent (10%) of required parking spaces shall be designed for handicapped persons; and,

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455.G. No more than twenty-seven (27) care beds per acre shall be permitted.

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Section 456 Outdoor Residential Athletic Courts

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456.A. Within any Zone, outdoor athletic residential courts are an accessory use to a residence permitted by right, subject to the following criteria:

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456.B. All courts shall either be setback a sufficient distance from any lot line to prevent the trespass of balls or other play objects onto adjoining properties or be equipped with fences or other barriers that will prevent such trespass; and,

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456.C. Any lighting fixtures shall comply with Section 309 of this Ordinance.

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Section 457 Outdoor Shooting Ranges

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457.A. Within the (A & RR) Zones, commercial and private club outdoor shooting ranges are permitted by conditional use, provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 805.B. and specifically as follows:

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457.B. The applicant shall submit a detailed written description of the methods used to ensure that outdoor shooting range operations:

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1. Do not substantially injure or detract from the lawful existing or permitted use of neighboring properties;
2. Do not substantially damage the health, safety or welfare of the Township, or its residents and property owners;
3. Comply with all applicable Federal, State and local laws, rules and regulations regarding the discharge of a firearm;
4. Store ammunition only in an approved secure vault;

5. Prohibit the consumption of alcoholic beverages within the area approved as the shooting range; and,

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5. Limit the number of shooters to the number of firing points or stations identified on the development plan;¶

6. Limit firing to the hours between one (1) hour after official sunrise and one (1) hour preceding official sunset, unless sufficient lighting is used, in accordance with Section 310 of this Ordinance, in which case all shooting shall cease by 9 p.m.;

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457.C. A development plan shall identify the Safety Fan for each firing range. The Safety Fan shall include the area necessary to contain all projectiles, including direct fire and ricochet. The Safety Fan configuration shall be based upon qualified expert testimony regarding the trajectory of the bullet, and the design effectiveness of berms, overhead baffles, or other safety barriers to contain projectiles to the Safety Fan;

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457.D. The firing range, including the entire Safety Fan, shall be enclosed with a six foot (6') high, non-climbable fence to prevent unauthorized entry into the area. Range caution signs with eight inch (8") tall, red letters on a white background shall be posted at a maximum of one hundred foot (100') intervals around the range perimeter. Signs shall read "SHOOTING RANGE AREA. KEEP OUT!";

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457.E. Range flags shall be displayed during all shooting activities. Range flags shall be located in a manner visible from entrance drives, target areas, range floor, and the perimeter of the Safety Fan;

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457.F. All surfaces located within the Safety Fan, including the backstop, overhead baffles, berms, and range floor, shall be free of hardened surfaces, such as rocks or other ricochet-producing materials;

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457.G. All shooting range facilities, including buildings, parking, firing range, and Safety Fan shall be set back a minimum of one hundred feet (100') from the property line and street right-of-way;

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457.H. The applicant shall present credible evidence that the sounds of shooting comply with Section 313 of this Ordinance;

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457.I. Off-street parking facilities shall be provided with a ratio of one and one-half (1½) spaces per firing station, but not less than one (1) space for each four (4) seats; and,

457.J. No part of a shooting range property shall be located within one-quarter (¼) mile of any land within a (LDR and MU) Zones.

Section 458 Passenger Motor Vehicle and Recreational Vehicle Sales, Service and Repair Facilities, Including, But Not Limited To, Auto Mechanics, Drive-Thru Lubrication Services and Tires, Auto Paint, Brake, Muffler, Transmission, Windshield, Auto Body, Car Radio, and Upholstery Shop

458.A. Within the (C and I) Zones, passenger motor vehicle and recreational vehicle sales, service and repair facilities, including, but not limited to, auto mechanics, drive-thru lubrication services and tires, auto paint, brake, muffler, transmission, windshield, auto body, car radio, and upholstery shop are permitted by special exception provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 704.C.2., and specifically as follows:

458.B. All service and/or repair activities shall be conducted within a completely-enclosed building;

458.C. All uses involving drive-thru service shall provide sufficient on-site stacking lanes to prevent vehicle backups on adjoining roads;

458.D. No outdoor storage of parts, equipment, lubricants, fuel, or other materials used or discarded, as part of the service or repair operation, shall be permitted;

458.E. All exterior vehicle storage areas shall be screened from adjoining roads and any adjoining land within an (LDR and MU) Zone;

458.F. The storage of vehicles to be serviced on the property without current registration is prohibited;

458.G. Any ventilation equipment outlets associated with the service/repair work area(s) shall not be directed toward any adjoining property within the an (LDR or MU) Zone;

458.H. All vehicles shall be repaired and removed from the premises promptly and no vehicle shall remain on the site for more than 45 days unless it is stored within a completely enclosed building;

458.I. The demolition or junking of motor vehicles is prohibited; and,

458.J. The applicant shall furnish evidence of how the storage and disposal of materials will be accomplished in a manner that complies with all applicable State and Federal regulations.

Section 459 Principal Waste Handling, Recycling, Processing, Transfer and Disposal Facilities

459.A. Within the (I) Zone, principal waste handling, recycling, processing, transfer and disposal facilities are permitted by conditional use, provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 805.B. and specifically as follows:

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Deleted: Section 468 Parking and/or Storage of Recreational Vehicles & Personal Cargo Trailers¶

¶ 468.A. . The parking and/or storage of recreational vehicles, travel trailers, boats, and personal cargo trailers used solely for the transport of the residents' personal property is permitted only according to the following requirements:¶

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

Class I Vehicles - Those recreational vehicles, travel trailers, boats (including trailers), and other personal cargo trailers used solely for the transport of the residents' personal property that possess no more than two hundred (200) square feet, as measured to the vehicle's outermost edges, nor exceed a height of ten (10) feet, as measured from the ground to the highest point of the main body of the vehicle. Vehicle height shall not be measured on vehicle accessories (e.g., air conditioners, vents, hatches, masts, antennas, outrigger fishing poles, etc.), but will be measured to the highest point of any flybridge or other boat console.¶

Class II Vehicles - Those recreational vehicles, travel trailers, boats (including trailers), and other personal cargo trailers used solely for the transport of the

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Deleted: Section 470 Power Generation Facilities¶

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- | [459.B.](#) Any processing and/or treatment of waste (including but not limited to incineration, composting, steaming, shredding, compaction, material separation, refuse derived fuel, pyrolysis, etc.) shall be conducted within a wholly-enclosed building; Deleted: 471

- | [459.C.](#) No waste shall be deposited, stored or disposed of, and no building or structure shall be located, within two hundred feet (200') of any property line, and five hundred feet (500') of any adjoining land within the (LDR and MU) Zones; Deleted: 471

- | [459.D.](#) Any external area used for the unloading, transfer, storage, or deposition of waste must be completely screened from view at the property line. (The use of an earthen berm is encouraged where practicable.) In addition, such areas must also be completely enclosed by a minimum eight foot (8') high fence, with no openings greater than two inches (2") in any direction; Deleted: 471

- | [459.E.](#) The applicant must demonstrate compliance (through a written statement) and continue to comply with all applicable State and Federal standards and regulations; Deleted: 471

- | [459.F.](#) The use shall be screened from all adjoining land within the (LDR and MU) Zones; Deleted: 471

- | [459.G.](#) All uses shall provide sufficiently-long stacking lanes into the facility, so that vehicles waiting to be weighed and/or unloaded will not back-up onto public roads; Deleted: 471

- | [459.H.](#) All access drives onto the site shall be paved for a distance of at least two hundred feet (200') from the street right-of-way line. In addition, if portions of on-site access drives are unpaved, then a fifty foot (50') long gravel section of driveway shall be placed just beyond the preceding two hundred foot (200') paved section to help collect any mud that may have attached to a vehicle's wheels; Deleted: 471

- | [459.I.](#) Access to the site shall be limited to those posted times when an attendant is on duty. In order to protect against the indiscriminate and unauthorized dumping, all areas of the site shall be protected by locked barricades, fences, gates or other positive means designed to deny access to the area at unauthorized times or locations; Deleted: 471

- | [459.J.](#) Litter control shall be exercised to prevent the scattering of wind-borne debris, and an acceptable working plan for the cleanup of litter shall be submitted to the Township; Deleted: 471

- | [459.K.](#) The unloading, processing, treatment, transfer, and disposal of waste shall be continuously supervised by a qualified facility operator; Deleted: 471

- | [459.L.](#) Any waste that is to be recycled shall be stored in leak- and vector-proof containers. Such containers shall be designed to prevent their being carried by wind or water. These containers shall be stored within a completely-enclosed building; Deleted: 471

- | [459.M.](#) All storage of waste shall be indoors in a manner that is leak- and vector- proof. During normal operation, no more waste shall be stored on the property than is needed to keep the facility in constant operation; but, in no event for more than seventy-two (72) hours; Deleted: 471

- | [459.N.](#) A contingency plan for the disposal of waste during a facility shutdown, shall be submitted to the Township; Deleted: 471

- | [459.O.](#) Leachate from the waste shall be disposed of in a manner in compliance with any applicable State and Federal laws or regulations. If leachate is to be discharged to a municipal sewage facility, pre-treatment shall be required and appropriate permits shall be obtained from the applicable agencies and authorities. In no event shall leachate be disposed of in a storm sewer, to the ground, or in any other manner inconsistent with the Department of Environmental Protection's regulations; Deleted: 471

- | [459.P.](#) All structures shall be set back at least a distance equal to their height; Formatted: Left
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459.Q. The applicant shall submit an analysis of raw water needs (groundwater or surface water) from either private or public sources, indicating quantity of water required. If the source is from a municipal system, the applicant shall submit documentation that the public authority will supply the water needed.

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459.R. If the facility is to rely upon non-public sources of water, a water feasibility study will be provided to enable the municipality to evaluate the impact of the proposed development on the groundwater supply and on existing wells. The purpose of the study will be to determine if there is an adequate supply of water for the proposed development and to estimate the impact of the new development on existing wells in the vicinity. No use shall be approved without sufficient water and/or for a use that poses adverse impact on existing wells in the vicinity. A water feasibility study shall include the following minimum information:

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

459.S. The applicant shall provide a qualified traffic impact study, as described in Section 319 of this Ordinance; and,

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459.T. Any use where diesel operated trucks periodically congregate will have in place an anti-idling policy, with a maximum idling time per truck of 5 minutes.

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459.U. The applicant shall furnish expert testimony regarding emergency preparedness measures provided and/or otherwise available to respond to potential hazards regarding the spill of waste materials during transport to and from the site, and potential hazards regarding firefighting of waste materials upon the site.

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Section 460 Public and Private Schools

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- 460.A. Within the (LDR) Zones, public and private schools are permitted by right provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those specifically as follows:
- 460.B. All buildings shall be set back at least one hundred (100) feet from any adjoining land within the (C, RI or I) Zones;
- 460.C. No part of a public or private school property shall be located within:
- 460.D. one thousand (1,000) feet of a property containing an adult-related facility, methadone treatment facility, casino, off-track betting parlor, slot machine parlors;

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- 460.E. five hundred (500) feet from a truck or motor freight terminal, truck stop or warehousing and wholesale trade establishments;
- 460.F. three hundred (300) feet of an automobile filling station or nightclub; or,
- 460.G. two hundred (200) feet from a mass transit or taxi cab terminal.
- 460.H. If education is offered below the secondary school level, an outdoor play area shall be provided, at a rate of sixty-five (65) square feet per individual enrolled. Off-street parking lots shall not be used as outdoor play areas. Outdoor play areas shall not be located within the front yard and must be set back twenty-five (25) feet from all property lines. Any vegetative materials located within the outdoor play areas shall be of a non-harmful type (poisonous, thorny, allergenic, etc.);
- 460.I. Enrollment shall be defined as the largest number of students on the site at any one time during a seven-day period; and,
- 460.J. Passenger “drop-off” and “pick-up” areas shall be provided and arranged so that students do not have to cross traffic lanes on or adjacent to the site.

Section 461 Public, Private and Commercial Schools

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- 461.A. Within the (C) Zones, public, private and commercial schools are permitted by right provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those specifically as follows, and within the (MU) Zone, public, private and commercial schools are permitted by is permitted by conditional use provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 805.B. and specifically as follows:
- 461.B. All buildings shall be set back at least one hundred (100) feet from any adjoining land within the (RI or I) Zones;
- 461.C. No part of a public or private school property shall be located within:
 - 1. one thousand (1,000) feet of a property containing an adult-related facility, methadone treatment facility, casino, off-track betting parlor, slot machine parlors;
 - 2. five hundred (500) feet from a truck or motor freight terminal, truck stop or warehousing and wholesale trade establishments;
 - 3. three hundred (300) feet of an automobile filling station or nightclub; or,
 - 4. two hundred (200) feet from a mass transit or taxi cab terminal.
- 461.D. If education is offered below secondary level, an outdoor play area shall be provided, at a rate of sixty-five (65) square feet per individual enrolled. Off-street parking lots shall not be used as outdoor play areas. Outdoor play areas shall not be located within the front yard and must be set back twenty-five (25) feet from all property lines. Any vegetative materials located within the outdoor play areas shall be of a non-harmful type (poisonous, thorny, allergenic, etc.);
- 461.E. Enrollment shall be defined as the largest number of students on the site at any one time during a seven-day period; and,
- 461.F. Passenger “drop-off” and “pick-up” areas shall be provided and arranged so that students do not have to cross traffic lanes on or adjacent to the site.

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Section 462 Recycling Facilities for Paper, Plastic, Glass, and Metal Products

- 462.A. Within the (I) Zone, recycling of paper, glass and metal products is permitted by special exception, provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 704.C.2. and specifically as follows:
- 462.B. All operations, including collection shall be conducted within a completely-enclosed building;
- 462.C. There shall be no outdoor storage of materials and/or wastes processed, used or generated by the operation;
- 462.D. The applicant shall explain the scope of operation, and offer expert testimony regarding the measures used to mitigate problems associated with fumes and dust;
- 462.E. The applicant shall demonstrate compliance with Sections 313 of this Ordinance;
- 462.F. The applicant shall be required to submit a written working plan to assure regular maintenance of the site to immediately collect stray debris and litter.

Section 463 Riding Stables

- 463.A. Within the (RR, A & LDR) Zones, riding stables are permitted by special exception provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 704.C.2. and specifically as follows:
- 463.B. The minimum lot area shall be ten (10) acres.
- 463.C. Any structure used for the boarding of horses shall be set back a minimum of one hundred (100) feet from all lot lines.
- 463.D. All stables shall be maintained so to minimize odors perceptible at the lot line.
- 463.E. All areas and facilities used for training shall be set back a minimum of fifty (50) feet from all lot lines.
- 463.F. All outdoor training, show, riding, boarding, and pasture areas shall be enclosed by a fence with a minimum height of four (4) feet. Said fence shall be located a minimum of ten (10) feet from all lot lines. All outdoor pasture/recreation areas shall be maintained with a vegetated and stable surface and enclosed with fencing to prevent the escape of the animals;
- 463.G. Required parking will be determined based upon the types of activities proposed and Section 315 of this Ordinance. Specifically with respect to parking, the applicant shall demonstrate that adequate parking facilities exist in form and number to accommodate all anticipated activities as they occur, taking into consideration the highest number of employees at a given time, the highest number of visitors at a given time, the seasonal or permanent nature of each event and the number of events which can occur simultaneously on the property. In addition, the Zoning Hearing Board may require an unimproved grassed overflow parking area to be provided for peak use periods. Such overflow parking areas shall be accessible only from the interior driveways of the permanent parking lot. Overflow parking areas shall contain fencing to prevent vehicles from crossing adjoining properties or directly accessing adjoining roads;
- 463.H. Any booths or other structures used for the collection of admission and/or parking fees shall be set

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Deleted: Section 475 Residential Swimming Pools ¶

475.A. . Within any Zone, a swimming pool is an accessory use to a residence permitted by right, subject to the following criteria: ¶

475.B. ¶ Swimming pools and any related improvements (e.g. sidewalks, decking, pumps, equipment, etc.) shall not be located within the front yard and shall be setback at least twenty (20) feet from any side or rear lots line and any utility, stormwater or access easements or rights-of-way.¶

475.C. . Except as noted in Section 475.F. of this Ordinance, all pools shall be entirely enclosed with a continuous, non-climbable rigid fence or wall. Such fence shall be erected before the pool is filled with water.¶

475.D. The required fence or wall shall have a minimum height of four (4) feet. No openings shall be permitted between the various fence components that would allow the passage of a four (4) inch diameter object through such opening. No openings shall be permitted between the fence or wall and the ground that would allow the passage of a two (2) inch diameter object through such opening.¶

475.E. . The exterior side of the required fence or wall must rise approximately perpendicular from the ground and shall not contain steps or any protrusions or recessions which could aid in the climbing of the fence or wall.¶

475.F. Where the swimming pool is located above ground, the sides of the pool may be considered as part of the fence required to enclose the pool, provided that the pool walls are at least four (4) feet in height and have a retractable ladder.¶

475.G. . The required fence or wall shall be equipped with a self-latching gate, which shall be locked or secured at all times when the swimming pool is unattended.¶

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back and arranged to prevent vehicle back-ups on adjoining roads during peak arrival periods. Any other collection of fees (roaming parking lot attendants) shall be conducted in a manner to prevent vehicle back-ups on adjoining roads. If, at any time after the opening of the commercial recreation facility, the Supervisors determine that traffic back-ups are occurring on adjoining roads, and such back-ups are directly related to the means of access to the subject property, the Supervisors can require the applicant to revise means of access to relieve the undue congestion;

- 463.I. All parking lots and unimproved overflow parking areas shall be set back at least ten feet (10') from adjoining lot lines.
- 463.J. The applicant shall furnish evidence of an effective means to dispose dead animals according to the regulations of the Pennsylvania Department of Agriculture;
- 463.K. All animal wastes shall be properly stored and disposed of, so as not to be objectionable at the site's property line. All animals, their housing, and their outdoor pasture/recreation areas shall be properly maintained so as not to become a nuisance to adjoining properties; and,
- 463.L. The applicant is required to submit written information indicating that the disposal of all materials and wastes will be accomplished in a manner that complies with State and Federal regulations with particular attention to those pesticides, insecticides and detergents used.

Section 464 Roadside Stands

- 464.A. Within the (RR, A and LDR) Zone roadside stands, as defined herein, for the seasonal sale of agricultural products are permitted by right as an accessory use to an agricultural or horticultural use, subject to the following requirements:
- 464.B. Roadside stands must be located at least twenty feet (20') from the right-of-way line and must have at least three (3) off-street parking spaces;
- 464.C. A maximum of two (2) signs will be permitted each of which shall not exceed eight (8) square feet in total area, nor exceed a maximum height of fifteen feet (15'). Signs shall only be displayed during seasons when the roadside stand operates;
- 464.D. Any structure must be located at least fifty feet (50') from any side or rear property line;
- 464.E. No structures housing a roadside stand or accompanying parking area may be located within one hundred feet (100') of any intersecting street rights-of-ways; and,
- 464.F. No more than one (1) roadside stand per property shall be permitted.

Section 465 Sales of Compost, Mulch, Woodchips and Coal

Section 466 Sawmills

- 466.A. Within the (RR, A, I, and RI) Zones, sawmills are permitted, provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 805.B. and specifically as follows:
- 466.B. No material shall be deposited or stored, and no building or structure shall be located, within two hundred feet (200') of any property line and five hundred feet (500') of any land within an (LDR and MU) Zone;

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<#>All structures used to house horses shall be prohibited from placement in the front yard;¶

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Comment [DG7]: PERMITTED USE IN ARTICLE 2 FOR A, RR, AND C ZONES. 7.20.15

Deleted: Section 478. Routine Repair of Personal Motor Vehicles ¶
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478.A. Within any Zone the routine repair and servicing of personal motor vehicles, owned or leased by the person performing such services within a completely-enclosed building, is an accessory use to a residence permitted by right, provided that the disposal of all materials and wastes will be accomplished in a manner that complies with State and Federal regulations; and, ¶
¶

478.B. . Within the (RR, LDR and MU) Zones the routine maintenance, repair and servicing of personal motor vehicles, owned or leased by the person performing such services ...

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466.C. All uses shall provide sufficiently long stacking lanes into the facility so that vehicles waiting will not back-up onto public roads; Deleted: 482

466.D. Litter control shall be exercised to prevent the scattering of wind-borne debris, and an acceptable working plan for the cleanup of litter shall be submitted. Deleted: 482

466.E. The owner and/or operator shall be responsible for removing any mud from public roads caused by persons traveling to and from the site; and, Deleted: 482

466.F. The applicant must demonstrate compliance with Section 313 of this Ordinance. Deleted: 482

466.G. Any use where diesel operated trucks periodically congregate will have in place an anti-idling policy, with a maximum idling time per truck of 5 minutes. Deleted: 475

Section 467 Septage and Compost Processing Deleted: 483

467.A. Within the (RI) Zone, septage and compost processing are permitted by conditional use, provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 805.B. and specifically as follows: Deleted: 483

467.B. Any processing, loading, storage, and packaging operations must be conducted within a completely enclosed building that is leak- and vector-proof; Deleted: 483

467.C. The applicant must demonstrate compliance (through a written statement) and continue to comply with all applicable State and Federal standards and regulations; Deleted: 483

467.D. The use shall be screened from all roads and adjoining properties; Deleted: 483

467.E. All uses shall provide sufficiently-long stacking lanes into the facility, so that vehicles waiting to be weighed or loaded/unloaded will not back up onto public roads; Deleted: 483

467.F. All driveways onto the site must be paved for a distance of at least one hundred feet (100') from the street right-of-way line. In addition, a fifty foot (50') long gravel section of driveway shall be placed just beyond the preceding one hundred foot (100') paved section to help collect any mud that may have attached to a vehicle's wheels; Deleted: 483

467.G. The unloading, processing and transfer, of septage and compost shall be continuously supervised by a qualified facility operator; Deleted: 483

467.H. Any leachate shall be disposed of in a manner in compliance with any applicable State and Federal laws or regulations. If leachate is to be discharged to a municipal sewage facility, appropriate permits shall be obtained from the applicable agencies and authorities. In no event shall leachate be disposed of in a storm sewer, to the ground, or in any other manner inconsistent with the PA DEP regulations; Deleted: 483

467.I. If the facility is to rely upon non-public sources of water, a water feasibility study will be provided to enable the Township to evaluate the impact of the proposed development on the groundwater supply and on existing wells. The purpose of the study will be to determine if there is an adequate supply of water for the proposed development and to estimate the impact of the new development on existing wells in the vicinity. No use shall be approved without sufficient water and/or for a use that poses adverse impact on existing wells in the vicinity. A water feasibility study shall include the following minimum information: Deleted: 483
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1. calculations of the projected water needs;
2. a geologic map of the area with a radius of at least one mile from the site;
3. the location of all existing and proposed wells within one thousand feet (1,000') of the site, with a notation of the capacity of all high-yield wells;
4. the location of all existing on-lot sewage disposal systems within one thousand feet (1,000') of the site;
5. the location of all streams within one thousand feet (1,000') of the site and all known point sources of pollution;
6. based on the geologic formation(s) underlying the site, the long-term safe yield shall be determined;
7. a determination of the effects of the proposed water supply system on the quantity and quality of water in nearby wells, streams, and the groundwater table; and,
8. a statement of the qualifications and the signature(s) of the person(s) preparing the study;

467.J. A minimum one hundred foot (100') wide buffer strip shall be located along all property lines. No structures, storage, parking, or any other related activity or operation shall be permitted within this buffer strip. Any fences or other screening erected on the site must not be located within this buffer strip;

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467.K. The applicant shall provide an analysis of the physical conditions of the primary road system serving the proposed use. The analysis shall include information on the current traffic flows on this road system, and projections of traffic generated by the proposed use. Improvements to the road shall be provided by the applicant to insure safe turning movements to and from the site and safe through-movement on the existing road; and,

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467.L. Any structure used for the storage, loading, processing and/or packaging of compost shall be set back at least three hundred feet (300') from all property lines, and five hundred feet (500') from any land within the (LDR and MU) Zones. In addition, any ventilation outlets must be oriented away from any land within the (LDR and MU) Zones.

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Comment [DG8]: PENDING DELETION 7.20.15

Section 468 Shopping Centers

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468.A. Within the (MU & C) Zones, shopping centers are permitted by conditional use, provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 805.B. and specifically as follows:

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468.B. The initial approval of the shopping center shall require conditional use review. For freestanding pad sites, the applicant may choose to identify proposed building envelopes and a list of potential uses to be applied to each pad site respectively as an alternative to the specific identification of each use; however, in reviewing such pad sites the Township will consider the worst case scenario of building site envelope and potential uses when evaluating the conditional use application. Any subsequent substitution of use within the shopping center shall be permitted by right so long as the proposed use is permitted and does not require amendment of the site plan approved by the original conditional use. Future uses to be substituted that require separate conditional use approval, shall follow such review and approval processes. Future uses that require amendment of the site plan shall require conditional use approval under Section 805.C. of this Ordinance;

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468.C. Shopping centers shall front on an arterial or collector road. Drive-through lanes for any use contained within the shopping center shall connect only to internal access drives and parking lots.

Access drives serving all shopping centers shall be set back at least two hundred feet (200') from the intersection of any street right-of-way lines along the same side of the street;

468.D. In addition to vehicular access to the property, the applicant shall be required to design and construct pedestrian linkages with any nearby areas, even if they are not yet developed. Such pedestrian linkages shall be located so as to provide safe and convenient access to the shopping center from the nearby areas;

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468.E. Shopping centers with more than two hundred (200) parking spaces must integrate a designated location for a minimum of twenty (20) park and ride off-street parking spaces that is readily-identifiable and conveniently accessible to passing motorists. Such park and ride spaces can include those spaces required to serve the shopping center and shall be designed, signed, lighted and maintained in accordance with Section 315 of this Ordinance;

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484.E. All shopping centers may provide an improved bus stop which would be conveniently accessible for patrons who would travel to and from the site by bus. Such bus stop must be provided, if current bus service is available along the subject property. Such bus stop shall include a shelter, seating, a waste receptacle, and at least one (1) shade tree;¶

468.F. The applicant's site plan shall clearly depict the proposed locations and dimensions of all on-site circulation improvements which must demonstrate safe vehicular and pedestrian movements both upon and abutting the subject property;

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468.G. A traffic impact study shall be submitted by the applicant, in accordance with Section 319 of this Ordinance;

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468.H. The applicant shall demonstrate an adequate means of sewage disposal and water supply.

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468.I. Off-street parking and loading shall be provided in accordance with Sections 315 and 314, respectively, of this Ordinance.

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468.J. The proposed shopping center design shall comply with the applicable regulations contained within the following table:

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SHOPPING CENTER DESIGN REQUIREMENTS	
↓Standard / Zone ⇒	HC
Required Lot Area	Minimum - 2 acres;
Minimum Required Lot Width	200 ft. at the building setback line & street line
Minimum Required Lot Depth	NA
Required Minimum Yard Setbacks:	The following lists required setbacks between features of the shopping center and perimeter lot lines. No specific setbacks are required between buildings located upon the shopping center site except those that may be required by the ISO (as defined herein) or by the Pennsylvania Uniform Construction Code.
Front, as Measured from Street R.O.W.	10 ft. for buildings & structures (except permitted signs) and for off-street parking; no off-street loading, or dumpsters are permitted within the front yard.
One Side	10 ft. for buildings & structures (except permitted signs), off-street parking & loading spaces & dumpsters
Both Sides	20 ft. for buildings & structures (except permitted signs) off-street parking & loading spaces & dumpsters
Rear	10 ft. for all buildings, structures, off-street parking & loading spaces & dumpsters
Minimum Required Setback from (LDR and MU) Zones as measured to closest point of area devoted to the use.	200 ft.
Maximum Permitted Impervious Lot Coverage	See Section 220.E. of this Ordinance.
Maximum Permitted Building Height	See Section 220.G. of this Ordinance.

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468.K. The applicant shall submit written expert evidence that demonstrates compliance with the lighting requirements of Section 310 of this Ordinance;

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468.L. The applicant shall submit a landscape plan prepared by a landscape architect registered within the Commonwealth of Pennsylvania that demonstrates compliance with all applicable provisions of Section 321 of this Ordinance. Such plans shall include but not be limited to details depicting:

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1. Landscape buffers and screens used to protect adjoining residential zones and residential uses, riparian and wetland buffers in accordance with Sections 511 and 512 of this Ordinance, respectively;
2. Screening used to prevent the spillage of headlights onto adjoining residential properties;
3. Typical interior landscape island treatments;
4. Typical landscape strip treatments; and,
5. Landscape treatments at the shopping center access drives' intersections with streets.

468.M. The applicant shall submit a sign plan that demonstrates compliance with Table 3 of Section 322 of this Ordinance regulating Planned Center Signs. Once approved as part of the conditional use review, any subsequent substitution of sign that does not increase the size and/or alter the location of signs permitted on the originally approved sign plan is permitted by right. Future signs that would alter the size and/or location of signs will require conditional use approval.

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Section 469 Slaughtering, Processing, Rendering, and Packaging of Food Products and Their By-Products

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469.A. Within the (A & R) Zones, slaughtering, processing, rendering, and packaging of food products and their by-products are permitted by conditional use, provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 805.B. and specifically as follows:

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469.B. Minimum Lot Area - Five (5) acres;

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469.C. Vehicular access shall be so arranged as to minimize danger and congestion along adjoining roads and to avoid the creation of nuisances to nearby properties. Access drives used by trucks shall only intersect with collector or arterial roads;

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469.D. All aspects of the slaughtering, processing, rendering, and packaging operation, excepting the unloading and holding of live animals, shall be conducted within a completely-enclosed building;

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469.E. All live animals held outside shall be within secure holding pens or runways, sufficiently large to accommodate all animals without crowding, and not located within the front yard;

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469.F. The applicant shall furnish an acceptable written working plan for the regular clean-up and disposal of all animal wastes, so as not to be objectionable at the site's property line;

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469.G. The unloading of live animals from trucks into holding pens and their movement into the plant shall be continuously supervised, whose responsibility it shall also be to immediately identify and appropriately dispatch any obviously ill or injured animals;

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469.H. The unloading of live animals and their movement into the plant shall be conducted in an orderly and calm manner so as to minimize noise levels. The applicant must demonstrate those methods that will be used to comply with Section 313 of this Ordinance;

469.I. The loading and unloading of trucks shall be restricted to the hours between 6:00 AM and 10:00 PM; Deleted: 485

469.J. No exterior animal holding pens and/or areas devoted to loading/unloading of animals shall be located within two hundred feet (200') of any property line nor five hundred feet (500') of any land within a (LDR and MU) Zone; Deleted: 485

469.K. All animal holding pens and/or areas used for the loading/unloading of animals shall be screened from all adjoining properties and shall include a minimum fifty foot (50') wide landscape strip; Deleted: 485

469.L. The applicant shall demonstrate an adequate means of sewage disposal and water supply. Public sewer and water lines shall not meet within or beneath the plant, and shall further be designed and installed to minimize the potential for leakage and contamination by maximizing the separation distance between lines and laying sewer lines at greater depth than water lines; Deleted: 485

469.M. Wastewater shall be kept completely covered at all times to reduce the potential for release of odors. In no event shall wastewater be disposed of in a storm sewer, to the ground, or in any other manner inconsistent with PA DEP regulations; Deleted: 485

469.N. All unusable animal by-products shall be stored indoors in leak- and vector-proof containers. In the case of slaughtering or processing operations which do not do their own rendering, the applicant shall provide evidence of a written contract with a rendering operation for the daily disposal of such waste products. In no case shall any waste products remain on the site for more than twenty-four (24) hours; Deleted: 485

469.O. The applicant must demonstrate written compliance with, and continue to comply with, all applicable local, State and Federal standards and regulations; Deleted: 485

469.P. The use shall provide sufficiently-long stacking lanes and on-site loading/unloading areas, so that trucks waiting to be loaded / unloaded will not back up onto public roads. No parking or loading/unloading shall be permitted on or along any public road; Deleted: 485

469.Q. The applicant shall furnish a traffic impact study prepared by a professional traffic engineer, in accordance with Section 319 of this Ordinance; and, Deleted: 485

469.R. Any use where diesel operated trucks periodically congregate will have in place an anti-idling policy, with a maximum idling time per truck of 5 minutes. Deleted: 485

Section 470 Truck or Motor Freight Terminals Deleted: 486

470.A. Within the (I) Zone, truck or motor freight terminals are permitted by conditional use, provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 805.B. and specifically as follows: Deleted: 486

470.B. The applicant shall be required to submit qualified expert evidence of the methods that will be used to assure that the proposed use will not contribute materially to air pollution and will comply with all applicable Federal Environmental Protection Agency air quality standards. Test data must be furnished by applicant addressing Particulate Matter 2.5 (total weight of particles in the air that are less than 2.5 microns in size) levels taken by a certified independent air testing firm during peak use periods of the day. Upon approval of the conditional use, terminal owners must provide PM 2.5 data on a quarterly basis as sampled by a certified independent air testing firm during peak use periods of the day at locations every 200 feet around the perimeter of the property and at a distance of 75 feet from the terminal building. Terminals not in compliance with National Deleted: 486

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Ambient Air Quality Standard (NAASQS) for PM 2.5, as established by EPA (15 micrograms per cubic meter averaged over an entire year and up to 66 micrograms for one 24 hour period), will furnish the Township with a plan within 60 days for reducing PM 2.5 emissions to acceptable levels. Upon approval of that plan, the terminal will have 90 days to provide evidence that satisfactory PM 2.5 levels have been reached or be subject to applicable enforcement remedies provided by this Ordinance.

- | 470.C. The applicant shall furnish a traffic impact study, prepared by a professional traffic engineer, in accordance with Section 319 of this Ordinance; Deleted: 486

- | 470.D. The subject property shall have a minimum of three hundred feet (300') of contiguous road frontage along an arterial and/or collector road; Deleted: 486

- | 470.E. The subject property shall be located no closer than one thousand feet (1,000') from any (LDR and MU) Zone and/or property containing a school, day-care facility, park, playground, library, hospital, nursing, rest or retirement home, or medical residential campus; Deleted: 486

- | 470.F. All structures (including, but not limited to, air compressors, fuel pump islands, kiosks) shall be set back at least fifty feet (50') from any street right-of-way line. Unless the fuel pump islands are set back two hundred feet (200') from the street line, they shall be designed so that, when fueling, trucks must be parallel to street; Deleted: 486

- | 470.G. Access driveways shall be a minimum of twenty-eight feet (28'), and a maximum of thirty-five feet (35') wide. All access drives onto the same road shall be set back at least one hundred fifty feet (150') from one another, as measured from closest points of cartway edges; Deleted: 486

- | 470.H. Any gates or other barriers used at the entrance to parking areas shall be set back and arranged to prevent vehicle backups onto adjoining roads during peak arrival periods; Deleted: 486

- | 470.I. All vehicle service and/or repair activities shall be conducted within a completely- enclosed building. Outdoor storage of parts, equipment, lubricants, fuels, or other materials used or discarded in any service or repair operations must be screened from adjoining roads and properties; Deleted: 486

- | 470.J. The outdoor storage of unlicensed and/or un-inspected vehicles is prohibited; Deleted: 486

- | 470.K. The demolition or junking of vehicles and machinery is prohibited. Demolished vehicles and/or parts thereof shall be removed within thirty (30) days after arrival; Deleted: 486

- | 470.L. Any exterior public address system shall be designed and operated so that the audible levels of any messages conveyed over the system and any other use of the property will not violate Section 313 of this Ordinance; Deleted: 486

- | 470.M. The applicant shall demonstrate compliance with Section 310 of this Ordinance; and, Deleted: 486

- | 470.N. The parking, storage, and/or loading of vehicles associated with the use shall be confined to the subject property; no satellite parking, storage, and/or loading lots shall be permitted; Deleted: 486

- | 470.O. The applicant shall furnish evidence that the storage and disposal of materials and wastes will be accomplished in a manner that complies with all applicable State and Federal regulations; and, Deleted: 486

- | 470.P. Any use where diesel operated trucks periodically congregate will have in place an anti-idling policy, with a maximum idling time per truck of five (5) minutes. Deleted: 486
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Section 471 Truck Stops

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471.A. Within the (I) Zone, truck stops are permitted by conditional use, provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 805.B. and specifically as follows:

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471.B. The applicant shall be required to submit qualified expert evidence of the methods that will be used to assure that the proposed use will not contribute materially to air pollution and will comply with all applicable Federal Environmental Protection Agency air quality standards. Test data must be furnished by applicant addressing Particulate Matter 2.5 (total weight of particles in the air that are less than 2.5 microns in size) levels taken by a certified independent air testing firm during peak use periods of the day. Upon approval of the conditional use, truck stop owners must provide PM 2.5 data on a quarterly basis as sampled by a certified independent air testing firm during peak use periods of the day at locations every 200 feet around the perimeter of the property and at a distance of 75 feet from the terminal building. Truck stops not in compliance with National Ambient Air Quality Standard (NAASQS) for PM 2.5, as established by EPA (15 micrograms per cubic meter averaged over an entire year and up to 66 micrograms for one 24 hour period), will furnish the Township with a plan within 60 days for reducing PM 2.5 emissions to acceptable levels. Upon approval of that plan, the truck stop will have 90 days to provide evidence that satisfactory PM 2.5 levels have been reached or be subject to applicable enforcement remedies provided by this Ordinance.

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471.C. The applicant shall furnish a traffic impact study, prepared by a professional traffic engineer, in accordance with Section 319 of this Ordinance;

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471.D. The subject property shall have a minimum of three hundred feet (300') of contiguous road frontage along an arterial and/or collector road;

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471.E. The subject property shall be located no closer than one thousand feet (1,000') from any (LDR and MU) Zone and/or property containing a school, day-care facility, park, playground, library, hospital, nursing, rest or retirement home, or medical residential campus;

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471.F. All structures (including, but not limited to, air compressors, fuel pump islands, kiosks) shall be set back at least fifty feet (50') from any street right-of-way line. Unless the fuel pump islands are set back two hundred feet (200') from the street line, they shall be designed so that, when fueling, trucks must be parallel to street;

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471.G. Access driveways shall be a minimum of twenty-eight feet (28'), and a maximum of thirty-five feet (35') wide. All access drives onto the same road shall be set back at least one hundred fifty feet (150') from one another, as measured from closest points of cartway edges;

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471.H. Off-street parking shall be provided at a rate equal to that required for each of the respective uses comprising the truck stop according to Section 315 of this Ordinance. Any gates or other barriers used at the entrance to parking areas shall be set back and arranged to prevent vehicle backups onto adjoining roads during peak arrival periods;

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471.I. All vehicle service and/or repair activities shall be conducted within a completely- enclosed building. Outdoor storage of parts, equipment, lubricants, fuels, or other materials used or discarded in any service or repair operations must be screened from adjoining roads and properties;

471.J. The outdoor storage of unlicensed and/or un-inspected vehicles is prohibited;

471.K. The demolition or junking of vehicles and machinery is prohibited. Demolished vehicles and/or parts thereof shall be removed within thirty (30) days after arrival;

- 471.L. Any exterior public address system shall be designed and operated so that the audible levels of any messages conveyed over the system and any other use of the property will not violate Section 313 of this Ordinance;
- 471.M. The applicant shall demonstrate compliance with Section 310 of this Ordinance; and,
- 487.N. The applicant must furnish evidence as to how the use will be controlled so as to not constitute a nuisance due to noise or loitering outside the building;
- 471.O. An acceptable working plan for the cleanup of litter shall be furnished and implemented by the applicant;
- 471.P. The applicant shall furnish evidence that the storage and disposal of materials and wastes will be accomplished in a manner that complies with all applicable State and Federal regulations.
- 471.Q. Any use where diesel operated trucks periodically congregate will have in place an anti-idling policy, with a maximum idling time per truck of five (5) minutes.

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Section 472 Two-Family Conversions

- 472.A. Within the (LDR) Zone, a detached single-family dwelling that existed on the effective date of this Ordinance, and contained (at that time) at least two thousand four hundred (2,400) square feet, may be converted by special exception into two (2) dwelling units provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 704.C.2. and within the (C) Zones, a detached single-family dwelling that existed on the effective date of this Ordinance, and contained (at that time) at least two thousand four hundred (2,400) square feet, may be converted by right into two (2) dwelling units provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance and both as specifically as follows:
- 472.B. The applicant shall furnish evidence that an approved system of water supply and sewage disposal will be utilized;
- 472.C. No extensions or modifications to the external appearance of the building (except fire escapes) which would alter its residential character, shall be permitted;
- 472.D. All floors above and/or below grade shall have direct means of escape to ground level;
- 472.E. Four (4) off-street parking spaces shall be provided; however, such uses may share the same driveway provided that vehicles entering and/or exiting the property are unimpeded by a parking space; and,
- 472.F. The applicant shall obtain any required land development approvals.

- Deleted: 489.A. Within the (BI) Zone, warehousing and wholesale trade establishments are permitted by conditional use, provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 805.B. and specifically as follows:¶
- ¶
- 489.B. . The applicant shall provide a detailed description of the proposed use in each of the following topics:¶
- ¶
- 1. The nature of the on-site activities and operations, the types of materials stored, the frequency of distribution and restocking, the duration period of storage of materials, and the methods for disposal of any surplus or damaged materials. In addition, the applicant shall furnish evidence that the disposal of materials will be accomplished in a manner that complies with State and Federal regulations;¶
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- 2. The general scale of the operation, in terms of its market area, specific floor space requirements for each activity, the total number of employees on each shift, and an overall needed site size;¶
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Comment [DG9]: PENDING FURTHER EVALUATION BY CHAIRMAN WRIGHTSTO...

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Section 473 Warehousing and Wholesale Trade Establishments

REPLACE ENTIRE SECTION WITH ORDINANCE 2014-02.

Section 474 Wind and/or Solar Farms

474.A. Within the (A & RR) Zones, wind and/or solar farms (as defined herein) are permitted by conditional use, provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 805.B. and specifically as follows:

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474.B. The applicant shall prepare and submit a narrative and mapping describing the proposed wind and/or solar farm including:

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1. an overview of the project;
2. the project location;
3. the approximate generating capacity of the wind and/or solar farm;
4. the approximate number, representative types and height or range of heights of wind turbines and/or solar panels to be constructed, including their generating capacity, dimensions and respective manufacturers; and,
5. a description of accessory facilities.
6. an affidavit or similar evidence of agreement between the property owner(s) and the applicant demonstrating that the applicant has the permission of the property owner(s) to apply for necessary permits for construction and operation of the wind and/or solar farm.
7. a listing and map of the properties on which the proposed wind and/or solar farm will be located, and the properties adjacent to where the wind and/or solar farm will be located.
8. a site plan showing the planned location of each wind turbine, solar panel, property lines, setback lines, access road and turnout locations, substation(s), electrical cabling from the wind and/or solar farm to the substation(s), ancillary equipment, buildings, and structures, including permanent meteorological towers, associated transmission lines, and layout of all structures within the geographical boundaries of any applicable setback.

474.C. The applicant shall demonstrate with credible expert evidence that:

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1. to the extent applicable, the wind and/or solar farm shall comply with the Pennsylvania Uniform Construction Code, 34 Pa. Code §§403.1 – 403.142;
2. the design of the wind and/or solar farm shall conform to applicable industry standards, including those of the American National Standards Institute. The applicant shall submit certificates of design compliance obtained by the equipment manufacturers from Underwriters Laboratories, Det Norske Veritas, Germanischer Lloyd Wind Energies, or other similar certifying organizations;
3. each of the proposed wind turbines shall be equipped with a redundant braking system. This includes both aerodynamic overspeed controls (including variable pitch, tip, and other similar systems) and mechanical brakes. Mechanical brakes shall be operated in a fail-safe mode. Stall regulation shall not be considered a sufficient braking system for overspeed protection;
4. all electrical components of the wind and/or solar farm shall conform to relevant and applicable local, state and national codes, and relevant and applicable international standards;
5. wind turbines shall be a non-obtrusive color such as white, off-white, gray or some color similar to the background of the proposed wind turbine;

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6. wind turbines shall not be artificially lighted, except to the extent required by the Federal Aviation Administration or other applicable authority that regulates air safety;
7. wind turbines and solar panels shall not display advertising, other than an incidental insignia of the turbine manufacturer;
8. on-site transmission and power lines shall, to the maximum extent practicable, be placed underground.
9. a clearly visible warning sign concerning voltage must be placed at the base of all at-grade transformers and substations.
10. visible, reflective, colored objects, such as flags, reflectors, or tape shall be placed on the anchor points of each guy wire and along each guy wire up to a height of ten feet from the ground. The applicant shall also submit an acceptable working plan for the regular inspection of such guy wires and replacement of any needed flags, reflectors, or tape;
11. wind turbines shall be designed and constructed to be non-climbable up to fifteen (15) feet above ground surface.
12. all access doors to wind turbines and electrical equipment shall be locked or fenced, as appropriate, to prevent entry by non-authorized persons.
13. wind turbines shall be setback the following distances as measured from the center of the wind turbine base to the nearest point of the respective feature listed below:

Feature	Minimum setback
Occupied building on site	Turbine height plus ten feet
Above ground utility line right-of-way	Turbine height plus ten feet
Adjoining property	1.5 times turbine height
Adjoining road right-of-way	1.5 times turbine height
Ridge – the elongated crest or series of crests at the uppermost point of intersection between opposite slopes of a mountain and including all land lying between such point and an elevation 250 feet below the elevation of such point.	Turbine height

14. The minimum height of a wind turbine shall be such that there shall be maintained a minimum of fifteen (15) feet ground clearance, as measured between the closest ground surface to the tip of the blade at its lowest turning movement.
15. The maximum height of a wind turbine shall be fifty (50) feet, as measured from the ground surface to the tip of the blade at its highest turning movement.
16. The applicant shall be responsible for the prompt repair and maintenance of all roads used to transport equipment and parts for construction, operation or maintenance of the wind and/or solar farm. The applicant shall prepare an engineering report that documents road conditions prior to construction and again within thirty (30) days after

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construction is complete or as weather permits. Such reports shall be reviewed by the Township engineer; any discrepancies shall be mediated by a third engineer selected by mutual acceptance by the applicant's and Township's engineers. The applicant shall demonstrate that it has appropriate financial assurance to ensure the prompt repair of damaged roads and the Township may bond the road in compliance with state regulations.

17. The applicant shall provide a copy of the project summary and site plan as required in Section 490.B. to the Township Emergency Management Coordinator. The applicant shall prepare and coordinate the implementation of an emergency response plan for the wind and/or solar farm acceptable to the Township Emergency Management Coordinator prior to the issuance of a zoning permit for the proposed use.
18. Audible sound from a wind and/or solar farm shall not exceed fifty (55) dBA, as measured at the following minimum distances. Methods for measuring and reporting acoustic emissions from the wind and/or solar farm shall be equal to or exceed the minimum standards for precision described in AWEA Standard 2.1 - 1989 titled *Procedures for the Measurement and Reporting of Acoustic Emissions from Wind turbine Generation Systems Volume I: First Tier*.
 1. A distance of not less than fifty (50) feet or 1.1 times the wind turbine height, whichever is greater from the nearest principal building of a property owner who has agreed to locate the proposed wind and/or solar farm upon his/her property;
 2. A distance of not less than fifty (50) feet or 1.1 times the wind turbine height, whichever is greater from the adjoining property line of property owner who has not agreed to locate the proposed wind and/or solar farm upon his/her property; and,
 3. A distance of not less than fifty (50) feet or 1.1 times the wind turbine height, whichever is greater, from the right-of-way of any street.
19. The surface area of a ground-mounted solar energy system, regardless of the mounted angle of any solar panels, shall be considered part of and calculated in the lot coverage of the lot on which the system is located. The surface area of a ground-mounted solar energy system shall not exceed three percent (3 %) of maximum lot coverage of the lot. For panels that self-adjust, the lot coverage of each solar panel shall be calculated at that angle with the greatest horizontal exposure.

474.D. The applicant shall make reasonable efforts to minimize shadow flicker and to avoid any disruption or loss of radio, telephone, television or similar signals. The applicant shall mitigate any such harm caused by the wind and/or solar farm on any adjoining property whose owner has not agreed to locate the proposed wind and/or solar farm upon his/her property.

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474.E. The applicant shall maintain a current general liability policy covering bodily injury and property damage with limits of at least \$1 million per occurrence and \$1 million in the aggregate. Certificates of insurance coverage shall be made available to the Township each year that the wind and/or solar farm operates.

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474.F. The applicant shall be responsible for the removal of the wind and/or solar farm in accordance with the following requirements:

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1. The applicant shall, at his/her expense, complete removal of the wind and/or solar farm, or individual wind turbines and solar panels, within (12) twelve months after the end of the useful life of the wind and/or solar farm or individual wind turbines and solar panels. The wind and/or solar farm or individual wind turbines and solar panels will presume to

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be at the end of its useful life if no electricity is generated for a continuous period of twelve (12) months.

2. Removal shall include the elimination of wind turbines and solar panels, buildings, cabling, electrical components, roads, foundations to a depth of 36 inches, and any other associated facilities.
3. Disturbed earth shall be graded and re-seeded, unless the landowner requests in writing that the access roads or other land surface areas not be restored.
4. An independent and certified Professional Engineer shall be retained to estimate the total cost of removal ("Removal Costs") without regard to salvage value of the equipment, and the cost of removing net salvage value of the equipment ("Net Removal Costs"). Said estimates shall be submitted to the Township after the first year of operation and every fifth year thereafter at the applicant's and/or any successor's expense.
5. The applicant shall post and maintain removal funds in an amount equal to net removal costs; ~~provided~~ that at no point shall removal funds be less than twenty five percent (25%) of removal costs. The removal funds shall be posted and maintained with a bonding company or Federal or Commonwealth chartered lending institution chosen by the Facility Owner or Operator and participating landowner posting the financial security, provided that the bonding company or lending institution is authorized to conduct such business within the Commonwealth and is approved by the Township.
6. Removal funds may be in the form of a performance bond, surety bond, letter of credit, corporate guarantee or other form of financial assurance as may be acceptable to the Township.
7. If the applicant fails to complete removal within the period prescribed by Section ~~490.F.1.~~ of this Ordinance, then the landowner shall have six (6) months to complete removal.
8. If neither the applicant, nor the landowner complete removal within the periods prescribed by Sections ~~490.F.1.~~ and 490.F.7. of this Ordinance, then the Township may take such measures as necessary to complete removal. The entry into and submission of evidence of a participating landowner agreement to the Township in accordance with Section 490.B.6. of this Ordinance shall constitute agreement and consent of the parties to the agreement, their respective heirs, successors and assigns that the Township may take such action as necessary to implement the removal plan.
9. The escrow agent shall release the removal funds when the applicant has demonstrated and the municipality concurs that removal has been satisfactorily completed, or upon written approval of the municipality in order to implement the removal plan.

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