

Article 4

Specific Criteria

Section 400 Specific Criteria for Permitted Uses, Special Exceptions and Conditional Uses

- 400.A. **Applicability** - It is the intent of this Article to provide special controls and regulations for particular uses that are permitted by right, special exception, or conditional use within the various Zones established in this Ordinance. All uses must comply with the standards expressed within the underlying Zone and all other applicable sections of this Ordinance and the SALDO, unless those standards expressed within this Article differ; in such case, the specific standards listed within this Article shall apply.
- 400.B. **Permitted Uses** - For uses permitted by right, these standards must be satisfied prior to approval of any application for a land development (when applicable) or a zoning permit. The applicant shall have the burden of proof that the proposed use is in compliance with these standards and all applicable regulations contained within this Ordinance and must furnish whatever evidence is necessary to demonstrate such compliance.
- 400.C. **Special Exceptions** - For uses permitted by special exception, this Article sets forth standards that shall be applied to each respective special exception. The applicant shall have the 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 those contained within this Article 4. The applicant shall also submit competent evidence demonstrating a substantial likelihood of compliance with the requirements of Article 5 of this Ordinance. These standards must be satisfied prior to approval of any application for a special exception by the Zoning Hearing Board.
- 400.D. **Conditional uses** - For uses permitted by conditional use, this Article sets forth standards that shall be applied to each respective conditional use. The applicant shall have the 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 those contained within this Article 4. The applicant shall also submit competent evidence demonstrating a substantial likelihood of compliance with the requirements of Article 5 of this Ordinance. These standards must be satisfied prior to approval of any application for a conditional use by the Board of Supervisors.
- 400.E. **Setback Measurements** - For the purposes of this Article 4, any required setbacks imposed upon any use, building and/or structure, may be measured from the boundary line of the site for which the proposed use, building and/or structure is requested, regardless of whether or not this line corresponds to a property line or a lease line.

Section 401 Adaptive Reuse of Agricultural Buildings

401.A. Within the (RR, A and LDR) Zones the adaptive reuse of agricultural buildings that existed on the effective date of this Ordinance 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:

401.B. Any use proposed under this Section must be permitted within the Township, but not be permitted by right, special exception or conditional use, within the (RR, A and LDR) Zones, respectively. The addition of new dwelling units are permitted subject to the limitations expressed within those sections of each Zone as follows:

Zone	RR	A	LDR
Section No.	200.E.	201.E.	210.I.

401.C. Any number of uses may be permitted under this Section, provided that the Zoning Hearing Board finds that such multiple uses are designed and developed to function in a coordinated fashion, and that the uses are not inherently incompatible by reason of impact.

401.D. Any use proposed under this Section that has specific criteria listed in this Article 4 of this Ordinance applied to it within other Zones that the one in which it is proposed shall comply with such other specific criteria, unless the Zoning Hearing Board finds that such other specific criteria are not necessary because:

1. the specific criteria provide a level of protection that exceeds that necessary to protect the character of the site and its surroundings, and/or
2. the specific criteria provide a level of protection that exceeds that necessary to protect adjoining properties because of man-made and/or natural conditions upon the site.

401.E. The applicant shall furnish evidence of an approved means of water supply and sewage disposal to serve all proposed uses.

401.F. The applicant shall obtain any necessary land development approvals.

401.G. The applicant must provide for sufficient off-street parking spaces and off-street loading spaces for all of those uses proposed. All off-street parking and/or loading areas shall be screened from adjoining residences.

401.H. The Zoning Hearing Board will approve the proposed use(s) only upon finding that the site and buildings provide for a logical location for such use(s) that:

1. can be effectively accommodated without adverse impact to adjoining uses, and,
2. will not introduce uses that would be adversely impacted by other uses, activities or operations contained either on, or adjoining, the site.

Section 402 Adult Uses

- 402.A. Within the (RI) Zone, adult 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:
- 402.B. An adult use shall not be permitted to be located within one thousand feet (1,000') of any other adult-related use;
- 402.C. No adult use shall be located within one thousand feet (1000') of any land within the (LDR and MU) Zones;
- 402.D. No adult use 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.
- 402.E. The distance between any two adult uses shall be measured in a straight line, without regard to intervening structures, from the closest point on the exterior property line of each establishment. The distance between any adult use and any land use specified above shall be measured in a straight line, without regard to intervening structures, from the closest point on the exterior property line of the adult-related use to the closest point on the property line of said land use;
- 402.F. No materials, merchandise, or film offered for sale, rent, lease, loan, or for view upon the premises shall be exhibited or displayed outside of a building or structure;
- 402.G. Any building or structure used and occupied as an adult use shall be windowless, or have an opaque covering over all windows or doors of any area in which materials, merchandise, or film are exhibited or displayed, and no sale materials, merchandise, or film shall be visible from outside of the building or structure;
- 402.H. No sign shall be erected upon the premises pictorially depicting or giving a visual representation of the type of materials, merchandise or film offered therein;
- 402.I. Each entrance to the premises shall be posted with a notice specifying that persons under the age of seventeen (17) years are not permitted to enter therein and warning all other persons that they may be offended upon entry;
- 402.J. No adult use may change to another adult use, except upon approval of an additional conditional use;
- 402.K. The use shall not create an enticement for minors because of its proximity to nearby uses where minors may congregate;
- 402.L. No unlawful sexual activity or conduct shall be permitted; and,
- 402.M. No more than one adult use may be located within one building or industrial park.

402.N. Screening - ? from residences ?

Section 403 Airports/Heliports

403.A. Within the (A) Zones, airports/heliports 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:

403.B. Minimum Lot Area - Thirty (30) acres for airports and five (5) acres for heliports;

403.C. All facilities shall be designed in strict compliance with all applicable State and Federal laws and regulations;

403.D. 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;

403.E. The applicant shall furnish evidence of the techniques that will be used to employ “fly-neighborly” guidelines to avoid adverse audio-visual impacts to nearby residents and livestock; and,

403.F. No part of the take-off/landing strip and/or pad shall be located nearer than three hundred feet (300') from any property line.

Section 404 Alternative Energy Systems

404.A. Within every Zone, alternate energy systems are permitted accessory uses by right, subject to the following requirements:

404.B. Alternate energy systems constructed prior to the effective date of this Ordinance shall not be required to meet the requirements specified under this section of the Zoning Ordinance. Any physical modification to an existing alternate energy system that materially alters the size, type and quantity of the facilities shall require a zoning permit and shall comply with the applicable provisions specified under this section of the Zoning Ordinance.

404.C. Alternate energy systems shall be primarily utilized by the principal use of the lot upon which it is located and energy generated must first be used to meet the demand on-site. Surplus energy may be exchanged, transferred and/or sold to a public or private utility company.

404.D. The owner of any alternate energy system connected to an electric utility grid shall provide the Township with written authorization from the utility acknowledging and approving such connection.

404.E. Alternate energy systems may be erected as detached accessory structures or attached to a building provided that the structural components of such systems do not exceed the permitted height requirements of the Zone in which it is located except that:

1. the total height of a building or structure with solar panels shall not exceed by more than one (1) foot the maximum permitted height in the applicable zone;
2. ground-mounted solar panels shall not exceed a height of 20 feet at the highest point of the structure;
3. the maximum height of a freestanding wind turbine and any supporting structure shall

- be fifty (50) feet for non-agricultural uses and one-hundred fifty feet (150) for agricultural uses, as measured from the ground surface to the tip of the blade at its highest turning movement;
4. the maximum height of a roof-mounted wind turbine and any supporting structure shall be ten feet (10') as measured from the highest roof surface to the tip of the blade at its highest turning movement; and,
 5. all structures that exceed the maximum permitted height within its respective Zone shall demonstrate compliance with Section 309 of this Ordinance.
- 404.F. Except as noted in Section 404.O.7.B. of this Ordinance, alternate energy systems may be erected as detached accessory structures or attached to a building provided that the structural components of such systems (along with other site improvements) do not exceed the maximum permitted lot coverage requirements of the Zone in which it is located.
- 404.G. Alternate energy systems may be erected as detached accessory structures or attached to a building provided that the structural components of such systems comply with all applicable setbacks of the zone in which it is located. Detached accessory systems shall comply with applicable accessory use setbacks. Systems attached to a principal structure will be required to comply with principal use setbacks. In Zones with no accessory use setbacks, principal use setbacks shall apply.
- 404.H. Above-ground alternate energy systems shall be clear-coated, transparent, and/or be designed with a non-obtrusive color such as white, off-white or gray. All such facilities shall not be artificially lighted, except to the extent required by the Federal Aviation Administration or other applicable authority that regulates air safety.
- 404.I. On-site electrical transmission and power lines connected to or associated with the alternate energy system that are not contained within a building shall be located underground.
- 404.J. Clearly visible warning signs concerning voltage must be placed at the base of all above-ground transformers and substations. Visible, reflective, colored objects, such as flags, reflectors, or tape shall be placed on the anchor points of guy wires and along the guy wires up to a height of ten (10) feet from the ground.
- 404.K. The applicant shall provide written evidence that the proposed alternate energy system shall comply with the noise standards listed in Section 313 of this Ordinance. A manufacturer's certificate of specification may be used to demonstrate compliance with this standard.
- 404.L. The applicant shall make reasonable efforts to avoid any disruption or loss of radio, telephone, television or similar signals, and shall mitigate any harm caused by the alternate energy system.
- 404.M. The applicant shall provide written evidence from the Chief of the "first-due" fire company that the proposed use can be adequately protected and that, if necessary, a suitable emergency response plan has been implemented to serve the proposed use.
- 404.N. The design and installation of the alternate energy system shall conform to applicable industry standards, including those of the American National Standards Institute and the Uniform Construction Code and be subject to all applicable permit requirements thereof as well as all other applicable laws, codes and regulations.
- 404.O. In addition to those materials required in Section 801 for a zoning permit, applicants for alternate energy systems shall be required to submit:
1. a narrative describing the system and its principal components including, but not limited to related ancillary facilities;
 2. information about its potential energy generating capacity and anticipated generation; and,
 3. a site plan depicting the system and its principal components including, but not limited to

related ancillary facilities as they relate to property lines, required setbacks, adjoining roads, utility rights-of-way and lines, and on-site buildings and structures. Such information shall be depicted upon the site plan even if it is located underground.

404.P. Solar energy systems shall comply with the following requirements:

1. Solar energy panels shall be designed and located in order to minimize reflective glare towards any adjoining use and/or road.
2. All solar energy system installations must be certified by a professional firm from a list of approved solar electric installers provided on the PA Sunshine Program website operated by the PA Department of Environmental Protection or from the North American Board of Certified Energy Practitioners.
3. Solar energy systems shall not be used for displaying advertising except for reasonable identification of the manufacturer of the system. In no case shall such identification exceed 200 square inches.
4. When a building is necessary for the storage of cells and/or equipment or components related to the solar energy system, the building must not exceed 400 square feet in area, must not exceed fifteen (15) feet in height and must comply with all applicable accessory use setbacks. Where no accessory use setbacks apply, principal use setbacks shall apply.
5. All owners of property upon which a solar energy system is installed shall be required, as a condition of the issuance of the zoning permit to acknowledge in writing to the Township that the issuance of a zoning permit for a solar energy system shall not and does not create in the property owner, its, his, her or their successors and assigns in title or, create in the property itself:
 - A. the right to remain free of shadows and/or obstructions to solar energy caused by development of adjoining or other property or the growth of any trees or vegetation on such property; or,
 - B. the right to prohibit the development on, or growth of any trees or vegetation on, such property.
6. Roof-mounted solar energy systems shall comply with the following requirements:
 - A. Solar panels shall not extend beyond any portion of the roof's horizontal edge.
 - B. A written structural roof analysis shall be required for all roof-mounted solar energy systems.
 - C. Other than those integrated into the roof or mounted flush with the roof, solar panels shall be located only on rear or side-facing roofs as viewed from any adjacent street unless the proposed location prevents the solar energy system from operating as designed, as certified in writing by the manufacturer or installer. Removal of potential obstructions such as vegetation shall not be considered sufficient cause for permitting panel installation on a front-facing roof.
7. Ground-mounted solar energy systems shall comply with the following requirements:
 - A. Ground-mounted solar energy systems (also referred to as "ground arrays") shall be located so that any sun reflection is directed away from or is properly screened from adjoining property.
 - B. 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.

- C. Solar panels shall not be mounted on any pole or tower such that the closest point of the solar panel is more than one (1') foot above the grade directly below the solar panel.
- D. Unless no other suitable location exists upon a property, a solar energy system, or part thereof, may be located within the front yard provided it is located behind the required building setback line and vegetative screening is provided to serve as a barrier to visibility and glare, subject to the following standards:
 - 1. All vegetative materials shall reach a minimum height of six feet above finished grade within two years of planting. However, all vegetative materials used for screening of an industrial use shall be six feet at initial planting.
 - 2. The vegetative screen shall be permanently maintained in order to ensure effective screening and replaced when necessary.
 - 3. The vegetative screen must be comprised of plant material that will provide a minimum opacity of 80% year-round. One of the following arrangements shall be utilized:
 - a. Screen planting shall contain three staggered rows of vegetative material. This screen planting shall consist of one row of fast-growing needled evergreens spaced not more than 12 feet on center and two rows of deciduous trees, with a minimum height potential of 20 feet, spaced not more than 25 feet on center.
 - b. Screen planting shall contain two staggered rows of vegetative material. Seventy-five percent shall be fast-growing needled evergreens planted 10 feet on center and staggered for effective screening. The remaining 25% shall be deciduous trees planted in staggered clusters with 25 feet being the maximum spacing between trees.
 - c. Screen planting shall contain two staggered rows of vegetative material. Seventy-five percent shall be fast-growing needled evergreens planted 10 feet on center and staggered for effective screening. Fifteen percent shall be deciduous trees planted in staggered clusters 25 feet on center. The remaining 10% shall be staggered shrub masses used as understory plants and in combination with deciduous tree clusters. The maximum spacing for shrubs shall be four feet on center. The deciduous trees and shrubs are suggested to break up the straight line planting of one type of plant material.
 - 4. Prior to issuance of a zoning permit, a sketch plan showing the proposed arrangement, placement, species and size of all screen planting material shall be submitted for approval to the Dickinson Township Zoning Officer. Only those specific plant arrangements listed above in Section 404.N.7.D.3.a.-c. of this Ordinance may be used for vegetative screening. All such plant materials shall comply with Section 321 of this Ordinance.

404.Q. All owners of property upon which a wind and/or solar farm is installed shall be required to acknowledge in writing to the Township that the approval of the wind and/or solar farm shall not and does not create in the property owner, its, his, her or their successors and assigns in title or, create in the property itself:

- 1. the right to remain free of shadows and/or obstructions to solar or wind energy caused by development of adjoining or other property or the growth of any trees or vegetation on such property; or,

2. the right to prohibit the development on, or growth of any trees or vegetation on, such property.

404.R. The following provisions shall specifically apply to wind turbines:

1. Only one wind turbine shall be permitted per principal use, except that agricultural uses may have up to two all of which must be accessory to the principal use of the site.
2. Wind turbines may only be permitted upon lots with a minimum of two and one-half (2½) acres.
3. 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 ground surface and the tip of the blade at its closest point of the turning movement.
4. 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
*This Section shall not be interpreted to permit the location of a wind turbine in the front yard if such structure is not permitted in the front yard within its respective Zone.	

5. A wind turbine and any supporting structure shall be enclosed by a six (6) foot fence with locking gate or the base of the wind turbine and any supporting structure shall not be climbable for a minimum height of twelve (12) feet. All access doors to wind turbines and electrical equipment shall be locked or fenced, as appropriate, to prevent entry by non-authorized persons.
6. All wind turbines and wind energy systems shall be equipped with a redundant braking system, which shall include both aerodynamic over-speed 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 over-speed protection.
7. The applicant shall make reasonable efforts to minimize shadow flicker to adjoining properties.
8. No wind turbine shall cause ground vibrations perceptible beyond the property line of the site.
9. No wind turbine shall cause ice to be thrown or shredded beyond the property line of the site.
10. No trees or landscaping required by Township Ordinance, or as otherwise required by the Board of Supervisors or Zoning Hearing Board as a condition of approval for any plan, application or permit may be removed to facilitate installation or operation of a wind turbine.

404.S. The following provisions shall specifically apply to geothermal systems:

1. Only closed loop geothermal systems shall be permitted.
2. Prior to installation, all installation specifications and drawings for the geothermal system must be certified by a registered engineer within the Commonwealth of PA as conforming to the International Ground Source Heat Pump Association (IGSHPA) installation standards;
3. The vertical geothermal system well (or wells) installation will be made only by a

- Pennsylvania-licensed well driller;
4. No geothermal system sub-surface loops will be located closer than twenty feet (20') from any existing or planned drinking water wells;
 5. The vertical loop in a geothermal system well (or wells) shall be pressure-grouted bottom to top with a bentonite-based or cement-based material of 0.0000001 centimeter per second or lower permeability; and
 6. With respect to each geothermal system well installation, the Pennsylvania-licensed well driller and/ or system installer shall provide to the Township, before activation of the system copies of:
 - A. Accurate written records and a written geologic log;
 - B. Accurate records with respect to grouting for each such well;
 - C. "As-built" plans and related documentation for each such system and well location;
 - D. Written documentation of the geothermal system testing and certification; and
 - E. A written "plan" for the operation of the geothermal system proposed by the applicant and approved by the system installer which, among other matters, provides that:
 1. Any geothermal system leaks or releases will be reported by the applicant (and subsequent owner) to the Township Zoning Officer within twenty-four (24) hours of the discovery of same, and the applicant (and subsequent owner) covenants and agrees to take appropriate action to minimize any fluid release to the ground and to promptly repair any system leaks; and
 2. In the event of the proposed discontinuance of the use of the geothermal system, a system closure plan will be prepared and submitted to the Township for its approval by the landowner prior to the conveyance by the landowner of the land to any third party.

404.T. Manure digester facilities shall only be permitted as an accessory use to an agricultural or horticultural use.

Section 405 Amusement Arcades

405.A. Within the (C) Zones, amusement arcades 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:

405.B. All activities shall take place within a completely-enclosed building;

405.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 arcade;

405.D. A minimum of one parking space for each eighty (80) square feet of gross floor area shall be provided; and,

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

Section 406 Amusement, Theme and/or Zoo Parks

406.A. Within the (C) Zone, amusement, theme and/or zoo parks are each 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:

406.B. Purpose - This Section provides for a two-stage review process for large-scale amusement uses that is consistent with the Pennsylvania Municipalities Planning Code by encouraging innovation and promoting flexibility, economy and ingenuity in the development process. Specifically, applications submitted under this Section will be required to obtain a conditional use approval of a Master Concept Plan that will require detailed explanation of the proposed use's design, operation and impacts. Then once the Master Concept Plan is approved, subsequent revisions or adjustments that were contemplated under the approved Master Concept Plan will be regulated as permitted uses. Subsequent alterations that were not contemplated by the previously approved Master Concept Plan will require another conditional use approval.

406.C. Design and Operational Objectives – Applications submitted pursuant to this Section are required to demonstrate to the satisfaction of the Board of Supervisors that:

1. The proposed uses are coordinated to function as a single site;
2. The proposed design will provide for efficient functioning of the proposed use amid its surroundings without creating undue adverse impact;
3. The proposed use has access to adequate utilities and public services to ensure the public welfare upon the site and will not overburden such utilities and services to the detriment of the rest of the Township;
4. The proposed use is designed, where practicable, to properly integrate and protect important natural features contained upon the site both during and after construction and during subsequent operation of the use;
5. The proposed use presents a pleasant appearance on the site and as viewed from adjoining roads and properties; and,
6. The applicant has a management structure and capacity that can ensure that these preceding objectives will be continuously satisfied.

406.D. Stage 1- Concept Master Plan - Prior to, or coincidental with, the approval of a land development plan for any of the uses regulated in this Section, the applicant shall submit a Concept Master Plan for conditional use approval by the Board of Supervisors in accordance with Section 805 of this Ordinance. The requirements of this Section 406 shall be used as the specific criteria for evaluating the conditional use application. Such Concept Master Plan shall be submitted by the applicant and shall include a textual and/or graphic description of the following items:

1. The location, boundaries, dimensions, acreage, and ownership of the land to be included within the proposed use;
2. The specific types and mixture of uses proposed for the land to be included within the proposed use. This will require submission of a schematic drawing of proposed use types within their respective areas along with a disturbance envelope within which all development activities will be confined;
3. A listing of the relevant design standards applied to the use as required by the Zoning Ordinance and a determination of the proposed use's compliance with such standards. Should the Board of Supervisors attach a condition of approval, pursuant to Section 805.C. of this Ordinance that imposes a different standard than that of the Zoning Ordinance, such conditioned standard shall be listed along with the use's determination of compliance;
4. The circulation network contained upon the land to be included within the proposed use including roads, sidewalks, off-street parking lots, unimproved overflow parking areas, off-

- street loading areas, emergency access points, major intersections and any traffic improvements proposed to accommodate the proposed use;
5. The name, location, centerline and present right-of-way width of all abutting streets;
 6. The natural and cultural features information as required by Article 5 of this Ordinance.
 7. Any regional facilities that are proposed and will serve more than one lot within the proposed development. Examples of such facilities could include storm water management devices, open space areas, pedestrian pathways, signs, and wastewater or water facilities;
 8. Qualified expert testimony and impact reports that demonstrate compliance with each of the following requirements and provide for an upset limit of impact regarding each requirement (e.g. maximum traffic volume, maximum sound pressure, maximum structure height, maximum glare, and etc:)
 9. A traffic impact study as required by Section 319 of this Ordinance.
 10. Access management so as not to cause traffic backup onto adjoining roads during peak entrance and exit periods. This shall require special attention to, and description of, the on-site stacking volumes caused by toll booth locations and the number, location, and times of traffic control personnel posting;
 11. Noise as regulated by Section 313 of this Ordinance;
 12. Lighting as regulated by Section 310 of this Ordinance;
 13. Methods of water supply and sanitary sewage disposal in accordance with applicable state regulations. If public water and/or sewer is to be used, documentation by the respective agency of the adequacy of such system to serve the proposed use;
 14. Methods of policing and security to include a written statement from the ranking police officer that adequate police protection is available to serve the proposed use. Also the applicant is required to provide expert evidence regarding security measures that will be used on the site to ensure adequate public safety during and after conduct of the proposed use;
 15. Methods of fire protection and ambulance service to include written statements from the chiefs of the first-due fire company and ambulance company that will serve the proposed use that attest that adequate fire protection and ambulance service are available to serve the proposed use;
 16. Capacity of off-street parking lots and off-street loading areas in relation to the required spaces in Sections 315 and 314, respectively, of this Ordinance. In addition, an unimproved grassed overflow parking area shall be provided for peak use periods. Such overflow parking areas shall be accessible only from the interior access drives of the permanent parking lot. Overflow parking areas shall contain fencing to confine vehicles on the site;
 17. The handling and disposal of materials and wastes as required by Section 316.F. of this Ordinance;
 18. Methods used to contain, collect and dispose of litter on the site. This shall include a written description of an acceptable working plan for litter clean-up;
 19. For uses involving the keeping of animals, a written plan that describes the methods used

to: (1) contain and prevent their 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.

20. Scaled graphic representations of those signs used to attract the public onto the site in accordance with Section 322 of this Ordinance; and,
21. Exterior areas used for the storage of automobiles or other vehicles shall be completely enclosed by a six foot (6') high fence, and shall be subject to the (C) Zone's setback, landscaping and screening requirements imposed upon off-street parking lots. The outdoor storage of vehicle parts, lubricants and fuels, or other materials or equipment used in the service of motor vehicles and the demolition or junking of vehicles is prohibited.
22. Maximum permitted height for uses regulated by this Section can exceed forty-five (45) feet provided:
 - a. That the proposed structure is setback a horizontal distance at least equal to its height from each property line;
 - b. The applicant must demonstrate that adequate local rescue and fire-fighting capacity exists to ensure the safety of those who might be located above forty-five (45) feet by reason of adequate emergency vehicles and equipment and/or employed fire suppression measures;
 - c. The applicant must submit that the proposed structure does not violate Federal Aviation Regulations No. 77;
 - d. For new buildings and building expansions, the applicant must demonstrate compliance with the BOCA National Fire Prevention Code, 1999 as may be amended;
 - e. If applicable, the applicant must demonstrate compliance with the American Society of Testing Materials (ASTM) F770-88 Standard Practice for Operation Procedures for Amusement Rides and Devices;
 - f. An integrated telephone system that has a two-hour fire rating shall be provided on all floors;
 - g. If proposed, standpipe and sprinkler connection fixtures shall be located so as to be readily accessible to firefighting personnel and hose pre-connects for full access to each floor shall be provided;
 - h. For new buildings and building expansions, knox boxes shall be provided where any automatic fire alarm, detection or suppression systems are used;
 - i. For new buildings and building expansions, forcible entry tools including a pick head axe, Halligan, K-tool and Rabbit tool shall be provided on each floor; and,
 - j. If applicable, the applicant must demonstrate that the rescue of patrons on each amusement ride can occur in a safe and expedient manner during times of emergency.

406.E. Modifications of Standards – As part of the Master Concept Plan conditional use review, the Board of Supervisors may permit the modification of the standards applied to the proposed use in order to encourage the use of innovative design. An applicant desiring to obtain such approval shall, when

making application for the Master Concept Plan, also make application for modification under this Section. The Board of Supervisors shall consider both requests simultaneously. Any modification of the standards shall be subject to the following standards:

1. Such modifications of standards better serve the design and operational objectives listed in Section 406.C. of this Ordinance;
2. Such modifications of standards would not result in adverse impact to adjoining properties, nor future potential inhabitants within the vicinity;
3. Such modifications will not result in an increase in permitted lot coverage for the site; and,
4. The extent of modification provides the minimum amount of relief necessary to ensure compliance with the requirements of this Section 406 of the Zoning Ordinance.

406.F. Stage 2 Site Development Plan – Upon approval of a conditional use for the Concept Master Plan, the applicant must apply for a zoning permit before constructing the proposed use pursuant to Section 801 of this Ordinance. As part of the granting of a zoning permit for uses proposed and contained in the Concept Plan, the Zoning Officer shall review an application submitted by the applicant. Such application shall include but not be limited to the following:

1. Any information necessary to demonstrate compliance with all applicable regulations contained within this Ordinance plus any conditions of approval imposed upon the use; and,
2. A scaled site plan that demonstrates the proposed uses' compliance with the approved Master Concept Plan, plus any conditions of approval attached to the grant of the Master Concept Plan. The Zoning Officer may require additional review by other Township staff or Township-appointed consultants. Such zoning permit shall be approved and issued in accordance with the time limits of Section 801.A.11. of this Ordinance provided that:
 - a. the proposed uses are consistent with those contemplated in the Master Concept Plan;
 - b. the area to be disturbed for each use is consistent with the respective disturbance area depicted on the Master Concept Plan;
 - c. the application complies with the applicable design standards and regulations of this and other Township ordinances plus and conditions of approval attached to the grant of the Master Concept Plan; and,
 - d. the impact of the proposed uses are consistent with that upset limit of impact authorized in the Master Concept Plan.

Section 407 Animal Hospitals and Veterinary Offices

407.A. Within the (C, RI and I) Zones animal hospitals and veterinary offices 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 and specifically as follows:

407.B. Within the (C) Zone no outdoor keeping of animals is permitted;

407.C. All animal boarding buildings that are not completely enclosed, and any outdoor animal pens, stalls, or runways shall be located within the rear yard;

407.D. All animal boarding buildings that are not completely enclosed, and any outdoor animal pens, stalls,

or runways shall be setback a minimum of one hundred (100) feet from all property lines.

407.E. RESERVED FOR SCREENING

Section 408 Auction House, Excluding Automobile Auctions

408.A. Within the (C and I) Zones, auction houses, excluding automobile auctions, 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:

408.B. No outdoor storage is permitted.

408.C. Off-street parking shall be provided at the rate of one (1) space per each two (2) persons of legal occupancy within the auction house, plus one (1) space per employee on the site at any one time.

408.D. A minimum of four off-street loading spaces shall be provided, subject to increases in accordance with the schedule listed in Section 314 of this Ordinance.

408.E. Should the proposed use include a cafeteria or refreshment counter, the applicant shall furnish and continuously implement an acceptable working plan for the collection of litter and debris.

Section 409 Automobile and/or Animal Racing Facility With or Without Related Wagering

409.A. Within the (RI) Zone, automobile and/or animal racing facilities with or without related wagering 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:

409.B. Purpose - This Section provides for a two-stage review process for large-scale amusement uses that is consistent with the Pennsylvania Municipalities Planning Code by encouraging innovation and promoting flexibility, economy and ingenuity in the development process. Specifically, applications submitted under this Section will be required to obtain a conditional use approval of a Master Concept Plan that will require detailed explanation of the proposed use's design, operation and impacts. Then once the Master Concept Plan is approved, subsequent revisions or adjustments that were contemplated under the approved Master Concept Plan will be regulated as permitted uses. Subsequent alterations that were not contemplated by the previously approved Master Concept Plan will require another conditional use approval.

409.C. Design and Operational Objectives – Applications submitted pursuant to this Section are required to demonstrate to the satisfaction of the Board of Supervisors that:

1. The proposed uses are coordinated to function as a single site;
2. The proposed design will provide for efficient functioning of the proposed use amid its surroundings without creating undue adverse impact;
3. The proposed use has access to adequate utilities and public services to ensure the public welfare upon the site and will not overburden such utilities and services to the detriment of the rest of the Township;

4. The proposed use is designed, where practicable, to properly integrate and protect important natural features contained upon the site both during and after construction and during subsequent operation of the use;
 5. The proposed use presents a pleasant appearance on the site and as viewed from adjoining roads and properties; and,
 6. The applicant has a management structure and capacity that can ensure that these preceding objectives will be continuously satisfied.
- 409.D. Stage 1- Concept Master Plan - Prior to, or coincidental with, the approval of a land development for any of the uses regulated in this Section, the applicant shall submit a Concept Master Plan for conditional use approval by the Board of Supervisors in accordance with Section 805 of this Ordinance. The requirements of this Section 409 shall be used as the specific criteria for evaluating the conditional use application. Such Concept Master Plan shall be submitted by the applicant and shall include a textual and/or graphic description of the following items:
1. The location, boundaries, dimensions, acreage, and ownership of the land to be included within the proposed use;
 2. The specific types and mixture of uses proposed for the land to be included within the proposed use. This will require submission of a schematic drawing of proposed use types within their respective areas along with a disturbance envelope within which all development activities will be confined;
 3. A listing of the relevant design standards applied to the use as required by the Zoning Ordinance and a determination of the proposed use's compliance with such standards. Should the Board of Supervisors attach a condition of approval, pursuant to Section 905.C. of this Ordinance that imposes a different standard than that of the Zoning Ordinance, such conditioned standard shall be listed along with the use's determination of compliance;
 4. The circulation network contained upon the land to be included within the proposed use including roads, sidewalks, off-street parking lots, unimproved overflow parking areas, off-street loading areas, emergency access points, major intersections and any traffic improvements proposed to accommodate the proposed use;
 5. The name, location, centerline and present right-of-way width of all abutting streets;
 6. The natural and cultural features information as required by Article 5 of this Ordinance.
 7. Any regional facilities that are proposed and will serve more than one lot within the proposed development. Examples of such facilities could include storm water management devices, open space areas, pedestrian pathways, signs, and wastewater or water facilities;
 8. Qualified expert testimony and impact reports that demonstrate compliance with each of the following requirements and provide for an upset limit of impact regarding each requirement (e.g. maximum traffic volume, maximum sound pressure, maximum structure height, maximum glare, etc.)
 9. A traffic impact study as required by Section 319 of this Ordinance;
 10. Access management so as not to cause traffic backup onto adjoining roads during peak entrance and exit periods. This shall require special attention to, and description of, the on-site stacking volumes caused by toll booth locations and the number, location, and times of traffic control personnel posting;

11. Noise as regulated by Section 313 of this Ordinance;
12. Lighting as regulated by Section 310 of this Ordinance;
13. Hours of public operation which will be limited between noon and 10:00 PM;
14. Methods of water supply and sanitary sewage disposal in accordance with applicable state regulations. If public water and/or sewer is to be used, documentation by the respective agency of the adequacy of such system to serve the proposed use;
15. Methods of policing and security to include a written statement from the ranking police officer that adequate police protection is available to serve the proposed use. Also the applicant is required to provide expert evidence regarding security measures that will be used on the site to ensure adequate public safety during and after conduct of the proposed use;
16. Methods of fire protection and ambulance service to include written statements from the chiefs of the first-due fire company and ambulance company that will serve the proposed use that attest that adequate fire protection and ambulance service are available to serve the proposed use;
17. Capacity of off-street parking lots and off-street loading areas in relation to the required spaces listed in Sections 315 and 314, respectively, of this Ordinance. In addition, an unimproved grassed overflow parking area shall be provided for peak use periods. Such overflow parking areas shall be accessible only from the interior access drives of the permanent parking lot. Overflow parking areas shall contain fencing to confine vehicles on the site;
18. The handling and disposal of materials and wastes as required by Section 316.F. of this Ordinance;
19. Methods used to contain, collect and dispose of litter on the site. This shall include a written description of an acceptable working plan for litter clean-up;
20. For uses involving the keeping of animals, a written plan that describes the methods used to: (1) contain and prevent their 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.
21. Scaled graphic representations of those signs used to attract the public onto the site in accordance with Section 322 of this Ordinance; and,
22. Exterior areas used for the storage of automobiles or other vehicles shall be completely enclosed by a six foot (6') high fence, and shall be subject to the (RI) Zone's setback, landscaping and screening requirements imposed upon off-street parking lots. The outdoor storage of vehicle parts, lubricants and fuels, or other materials or equipment used in the service of motor vehicles and the demolition or junking of vehicles is prohibited.
23. Maximum permitted height for uses regulated by this Section can exceed forty-five (45) feet provided:
 - a. That the proposed structure is setback a horizontal distance at least equal to its height from each property line;
 - b. The applicant must demonstrate that adequate local rescue and fire-fighting

capacity exists to ensure the safety of those who might be located above forty-five (45) feet by reason of adequate emergency vehicles and equipment and/or employed fire suppression measures;

- c. The applicant must submit that the proposed structure does not violate Federal Aviation Regulations No. 77;
- d. The applicant must demonstrate compliance with the BOCA National Fire Prevention Code, 1999 as may be amended;
- e. If applicable, the applicant must demonstrate compliance with the American Society of Testing Materials (ASTM) F770-88 Standard Practice for Operation Procedures for Amusement Rides and Devices;
- f. An integrated telephone system that has a two-hour fire rating shall be provided on all floors;
- g. If proposed, standpipe and sprinkler connection fixtures shall be located so as to be readily accessible to firefighting personnel and hose pre-connects for full access to each floor shall be provided;
- h. Knox boxes shall be provided where any automatic fire alarm, detection or suppression systems are used; and,
- i. Forcible entry tools including a pick head axe, Halligan, K-tool and Rabbit tool shall be provided on each floor.

409.E. Modifications of Standards – As part of the Master Concept Plan conditional use review, the Board of Supervisors may permit the modification of the standards applied to the proposed use in order to encourage the use of innovative design. An applicant desiring to obtain such approval shall, when making application for the Master Concept Plan, also make application for modification under this Section. The Board of Supervisors shall consider both requests simultaneously. Any modification of the standards shall be subject to the following standards:

- 1. Such modifications of standards better serve the design and operational objectives listed in Section 409.C. of this Ordinance;
- 2. Such modifications of standards would not result in adverse impact to adjoining properties, nor future potential inhabitants within the vicinity;
- 3. Such modifications will not result in an increase in permitted lot coverage for the site; and,
- 4. The extent of modification provides the minimum amount of relief necessary to ensure compliance with the requirements of this Section 409 of the Zoning Ordinance.

409.F. Stage 2 Site Development Plan – Upon approval of a conditional use for the Concept Master Plan, the applicant must apply for a zoning permit before constructing the proposed use pursuant to Section 801 of this Ordinance. As part of the granting of a zoning permit for uses proposed and contained in the Concept Plan, the Zoning Officer shall review an application submitted by the applicant. Such application shall include but not be limited to the following:

- 1. Any information necessary to demonstrate compliance with all applicable regulations contained within this Ordinance plus any conditions of approval imposed upon the use; and,
- 2. A scaled site plan that demonstrates the proposed uses' compliance with the approved

Master Concept Plan, plus any conditions of approval attached to the grant of the Master Concept Plan. The Zoning Officer may require additional review by other Township staff or Township-appointed consultants. Such zoning permit shall be approved and issued in accordance with the time limits of Section 901.A.11. of this Ordinance provided that:

- a. the proposed uses are consistent with those contemplated in the Master Concept Plan;
- b. the area to be disturbed for each use is consistent with the respective disturbance area depicted on the Master Concept Plan;
- c. the application complies with the applicable design standards and regulations of this and other Township ordinances plus and conditions of approval attached to the grant of the Master Concept Plan; and,
- d. the impact of the proposed uses are consistent with that upset limit of impact authorized in the Master Concept Plan.

Section 410 Automobile Auctions and Storage Yards

410.A. Within the (I) Zone, automobile auctions and storage yards 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 805.B. and specifically as follows:

410.B. The subject property must front upon and have direct vehicular access to a collector or arterial road as listed in Section 320 of this Ordinance.

410.C. The applicant shall be required to submit an expert-prepared on-site circulation plan prepared by a professional traffic engineer certified by the Commonwealth of Pennsylvania. Such circulation plan must fully describe the location and manner in which vehicles for auction arrive, are registered, are stored, are displayed, are readied for sale, are stacked for sale, are sold, are road tested, are stored post-sale and then depart the site. It is incumbent upon the applicant to demonstrate that the proposed circulation pattern can be operated safely and will not interfere with the on-site circulation and parking of customers and employees or the flow of traffic on adjoining streets. Such plan shall clearly delineate exterior areas of the site that are to be used solely for the storage of vehicles as opposed to display and sales areas and required off-street parking spaces.

410.D. Exterior areas used solely for the storage of vehicles shall be connected to other areas of the site and the adjoining street via one or more access drives in accordance Section 301 of this Ordinance.

410.E. Exterior areas used solely for the storage of vehicles shall comply with the off-street parking design requirements of Section 315 of this Ordinance, except that such areas:

1. may be arranged with blocks of horizontally-stacked vehicles/equipment that do not provide for the independent movement of each vehicle. No vehicle or piece of heavy equipment shall be located more than one hundred feet (100') from an on-site interior drive. Such interior drives must be a minimum of eighteen (18) feet wide;
2. may employ vertical stacking of vehicles. Vehicles stacked vertically shall either be located within an enclosed structure or be located at least one hundred feet (100') from the closest property line. Vertical stacking shall not exceed fifteen (15') feet;
3. need not be paved, but must have an all-weather and dust-free surface;

4. shall be completely enclosed by a six foot (6') high fence, which shall be subject to the (I) Zone's setback requirements imposed upon off-street parking lots;
 5. shall be lighted to provide an average of minimum one (1) foot candle level of illumination at an elevation of three (3) feet above grade for the detection of suspicious movement. All such lighting shall be arranged as to reflect the light away from adjoining properties and roads; and,
 6. need not comply with the interior landscaping requirements, but must be screened from adjoining roads and properties.
- 410.F. Exterior areas used for the display and sales of automobiles shall comply with the off-street parking design requirements of Section 315 of this Ordinance.
- 410.G. Areas to be used by employees or customers after dusk, shall be lighted to provide an average of minimum two (2) foot candles level of illumination at an elevation of three (3) feet above grade for the safe movement of vehicles and pedestrians. All such lighting shall be arranged as to reflect the light away from adjoining properties and roads.
- 410.H. 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.
- 410.I. The applicant shall prepare, submit and explain, and continuously implement an acceptable working plan of the collection and proper disposal of litter and debris. Exterior trash receptacles shall be provided amid any exterior sales and/or display area. Such trash receptacles shall be routinely emptied so as to prevent the scattering of litter and debris.
- 410.J. The proposed use must be connected to public utilities and all on-site rest rooms, comfort facilities and toilets must rely upon public sewer for disposal of human waste. No "porta-potties" are permitted.
- 410.K. The subject property may contain facilities for the service, repair and reconditioning of vehicles provided:
1. All service, repair and reconditioning uses involving drive-thru service shall provide sufficient on-site stacking lanes to prevent vehicle back-ups on adjoining roads and such stacking lanes will be fully integrated within the site's on-site circulation plan as required in Section 410.C. of this Ordinance;
 2. All service, repair and/or reconditioning activities shall be conducted within a completely enclosed building and shall be limited to vehicles that are to be auctioned on the site;
 3. No outdoor storage of parts, equipment, lubricants, fuel or other materials, new, used or discarded, as part of the service, repair and/or reconditioning operation, shall be permitted; and,
 4. The demolition and/or junking of vehicles is prohibited. No vehicle shall remain on the site for more than one (1) year.
- 410.L. The applicant shall furnish evidence that the disposal of all materials and wastes will be accomplished in a manner that complies with all applicable State and Federal regulations.

- 410.M. No part of the subject property shall be located within three hundred feet (300') of any land within the (LDR and MU) Zones.
- 410.N. A traffic impact study shall be prepared in accordance with Section 319 of this Ordinance and shall devote particular emphasis on movements of vehicles that may be moving between the subject property and other nearby uses that assist in making vehicles ready for sale.
- 410.O. One truck driver lounge with comfort and bathing facilities, a restaurant, cafeteria or refreshment counter and a filling station are permitted accessory uses provided such uses are located, designed and operated in a manner that is meant to serve those persons directly associated with the principal uses while they are on the site. No entrances and/or signage shall be oriented towards attracting patrons from off of the site. Should the proposed use include a restaurant, cafeteria or refreshment counter, the applicant shall furnish and continuously implement an acceptable working plan for the collection of litter and debris.
- 410.P. One off-street parking space shall be provided for each 1000 square feet of total interior and exterior display, sales and storage area for vehicles. In addition, an unimproved grassed overflow parking area shall be provided for peak use periods. Such overflow parking areas shall be accessible only from the interior access drives of the permanent parking lot. Overflow parking areas shall contain fencing to confine vehicles on the site.

Section 411 Automobile Filling Stations (Including Minor Incidental Repair)

- 411.A. Within the (C) Zone, automobile filling stations (including minor incidental repair) 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:
- 411.B. The subject property shall have a minimum width of one hundred twenty-five feet (125');
- 411.C. The subject property shall front on an arterial or collector road;
- 411.D. The subject property shall be set back at least five hundred feet (500') from any lot containing a school, day-care facility, park or playground, library, hospital or nursing, rest or retirement home;
- 411.E. The outdoor storage of any motor vehicles (whether capable of movement or not) for more than one (1) month is prohibited. Any vehicle stored outside of a completely enclosed building must be awaiting needed parts to perform needed repair, located within a side or rear yard and be screened from adjoining roads and properties;
- 411.F. All structures (including air compressors, kiosks, gasoline pump islands, but not permitted signs) shall be set back at least thirty feet (30') from any street right-of-way line;
- 411.G. No outdoor storage of auto parts shall be permitted;
- 411.H. Access driveways shall be a minimum of twenty-eight feet (28') and a maximum of thirty-five feet (35') wide and separated by seventy-five feet (75') from one another if located along the same frontage as measured from edge to edge;
- 411.I. All ventilation equipment associated with fuel storage tanks shall be set back one hundred feet (100') and oriented away from any land within an (LDR and MU) Zone; and,

411.J. The applicant shall furnish evidence that the storage, dispensing and disposal of materials will be accomplished in a manner that complies with State and Federal regulations.

Section 412 Bed and Breakfasts

412.A. Within the (RR, A and LDR) Zone, bed and breakfasts 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, within the (MU) Zone, bed and breakfasts 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, and within the (C) Zone, bed and breakfasts are permitted by right subject to the following criteria

412.B. Any modifications to the external appearance of the building (except fire escapes) shall complement its residential character;

412.C. All floors above or below grade shall have a permanently affixed direct means of escape to ground level;

412.D. One (1) off-street parking space shall be provided for each room available for rent, in addition to those required for the dwelling unit;

412.E. All parking areas shall be set back a minimum of ten feet (10') from all property lines and shall be screened from adjoining lots and streets;

412.F. A bed and breakfast 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;

412.G. The applicant shall furnish evidence that an approved means of sewage disposal and water supply shall be used; and,

412.H. The applicant shall furnish proof of any needed approval from the PA Department of Labor and Industry.

Section 413 Beekeeping

413.A. Within the (RR and A) Zones, beekeeping is a permitted accessory use to an agricultural or horticultural use or single family detached residence subject to the following criteria:

413.B. The site shall contain a minimum of one (1) acre;

413.C. It shall be the duty of the applicant to maintain each colony so as to not create a public nuisance;

413.D. Colonies shall be maintained in movable hives;

413.E.. Hives shall be situated to maximize sunshine exposure and/or natural wind protection;

413.F. In no case shall hives be located within twenty-five feet (25') of any property line;

413.G. All bee hives must be registered in accordance with the PA Department of Agricultural, Entomology Section; and,

413.H. Hives shall not be oriented to children's play areas either on the site or an adjoining property.

Section 414 Billboards

- 414.A. Within the (I) Zone, billboards 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 805.B. and specifically as follows:
- 414.B. No billboard shall be located within one-half mile (2,640 feet) of another billboard as measured in a straight line, without regard to intervening structures, property lines, street rights-of-way and any other improvement;
- 414.C. Billboards shall only be permitted upon properties with frontage along an arterial road as listed in Section 320 of this Ordinance;
- 414.D. All billboards shall be a minimum of forty feet (40') from all property lines and street rights-of-way;
- 414.E. All billboards shall be set back at least one thousand feet (1000') from any land within a (LDR and MU) Zone and/or the closest lot line of any building used for residential purposes, including, but not limited to, single dwelling units, tow-family dwellings, duplexes, townhouses, multi-family dwellings, boarding houses, nursing, rest or retirement homes, group homes, hotels and motels.
- 414.F. No billboard shall obstruct the view of motorists on adjoining roads, or the view of adjoining commercial or industrial uses, which depend upon visibility for identification;
- 414.G. The maximum area for any one billboard sign face shall not exceed 14 feet in vertical measurement or 48 feet horizontally and in no event to exceed 672 square feet per facing (inclusive of any border, trim or embellishment, which embellishment shall not exceed 28 square feet of area, but excluding the base or apron, supports and other structural members). The terms "face" and "facing" as used herein shall mean the surface area or surface areas of the structure containing the message of the billboard sign or signs.
1. The billboard sign face area shall be measured by the smallest square, rectangle, triangle, circle or combination thereof which will encompass the entire billboard sign face above ground level.
 2. A billboard sign structure shall contain not more than two facings with only one advertising message being displayed at any one time per face, which facings may be placed only back-to-back or V-shaped at an interior angle of less than 90°.
- 414.H. All properties upon which a billboard is erected shall be regularly maintained so as not to create a nuisance by means of weeds, litter or vector habitation;
- 414.I. Any lighting used for billboards shall be designed in accordance with Section 309.K. of this Ordinance to only illuminate the face of the billboard and not cast glare on adjoining areas or in an upward direction;
- 414.J. Billboards incorporating LCD, LED, plasma, CRT, pixelized lights or other animated and/or video-like display shall comply with Section 322.C.31. of this Ordinance; and,
- 414.K. The applicant must demonstrate that the proposed use will comply with the Pennsylvania Outdoor Advertising Control Act.

Section 415 Boarding Houses

- 415.A. Within the (MU) Zones, boarding houses are 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:
- 415.B. Boarding houses must include a full-time on-site resident manager who is not a border upon the site;
- 415.C. The following minimum lot area requirements shall be provided:

Minimum Required Lot Size (up to 4 boarders)	plus	Additional Lot Area Per Boarder (up to 10 boarders)
10,000 sq. ft.	plus	2500 sq. ft./ boarder over four

- 415.D. The applicant shall furnish evidence that approved systems for water supply shall be used;
- 415.E. No modifications to the external appearance of the building (except fire escapes) which would alter its residential character shall be permitted;
- 415.F. All floors above and/or below grade shall have a permanently affixed direct means of escape to ground level;
- 415.G. One (1) off-street parking space shall be provided for each room available for rent;
- 415.H. One (1) sign, not to exceed eight (8) square feet, shall be permitted provided such sign is not a freestanding sign as defined herein; and,
- 415.I. The applicant shall furnish proof of any needed approval from the PA Department of Labor and Industry.
- 415.K. Upon approval of a conditional use for a boarding house, the Zoning Officer shall issue a temporary zoning permit. Such permit shall be reviewed every twelve (12) months until such time as the boarding house ceases to exist. At such time the applicant shall be required to furnish a list of those occupants of the boarding house on a form provided by the Township. A fee, in the amount to be set by the Board of Supervisors, shall be paid by the landowner upon each renewal of the temporary zoning permit. Such fee shall be based upon the cost of the annual review of the permit.

Section 416 Campgrounds

- 416.A. Within the (RR) Zone, campgrounds 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:
- 416.B. Minimum Lot Area - Ten (10) acres;
- 416.C. Setbacks - All campsites shall be located at least fifty feet (50') from any side or rear property line and at least one hundred feet (100') from any public street line;

- 416.D. Each campsite shall have sufficient square footage to provide parking space for the vehicles as so not to interfere with the convenient and safe movement of traffic, or equivalent parking shall be provided in a common parking area;
- 416.E. An internal road system shall be provided, as required by the SALDO;
- 416.F. All outdoor play areas shall be set back one hundred feet (100') and screened from adjoining properties. Such outdoor play areas shall be used by registered guests and their visitors;
- 416.G. All campgrounds shall furnish centralized sanitary and garbage collection facilities that shall be set back a minimum of one hundred feet (100') and screened from adjoining properties. Such facilities shall be designed and maintained so as to be secure from native animals such as raccoon, bears, etc.;
- 416.H. Any accessory retail or service commercial uses shall be set back a minimum of one hundred feet (100') from any property line. Such accessory commercial uses shall be solely designed and constructed to serve the campground's registered guests and their visitors. Any parking spaces provided for these commercial uses shall only have vehicular access from the campground's internal road, rather than the public street. All accessory commercial uses and related parking shall be screened from adjoining parcels;
- 416.I. All campgrounds containing more than one hundred (100) campsites shall have vehicular access to an arterial or collector street as listed in Section 320 of this Ordinance;
- 416.J. A campground may construct one freestanding or attached sign containing no more than thirty-two (32) square feet. Any reference to accessory commercial or recreational facilities shall remain secondary in size to the reference of the principal campground use. Such sign shall be set back at least ten feet (10') from the street right-of-way line, at least one hundred feet (100') from any adjoining lot lines;
- 416.K. A minimum of twenty percent (20%) of the gross area of the campground shall be devoted to active and passive recreational facilities, which shall not be located within one hundred feet (100') of any property line. Responsibility for maintenance of the recreation area shall be with the landowner;
- 416.L. Every campground shall have an office in which shall be located the person responsible for operation of the campground; and,
- 416.M. The applicant shall furnish evidence that all water facilities, sewage disposal systems, rest rooms, solid waste disposal and vector control shall be approved and maintained in accordance with the requirements of the PA DEP.

Section 417 Car Washes

- 417.A. Within the (C) Zone, car washes 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:
- 417.B. Gray water recycling is required;
- 417.C. For automatic and self-service car washes, each washing bay shall provide a minimum one hundred foot (100') long on-site stacking lane which precedes the washing process. For full service car washes, such on-site stacking shall be a minimum of three hundred feet (300') per lane;

- 417.D. For full service car washes, a post-washing drying area shall be provided for no less than three (3) vehicles per washing lane;
- 417.E. All structures housing washing apparatuses shall be set back one hundred feet (100') from any street right-of-way line, fifty feet (50') from any rear property line, and twenty feet (20') from any side lot line;
- 417.F. Trash receptacles shall be provided and routinely emptied to prevent the scattering of litter, and the applicant shall furnish and implement an acceptable working plan for the cleanup of litter and debris;
- 417.G. The subject property shall front on an arterial or collector road as listed in Section 320 of this Ordinance; and,
- 417.H. The applicant shall demonstrate adequate provision for the collection and disposal of greases and wastes.

Section 418 Casinos, Off-Track Betting Parlors and/or Slot Machine Parlors

- 418.A. Within the (C) Zone, casinos, off-track betting parlors and/or slot machine parlors 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:
- 418.B. Casinos, off-track betting and/or slot machine parlor shall not be permitted to be located within one thousand feet (1,000') of any other casinos, off-track betting and/or slot machine parlor;
- 418.C. No casino, off-track betting and/or slot machine parlor shall be located within one thousand feet (1,000') of any land within the (LDR and MU) Zones;
- 418.D. No off-track betting parlor shall be located within one thousand feet (1,000') 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;
- 418.E. The above-required distances shall be measured in a straight line without regard to intervening structures, from the closest point on the exterior property line of each land use;
- 418.F. No more than one (1) casino, off-track betting parlor or slot machine parlor may be located within one building or shopping center;
- 418.G. 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, light and/or litter;

- 418.H. The applicant shall furnish expert evidence as to how the use will be controlled so as to not constitute a nuisance due to noise or loitering outside the building;
- 418.I. An acceptable working plan for the cleanup of litter shall be furnished and implemented by the applicant;
- 418.J. Off-street parking shall be provided at the rate of one (1) space per each sixty-five (65) square feet of gross floor area, including related dining, restaurant and snack bar areas; and,
- 418.K. All off-track betting parlors shall comply with the Pennsylvania Horse and/or Harness Racing Commission's Rules and Regulations pertaining to Nonprimary Locations, as defined therein and casinos and slot machine parlors shall be licensed by the Pennsylvania Gaming Control Board.

Section 419 Churches and Related Uses

419.A. Within the (A, LDR, MU and C) Zones, churches and related uses are permitted by right, subject to the following criteria:

419.B. Church Related Residences (Rectories and Convents):

1. All residential uses shall be governed by the location, height and bulk standards imposed upon other residences within the respective Zone, except that any number of church-related persons (pastors, priests, rabbis, ministers, nuns, caretakers, employees) may share group quarters.

419.C. Church-Related Schools or Day-Care Facilities:

1. If school or day-care 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 feet (25') from all property lines. Any vegetative materials located within the outdoor play areas shall be of a non-harmful type (poisonous, thorny, allergenic, etc.).
2. Enrollment shall be defined as the largest number of students and/or children under day-care supervision at any one time during a seven-day period;
3. Passenger "drop-off" areas shall be provided and arranged so that passengers do not have to cross traffic lanes on or adjacent to the site; and,
4. Unless the applicant can demonstrate that the off-street parking associated with the house of worship is sufficient for the proposed use, one (1) off-street parking space shall be provided for each six (6) students enrolled.

419.D. Cemeteries

1. All burial plots or structures shall be located at least fifty (50) feet from any street line and (20') from any property line;
2. In areas not served by public water, the applicant must submit written evidence to assure that water supplies of surrounding properties will not be contaminated by burial activity within the proposed cemetery; and,
3. No burial plots or facilities are permitted in any floodplain as defined herein.

Section 420 Communication Antennas that are Co-located Upon Existing Structures

- 420.A. Within the (RR, A, RI and I) Zones, communication antennas that are co-located upon existing structures (e.g., utility transmission towers, observation towers, communication towers, silos, steeples, smokestacks, water towers, flagpoles, and other similar structures) are permitted by right, subject to the following criteria:
- 420.B. The applicant submits a copy of the written agreement with the landowner upon whose structure the antenna is to be located;
- 420.C. The applicant shall be required to demonstrate that it is licensed by the Federal Communications Commission to operate the proposed use;
- 420.D. The applicant shall demonstrate that the proposed use will comply with the applicable standards governing human exposure to electromagnetic radiation by the Federal Communications Commission;
- 420.E. The applicant shall demonstrate that the proposed use will comply with all Federal Aviation Administration and Commonwealth Bureau of Aviation regulations governing structural height;
- 420.F. The applicant shall submit, from a structural engineer registered in the Commonwealth of Pennsylvania, a written certification of the existing structure's and the antenna's ability to meet the structural standards required by either the Electronic Industries Association or the Telecommunication Industry Association and that the construction methods or other measures used will prevent the toppling of any communication antenna onto adjoining properties and/or roads, and prevent the wind-borne scattering of ice onto adjoining properties and/or roads; and,
- 420.G. When one (1) or more freestanding telecommunication and wireless communications antennas are to be located on an existing structure and the general public has access to the structure on which the freestanding telecommunication and wireless communications facilities are to be located, the applicant shall provide engineering details showing what steps have been taken to prevent microwave binding to wiring, pipes, and other metals. For purposes of this subsection, the term "microwave binding" shall refer to the coupling or joining of microwave energy to electrical circuits, including but not limited to power lines and telephone wires, during which process the transference of energy from one to another occurs.

Section 421 Commercial Day-Care Facilities

- 421.A. Within the (C, RI and I) Zones, commercial day-care facilities are permitted by right subject to the following criteria and within the (MU) Zone, commercial day-care 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:
- 421.B. 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. Outdoor play areas shall be completely enclosed by a minimum four foot (4') high fence, and screened from adjoining properties with the (LDR and MU) Zones. Any vegetative materials located within the outdoor play areas shall be of a non-harmful type (poisonous, thorny, allergenic, etc.) All outdoor play areas must provide a means of shade, such as a shade tree(s) or pavilion(s);

- 421.C. Enrollment shall be defined as the largest number of persons and/or children under day-care supervision at any one time during a seven-day period;
- 421.D. Passenger “drop-off” and “pick-up” areas shall be provided on site and arranged so that the passengers do not have to cross traffic lanes on or adjacent to the site;
- 421.E. One (1) off-street parking space shall be provided for each six (6) persons enrolled; and,
- 421.F. All commercial day-care facilities shall obtain and maintain proper licensure from the Commonwealth of Pennsylvania.

Section 422 Commercial Produce Operations

- 422.A. Within the (A) Zone, commercial produce operations 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 the following specific criteria:
- 422.B. The maximum permitted lot coverage is thirty percent (30%), including all impervious surfaces;
- 422.C. If applicable, the applicant shall submit written evidence from the appropriate review that the proposed use has an approved nutrient management plan. 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 again submit written evidence of plan approval to the Zoning Officer;
- 422.D. The applicant shall furnish evidence of his/her Agricultural Erosion and Sedimentation Pollution Control Plan under State law. All subsequent operations and activities shall be conducted in accordance with such plan;
- 422.E. If greenhouses, or other buildings with substantially clear or translucent surfaces, are used, the applicant shall submit information that demonstrates compliance with Section 310 of this Ordinance;
- 422.F. Any exhaust or ventilation fans employed shall be oriented and directed such that no direct exhaust velocity is perceptible at any adjoining property lines;
- 422.G. Any on-site materials and/or waste storage facilities shall comply with the requirements of Section 316.F. of this Ordinance;
- 422.H. 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;
 - 1. In addition, 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 to estimate the impact of the new development on existing wells in the vicinity.
 - 2. 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.

3. A water feasibility study shall include the following information:
 - a. calculations of the projected water needs;
 - b. a geologic map of the area, with a radius of at least one mile from the site;
 - c. 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;
 - d. the location of all existing on-lot sewage disposal systems within one thousand feet (1,000') of the site;
 - e. the location of all streams within one thousand feet (1,000') of the site and all known point sources of pollution;
 - f. a determination of the long-term safe yield based on the geologic formation(s) underlying the site;
 - g. 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,
 - h. a statement of the qualifications and the signature(s) of the person(s) preparing the study.
- 422.I. Should the proposed use not make use of public water, and require more than 100,000 gallons of water per day, the applicant shall furnish written evidence of approval from the Susquehanna River Basin Commission;
- 422.J. The applicant shall be required to obtain an approved land development under the requirements of the SALDO;
- 422.K. The applicant shall be required to submit a traffic impact study, in accordance with Section 319 of this Ordinance;
- 422.L. The site shall include one (1) off-street parking space for each employee during the largest work shift;
- 422.M. The applicant may conduct a roadside stand, as defined herein within one of the permanent buildings, but such use shall be limited to no more than three hundred (300) square feet of display area;
- 422.N. All buildings and storage/processing structures shall be set back at least one hundred feet (100') from adjoining roads and properties, and all off-street parking and loading spaces, outdoor storage areas and dumpsters shall be set back at least fifty feet (50') and screened from adjoining roads and properties; and,
- 422.O. The applicant shall be required to install and maintain a riparian buffer along any watercourse that is located upon the subject property according to those specifications listed in Section 511 of this Ordinance.