Article XVII: Additional Regulations for Certain Permitted, Conditional and Special Exception Uses

This article requires that before any zoning permit is granted for the use of land or building for certain permitted, conditional and special exception uses, a site plan shall be reviewed by the Planning Commission and reviewed and approved by the Township Council. Special exception uses must also be reviewed and approved by the Zoning Hearing Board prior to Council approval. This provision is set forth because of the considerable environmental, traffic and land use impact these land uses have on a community.

§ 180-102 Site plan review.

- A. Purpose. It is the purpose of this procedure to enable the Township Planning Commission, the Zoning Hearing Board, if applicable, and Township Council to review the site plans of an applicant to assure that they meet the stated objectives and standards of these regulations, conform to the stated objectives of other agencies, provide for the safety and convenience of the general public, as well as those using the subject site, and preserve important site features and landscaping where desirable.
- B. Procedure.
 - (1) In all cases where these regulations require approval of a site plan, a zoning permit shall not be issued until after the Planning Commission, the Zoning Hearing Board, if applicable, and Township Council have reviewed the site plan in accordance with the procedures set forth in this chapter and until the Township Council has approved the site plan. Permits shall be issued only in conformity with the approved site plan.
 - (2) The Zoning Officer shall submit the site plan and supporting documents to the Township Planning Commission and other required review agencies within 10 days of the receipt of the site plan.
 - (3) The Planning Commission may refer applications for site plan review to other appropriate agencies and authorities for review and recommendations.
 - (4) The Planning Commission and Township Council shall have a total of 90 days from the date of the first regular Planning Commission meeting after the submission of the application, according to the same time requirements allowed for subdivision and land development plan submissions and reviews under the Pennsylvania Municipalities Planning Code, Act 247, as amended (53 P.S. § 10101 et seq.), unless an extension of time is granted by the applicant.
- C. Application requirements.
 - Application for site plan review shall be submitted to the Zoning Officer. Fifteen copies of all plans certified by a registered architect, engineer or surveyor shall be submitted, along with the site plan review fee, as established by resolution of Township Council, to cover the additional expense of reviewing said site plan.
 - (2) The site plan shall include, as a minimum, all the following information, except that these requirements may be modified by the Planning Commission to reflect the information needed to review adequately the plans for the intended use:
 - (a) Location of the site, drawn to a scale of not less than one inch equals 50 feet, showing abutting streets, nearest cross streets, driveways on adjacent lots, structures on adjacent lots which are less than 100 feet from the property line, dimensions and size of the site.

- (b) Streets and property lines, curbs, pavements sidewalks, easements and rights-of-way.
- (c) Location and dimensions of all existing and proposed buildings, structures, walls, fences, utility buildings, existing major trees and other existing significant landscape elements.
- (d) Existing and proposed contours, at maximum two-foot intervals, and limit of earth disturbance. Where slopes exceed 20%, ten-foot contour intervals are acceptable. Contours shall be accurately shown and based upon field survey and/or aerial photography. All contours shall be based on USGS datum.
- (e) Location of all existing watercourses, wetlands, drainageways, floodplain limits and rock outcroppings, cliffs, quarries and woodlands. Also, the location of any carbonate geology features that might pertain to the site.
- (f) Zoning data for all proposed buildings, structures or uses, including height, number of floors, building total floor area, yards, lot coverage, number of parking spaces, number of dwelling units, total building area and proposed uses. Also, zoning calculations of slope, woodland cover, floodplain, wetlands, riparian corridors, rock outcrop, cliff and quarry areas, and Watershed Protection Areas with associated calculations of required adjusted setbacks, lot size, development density or cover requirements.
- (g) The title of the development, date, revision dates, North arrow, scale, name and address of owner, name and address of equitable owner (if applicable) and name and address of applicant, if different from owner or equitable owner, and signature of the applicant and the owner, with a statement indicating their approval of the plan.
- (h) Location and dimensions and proposed surfacing of existing and proposed off-street parking and loading spaces, traffic access, circulation drives and pedestrian walks and projected volumes of vehicle and pedestrian traffic using the site.
- (i) Location, size and type of proposed landscaping and buffer planting and the designation of those areas of natural vegetation not to be disturbed.
- (j) Location, type, design, shielding and hours of operation of all existing and proposed exterior, parking lot and garage lighting.
- (k) Description and elevation view of all proposed structures.
- (I) Location, type, size, design, color and illumination of all signs.
- (m) Location and description of water supply, fire protection system, sewage facilities and stormwater management facilities and supporting calculations.
- (n) Location of building or structure listed in or eligible for the National Register of Historic Sites, and estimated date of construction of all existing buildings and structures.
- (o) A project narrative providing the following information:
 - [1] Proposed use.
 - [2] Hours of use.
 - [3] Description of product produced, services provided or goods sold and process or methods used in providing these services.
 - [4] Number and job classification of employees.
 - [5] A plan for providing emergency services, including police, health and fire.
 - [6] A list of chemicals to be used or stored on the property in any quantity in excess of 20 cubic feet in volume, except:

- [a] Chemicals, such as heating oil or propane, which may be required for the normal heating and cooling of a building and fire-suppression chemicals.
- **[b]** Printing supplies, photographic developing chemicals and janitorial chemicals and lawn and agricultural fertilizers in a quantity not to exceed 40 cubic feet.
- [c] Aboveground tanks for storage of fuel oil for use by the property owner for:
 - [i] Farm-related equipment;
 - [ii] Trucks or automobiles; and/or
 - [iii] Emergency equipment or vehicles.
- [7] A list of all toxic or hazardous substances, as described in § 180-96G, to be used or stored on the property.
- (p) Certification that utilities to be provided are adequate for the intended use.
- (q) The copy of all required permits and supporting documents required by federal, state and local government agencies.
- (r) In the case of on-lot sewage disposal, the locations and elevations of all passing and failing soil test trenches and percolation tests and proposed primary and replacement drainfield areas and all soil test results.
- (s) Location, type and design of proposed soil erosion and sedimentation control devices, with appropriate narrative, and approval from the Soil and Water Conservation District of said plan.
- (t) A traffic impact study for all proposed land uses expecting to generate 250 trips per day of traffic. (Ingress is one trip and egress is one trip.)
- D. Standards for review. In reviewing site plans, the Planning Commission, the Zoning Hearing Board, if applicable, and Township Council shall take into consideration the purposes of these regulations, including the purposes of the applicable zoning district and the safety and convenience of the general public. Site plans may be modified and conditions put on approvals when deemed necessary to meet the following objectives:
 - (1) Safe, adequate and convenient vehicular and pedestrian traffic both within and without the site. The Planning Commission, the Zoning Hearing Board, if applicable, and Township Council shall take into consideration the following features:
 - (a) Number, location and dimensions of vehicular and pedestrian entrances, exits, drives, walkways and lighting.
 - (b) Visibility, in both directions, at exit points.
 - (c) Location, arrangement and screening of off-street parking spaces and waste storage areas.
 - (d) Location, arrangement, size and adequacy of landscaping provided for screening of parking areas, buildings, utilities, outdoor storage and buffering.
 - (2) The protection of environmental quality, landscaping of open space and harmony with existing development. The Planning Commission, the Zoning Hearing Board, if applicable, and Township Council shall take into consideration the following features:
 - (a) Arrangement, location, size and architectural features of proposed buildings and structures on the site in relation to development on adjoining properties, open space, topography and existing vegetation.

The shielding of light, noise, odors, airborne particles or other disturbances which could interfere with the use and enjoyment of neighboring properties.

- (c) The collection and disposal of stormwater runoff from the site.
- (d) The adequacy of the water supply, fire protection system and proposed sewage facilities.
- (e) The adequacy of protection of floodplain and wetland areas.
- (f) The adequacy of protection against hazards of developing or using land in Carbonate Geology Areas and/or Watershed Protection Areas.
- (g) The adequacy of protection provided for woodlands, steep slopes, rock outcrops, cliffs, quarries and riparian corridors.
- (3) The protection and preservation and reuse of buildings or structures built more than 50 years prior to the date of application. The Planning Commission, the Zoning Hearing Board, if applicable, and the Township Council shall take into consideration the following features:
 - (a) If such buildings and structures are nonconforming as to location, size or use, that such nonconformities are permitted to continue.
 - (b) The adequacy of the proposed protection renovation and reuse.
- (4) Specific uses of property shall also be regulated by specific standards and conditions as regulated in the following sections of this Code: § 180-103 and following sections. The review of the Zoning Hearing Board (for specific exceptions) and the review of the Township Planning Commission and Township Council shall take into consideration these specific standards and conditions for these specific uses. If any specific standards and conditions for specific uses conflict with the general standards and conditions for the applicable zoning district, the most restrictive standards and conditions shall be enforced.

§ 180-103 Animal-related uses.

- A. Animal hospital; kennel; animal grooming.
 - (1) Buildings shall be adequately soundproofed so that sounds generated within the buildings cannot be perceived at the lot lines.
 - (2) Outdoor animal runs may be provided for small animals. A planting screen around the perimeter of said animal run is required. No animal shall be permitted to use the outdoor runs from 8:00 p.m. to 8:00 a.m.
 - (3) Lot and yard requirements.
 - (a) Animal hospital, small animals (domestic pets).
 - [1] Lot requirements shall be as follows:
 - [a] Area: minimum two acres.
 - [b] Width: minimum 250 feet.
 - [c] Impervious cover: maximum 30%.
 - [d] Height: maximum 35 feet.
 - [2] Yard requirements shall be as follows:
 - [a] Front yard: minimum 60 feet.
 - [b] Side yard: minimum 100 feet.

- (b) Facilities that may affect listed threatened or endangered species or designated critical habitats.
- (c) Facilities that are likely to jeopardize the continued existence of any proposed endangered or threatened species or likely to result in the destruction or adverse modification of proposed critical habitats, as determined by the Secretary of the Interior pursuant to the Endangered Species Act of 1973.
- (d) Facilities that may affect districts, sites, buildings, structures or objects, significant in American history, architecture, archaeology, engineering or culture, that are listed or are eligible for listing in the National Register of Historic Buildings or Places.
- (e) Facilities that may affect a Native American religious site.
- (f) Facilities whose construction will involve significant change to surface features, including but not limited to wetlands, removal of woodland areas or water diversion.
- (g) Facilities located within a floodplain.
- (h) Facilities that are to be equipped with high-intensity white lights located in residential neighborhoods.
- (2) The applicant shall notify the municipality at least 30 days prior to any hearing or consideration of the environmental assessment report by the FCC. The applicant shall provide, to the municipality, documentation demonstrating how any negative impact on the features noted above will be mitigated.
- T. Equipment shelter. Information shall be provided detailing the contents of the proposed equipment shelter servicing the proposed commercial communications tower and/or antenna. The information shall include but not be limited to the type and quantity of oil, gasoline, batteries, propane, natural gas or any other fuel stored within the shelter. Information shall also be submitted which demonstrates that any hazardous materials stored on site, including but not limited to fuel sources, shall be housed to minimize the potential for any adverse impact on adjacent land uses. Materials safety data sheets for any hazardous material stored or utilized in the equipment shelter shall be submitted to the municipality. The use of fuels and hazardous materials shall also be consistent with any federal, state or municipal requirements regarding the same.

§ 180-127.2 **Forestry.**

The practice of forestry shall only be allowed in the zoning district(s) that specifically permit(s), by right, the use of forestry and only allowed in accordance with this § 180-127.2 and upon receipt of site plan approval in accordance with § 180-102 and upon receipt of a zoning permit.

- A. Site plans. Site plans for forestry activities shall not be required to be prepared by an architect or engineer and shall not be required to meet the site plan requirements of § 180-102C(2)(a) through (t) or the standards for review of § 180-102D. The site plans for forestry activities shall, however, be required to include the following:
 - (1) The name and address of the applicant and the landowner (if different from the applicant) with a statement signed by both indicating their approval of the plans and supporting documents.
 - (2) A plan drawn to a scale of not less than one inch equals 100 feet showing the existing and proposed features:
 - (a) Streets.
 - (b) Property lines.
 - (c) Right-of-way lines, including paper street rights-of-way.
 - (d) Easements.
 - (e) Occupied dwellings within 50 feet of the property lines.
 - (f) Contour lines at a maximum of ten-foot intervals using USGS Maps.

- (g) Watercourses.
- (h) Wetlands.
- (i) Drainageways.
- No-cut buffer zones.
- (k) Limits and percentage of earth disturbance.
- (i) Average property slope on acre-by-acre grid based on the USGS contours enlarged to a scale of one inch equals 1,000 feet.
- (m) Approximate location and size of logging trails, skid roads, loading areas, driveways and the proposed access(es) to a public road.
- (n) Approximate density and type of major trees on an acre-by-acre grid before the forestry activity and after the proposed forestry activity and the approximate basal area of major trees on an acre-by-acre grid before the forestry activity and after the proposed forestry activity.
- (o) Proposed soil erosion and sediment control measures which include the location, type and design of the proposed soil erosion and sedimentation control devices.
- (p) A certification provided by a registered surveyor to attest to the accuracy of the site plan and that all major trees marked for removal are on the applicant's property and located outside of any required nocutting buffer zones. The accuracy of physical features shall be to USGS accuracy enlarged to a scale of one inch equals 100 feet.
- (q) North arrow, scale, property owner's name and address, applicant's name and address, the date of preparation and any date of revisions.
- (3) A project narrative, including the following information:
 - (a) Proposed land use after the forestry activity.
 - (b) Proposed hours of proposed operation.
 - (c) Duration of forestry operation (number of days).
 - (d) Soil erosion and sediment control narrative.
 - **(e)** A proposed forest management plan prepared by a forester.
 - (f) A certificate of insurance for the contractor.
 - (g) County Conservation District soil erosion control plan letter of adequacy.
 - (h) A copy of any permit required by state, federal or local government agencies.
 - (i) A description of the driveway access points at the public roads needed to gain access to the landing site with sight distance available and precautions listed (if needed) to provide flagman or signage at the access point.
- B. The forestry management plan and forestry operation requirements.
 - (1) The plan shall describe the type of harvesting proposed. The major tree harvesting shall be by the Selection Harvest Method, unless otherwise specifically approved by the Township. For approval of any alternate harvest method, the applicant must provide a forester's report specifically documenting the reasons why the alternate method is a better method of harvest for the site for the protection of:

- (a) The environment.
- (b) Future timber harvesting.
- (c) Woodland diversity.
- (d) Wildlife.
- (2) The plan shall provide a listing of current stocking levels, species composition and tree quality and condition, as well as a descriptive narrative of the subject property. In addition, estimates must be provided as to the type and quantity of timber to be harvested and what the residual stocking levels will be. Where it appears that timber harvesting operations will result in less than 40% of the original basal area in any acre, justification for such a harvesting plan must be included, to the satisfaction of the Township.
- (3) Reforestation process and period.
 - (a) The plan shall identify the reforestation process or processes to be employed and specifically identify, with respect to each principle variety of tree to be reforested the method or methods of reforestation to be employed and the recommended reforestation period in terms of years. The reforestation period shall be not less than the number of years listed in the table provided below:

Basal Area Percentile Cut	Reforestation Period (years)		
15% or less	5		
16% to 40%	10		
Over 40%	15		

- (b) The appropriate and approved reforestation period shall be deemed to be an essential part of any forest management plan and, as such, will be deemed to be a continuing use until said period is completed. No forestry activity shall be permitted during the approved reforestation period, and the plan shall note the restriction on the forestry activity.
- (4) No forestry activities shall occur on slopes steeper than 25%, except that trees may be harvested in those areas of twenty-six-percent to forty-percent slope if they are winched off the steep areas with cable and not hauled off with mobile equipment.
- (5) No forestry activities at all shall occur on slopes steeper than 40%, except as required to remove significantly diseased, infected or damaged trees and/or if the major tree constitutes a danger to persons, structures, neighboring property, the property on which it is located or to the public.
- C. Additional forestry operation requirements.
 - (1) All cutting, removing, skidding and transporting of trees shall be planned and performed in such a manner as to minimize the disturbance of, or damage to, other trees and vegetation and the land itself.
 - (2) Logging roads and trails shall follow the natural contour of the land and may be leveled across the road or trail but shall not be cut or filled to obtain profile leveling. These roads and trails shall be constructed, maintained and abandoned in such a manner as to prevent soil erosion and permanent damage to soil and waterways.
 - (a) The slope of the profile of logging roads and/or trails shall not be steeper than 15%, except they may be up to 20% for distances no longer than 50 feet. The total length of the sections of logging roads and/or trails with a slope between 15% and 20% shall not exceed 20% of the overall length of the road and/or trail.
 - (b) Except at stream crossings, logging roads or trails shall be set back at least 50 feet from a stream or water's edge of ponds or lakes to provide a vegetated filter strip. If the slope of land between the road or trail and the stream or water's edge is 25% or more, this setback shall be increased by 20 feet for each 10% of slope increase.

- (c) Cross drain culverts, broad-based dips, water-bars and other water-control structures shall be provided as needed to allow surface water to traverse the logging roads or trails or landing areas in a way that will not cause soil erosion. The size, design and typical spacing and/or special location of these facilities shall be shown on the site plan. The spacing of facilities shall be provided in accordance with the soil erosion control regulations and good design practice, but their spacing shall not exceed the following:
 - [1] If culverts are used, their spacing shall not exceed the following:

Culverts

Slope of Road or Trail	Maximum Spacing of Culverts (feet)
o to 3%	400
3% to 6%	300
6% to 10%	200
Greater than 10%	Culverts not allowed

- [2] Broad-based dips shall not be permitted at locations of intermittent or perennial stream crossings.
- [3] If broad-based dips are used for stormwater crossings, their spacing shall not exceed the following:

 Broad Based Dips

Slope of Road or Trail	Maximum Spacing of Broad-Based Dips (feet)
o to 3%	250
3% to 10%	170
10% to 15%	140
Greater than 15%	Broad-based dips not allowed
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Note: Sections of logging roads and/or trails that exceed a slope of 15% shall not be longer than 50 feet.

[4] Where water-bars are used to direct minor cross flows their spacing shall not exceed the following: Water-Bars

Slope of Road or Trail	Maximum Spacing of Water-Bars (feet)		
o to 3%	135		
3% to 6%	80		
Greater than 6%	Water-bars not allowed		

- (d) All disturbed areas, including but not limited to landing areas, haul roads, logging roads and trails and skid trails, shall be fertilized and seeded during restoration to encourage a return of vegetated cover and soil stabilization. Fertilization shall be provided with one ton of lime and 300 pounds of 10-10-1910 fertilizer per acre, unless specific soil tests have been conducted and proved that a different application rate is required. The seed bed shall be lightly scarified before seeding, and the seed mix and application rate shall be as specified in the Soil Erosion Control Plan and Narrative.
- (3) Logging roads and trails shall be only wide enough to accommodate the type of equipment used, and road and trail slopes shall be kept as low as possible.
- (4) Where possible, stream crossings shall be avoided, but, where deemed necessary, crossings shall be made at a right angle across suitable culverts or bridges, or their approved surfaces for crossing, and all state and federal permits shall be obtained where required.

- (5) Driving or skidding across live or intermittent streams is prohibited except over bridges or culverts, or other approved surfaces for crossing.
- (6) All limbs and stubs that could cause damage to soil cover or remaining trees shall be removed from felled trees prior to skidding, to minimize soil disturbance and damage to residual stock.
- (7) All trees bent or held down by felled trees shall be released promptly.
- (8) No trees shall be left lodged in the process of felling.
- (9) Felling or skidding on or across the property of others is prohibited without the express written consent of the owners of such property. Felling or skidding on or across any public street is prohibited without the express written consent of the Township in the case of Township streets or PennDOT in the case of state highways.
- (10) No tops or slash shall be left within:
 - (a) Fifty feet of any public or private streets or adjoining property.
 - **(b)** Twenty-five feet of any stream or historic or scenic trail or private driveway providing access to adjoining property.
 - (c) Ten feet of any drainage ditch.
 - (d) All tops and slash shall be cut up and piled in such a way as to leave piles no higher than four feet above adjacent grade.
- (11) The stumps of all felled trees shall remain in the soil for stabilization purposes, except in haul road and landing areas.
- (12) Underbrush may be cut or removed only to the extent that such cutting or removal is necessary for safe forestry operations.

D. No-cut buffer zones.

- (1) No-cut buffer zones of 75 feet from the property lines shall be maintained along all streets, riparian corridors, and abutting properties on the property on which the forestry operation is being conducted; provided, however, that this no-cut buffer zone shall be no less than 100 feet from a habitable structure on an adjoining property. A no-cut buffer zone of 75 feet shall also be maintained along the edge of any rivers, creeks, springs, streams, lakes, ponds or other watercourses. If these requirements result in conflicting no-cut buffer zones, the more restrictive requirement shall apply.
- (2) Within no-cut buffer zones, cutting of major trees is only permitted to remove significantly diseased, infected or damaged trees and/or if the major tree constitutes a danger to persons, structures, neighboring property, the property on which it is located or to the public.
- E. Protection of young trees. All practical actions shall be accomplished to prevent damage or injury to young growth and trees not designated for cutting.
- F. Fire hazards. During periods of abnormal forest fire danger, as determined by the Township Manager, the Township shall have the right to order a suspension of forestry operations until the danger subsides.
- **G.** Littering prohibition. Littering is prohibited, and during and upon completion of a forestry operation all cans, bottles, paper, garbage and other litter of any type disposed of by the forestry operation employees shall be removed from the property.
- H. Blocking trails. Upon completion of a forestry operation, all logging roads, landing areas and trails shall be graded to eliminate any wheel ruts. With the exception of easements, access to all such logging roads and trails from any public street by motor vehicles of any kind shall be effectively blocked by such means as the building of a mound or

the installation of a gate; no cables shall be used for this purpose, unless the property owner has obtained specific Township approval to maintain a driveway connection to the Township road by way of a driveway permit. And, in the case of state highways, the owner shall obtain specific approval from the Township as part of the site plan and the state as a highway occupancy permit.

- Soil stabilization. All disturbed areas, including but not limited to logging roads, landing areas, trails and driveways, shall be fertilized, seeded and stabilized immediately upon completion of the logging harvest, or sections thereof, and the description of the stabilization shall be provided in the Soil Erosion Control Plan and Narrative.
- J. Marking of major trees. Before the forestry operation begins, all major trees which are to be felled in connection therewith shall be clearly marked with paint on the stump so that the same may be easily identified both before and after a major tree has been felled. No major tree shall be felled which has not been designated for removal as part of the Forest Management Plan.
- K. Notification to Township.
 - (1) The holder of a permit to conduct a forestry operation shall notify the Township at least 48 hours before beginning any forestry operation.
 - (2) The holder of a permit to conduct a forestry operation shall notify the Township at least five business days in advance of the completion date of the major tree harvesting operation and shall notify the Township immediately upon said operation's completion.
- L. Timber trespass. Any person who cuts trees on property owned by a property owner who has not given permission for such cutting shall be subject to the Pennsylvania Timber Trespass Act (Act 10 of 1994, 42 Pa.C.S.A. § 8311), to the extent such law is applicable.
- M. Township inspections.
 - (1) The Township may, by its own personnel or outside persons hired for the purpose, go upon the site of any proposed forestry operation, after a site plan application has been filed, for the purpose of reviewing the plans for the proposed operation for compliance with Township ordinances.
 - (2) After a permit for a forestry operation has been issued, the Township shall have the right, by its own personnel or by outside persons hired for the purpose, to go upon the site before, during and after the forestry operation to inspect for compliance with the approved site plan, supporting documentation and Township ordinances.

§ 180-127.3 Impervious and building coverage charts. [1]

Maximum Cita

[Added 4-6-2011 by Ord. No. 2011-02]

Single-family detached uses.

Zoning District	Minimum Required Lot Area (square feet)	Impervious Coverage (includes on-lot impervious coverage)	Maximum On- Lot Impervious Coverage (maximum allowed)	Maximum On- Lot Impervious Coverage (initial permit application)	Maximum Building Coverage (percentage)
RA/R8o	Varies	20%	*	*	*
R40	40,000	20%	15%	12%	8%
R20	20,000	25%	20%	16%	12%
R12	12,000	30%	25%	22%	14%
MH	12,000	30%	25%	22%	12%
UR	8,000	35%	30%	27%	18%

Zoning District	Minimum Required Lot Area (square feet)	Maximum Site Impervious Coverage (includes on-lot impervious coverage)	Maximum On- Lot Impervious Coverage (maximum allowed)	Maximum On- Lot Impervious Coverage (initial permit application)	Maximum Building Coverage (percentage)
VC	8,000	40%	30%	27%	20%

^{*} Individual coverage values are a function of the design/layout of the site; the overall maximum site impervious coverage shall not exceed the amount specified in the above chart.

B. Single-family detached cluster uses.

Zoning District	Minimum Required Lot Area (square feet)	Maximum Site Impervious Coverage (includes on-lot impervious coverage)	Maximum On- Lot Impervious Coverage (maximum allowed)	Maximum On- Lot Impervious Coverage (initial permit application)	Maximum Building Coverage (percentage)
RA	40,000	15%	20%	17%	10%
R8o	40,000	15%	20%	17%	10%
R40	20,000	15%	20%	17%	12%
R20	10,000	20%	25%	22%	18%
R12	8,000	30%	30%	27%	20%
UR	6,000	30%	35%	32%	25%
VC	6,000	30%	35%	32%	25%

C. Exceptions for existing lots with principal structure

- (1) The maximum on-lot impervious surface coverage restrictions contained in the charts provided in this § 180-127.3 shall not apply to any lot which:
 - (a) Was lawful when created;

[1]

- (b) Was an existing lot of record as evidenced by recorded plan or deed as of March 31, 2011; and
- (c) Had a principal structure located thereon as of March 31, 2011.
- (2) Any owner of a lot which meets all of the requirements of Subsection C(1)(a), (b) and (c) herein shall be entitled to utilize the maximum impervious surface coverage percentages in effect, for the Zoning District where the lot is located, on March 31, 2011.
- (3) Any lot that is created by subdivision after March 31, 2011, or any lot in existence pursuant to Subsection C(1) (b) above that does not have a principal structure located thereon as of March 31, 2011, shall be subject to the maximum on-lot impervious surface coverage restrictions contained in the charts provided in this § 180-127.3. Editor's Note: Former § 180-127.3, Reduced lot size: single-family detached developments, was repealed 8-17-2005 by Ord. No. 2005-06.

Article I: General Provisions

নু পু 180-1 **Title.**

Ap ordinance regulating the location, height, bulk, erection, construction, alteration, razing, and size of structures; the percentages of a lot which may be occupied; the size of yards, courts, and other open spaces; the density and distribution of population; the intensity of use of land or bodies of water for trade, industry, residence, recreation, public activities, or other purpose, and the use of land for agriculture, water supply, conservation, soil conservation, forestry, or other purpose; and providing for the administration, enforcement, and amendment of this chapter in accordance with the provisions of the Pennsylvania Municipalities Planning Code, as amended from time to time, and in accordance with the Lower Saucon Township Comprehensive Plan, incorporated herein by reference.

§ 180-2 Short title.

This chapter shall be known as and may be cited as the "Lower Saucon Township Zoning Ordinance."

§ 180-3 **Purpose.**

It is the intent, purpose and scope of this chapter to protect and promote the safety, health, morals and welfare of the residents of Lower Saucon Township by:

- A. Encouraging appropriate land uses.
- B. Controlling the density of development to prevent overcrowding of the land.
- C. Providing reasonable guidelines for development within and adjacent to environmentally sensitive areas.
 [Amended 4-6-2005 by Ord. No. 2005-01]
- Providing reasonable requirements for infrastructure improvements to support development.
- **E.** Preserving the value of real property.
- F. Protecting the quality of environmentally sensitive areas, both within and adjacent to developments. [Amended 4-6-2005 by Ord. No. 2005-01]
- **G.** Controlling development to reduce the probability of fire, panic, flood and other dangers.
- H. Facilitating implementations of the policies, proposals and objectives of the Comprehensive Plan for Lower Saucon Township of 1987 as updated in the year 2000^[1] and approved by Resolution No. 19-2000 and the Natural Resources Chapter of the Comprehensive Plan approved by Resolution No. 19A-2000.
 - Editor's Note: Said plan is on file in the Township offices.

§ 180-4 Amendment procedures.

- A. General statement. The Lower Saucon Township Council may from time to time amend or change this chapter after public notice and hearing.
- B. Amendment procedure. Proposals for amendment or change may be initiated by the Lower Saucon Township Council on its own motion, by the Planning Commission or by petition of one or more owners of property to be affected by the proposed amendment, subject to the provisions of the Pennsylvania Municipalities Planning Code, Act 247 (53 P.S. § 10101 et seq.), or as said Act may be amended by state statute in the future.

§ 180-5 **Definitions**; word usage.

A. Word usage,

- (1) The present tense includes the future tense, the singular includes the plural, and the plural includes the singular.
- (2) The word "person" includes a firm, company, corporation, partnership, trust, organization or association, as well as an individual.
- (3) The word "lot" includes the words "plot" or "parcel."
- (4) The word "shall" is always mandatory; the word "may" is permissive.
- (5) The word "structure" includes the word "building."
- (6) The words "used" and "occupied" include the words "intended, arranged or designed to be used or occupied."
- (7) The word "municipality" means Lower Saucon Township.
- (8) The words "municipality's governing body" mean the Lower Saucon Township Council.
- (9) The term "Planning Commission" means the Municipality Planning Commission.
- (10) Any words or terms not defined herein are used with a meaning of standard dictionary use.
- **B.** Unless the context clearly indicates a contrary meaning, the following words, terms and rules of construction shall be used in interpreting this chapter:

ACCESSORY STRUCTURE OR USE

A structure or use on the same lot with and of a nature customarily incidental and subordinate to the principal use or structure.

ADDITION

An extension or increase in floor area or height of a building or structure.

ADULT ARCADE

Any place to which the public is permitted or invited wherein coin-operated, slug-operated, or for any form of consideration, or electronically, electrically, or mechanically controlled still- or motion-picture machines, projectors, video or laser disc players, or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of specified sexual activities or specified anatomical areas.

ADULT BOOKSTORE, ADULT NOVELTY STORE or ADULT VIDEO STORE

A commercial establishment which, as one of its principal purposes, offers for sale or rental for any form of consideration any one or more of the following:

- (1) Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, videocassettes or video reproductions, slides, or other visual representations which are characterized by the depiction or description of specified sexual activities or specified anatomical areas; or
- (2) Instruments, devices, or paraphernalia which are designed for use in connection with specified sexual activities.

ADULT CABARET

A nightclub, bar, restaurant, or similar commercial establishment which regularly features:

(1) Persons who appear in a state of nudity or seminudity; or

- (2) Live performances which are characterized by the exposure of specified anatomical areas or by specified sexual activities; or
- (3) Films, motion pictures, videocassettes, slides or other photographic reproductions which are characterized by the depiction or description of specified sexual activities or specified anatomical areas.

ADULT MOTION-PICTURE THEATER

A commercial establishment where, for any form of consideration, films, motion pictures, videocassettes, slides, or similar photographic reproductions are regularly shown which are characterized by the depiction or description of specified sexual activities or specified anatomical areas.

ADULT-ORIENTED ESTABLISHMENT

An establishment with a substantial or significant portion of its business distinguished or characterized by its emphasis on matter depicting, describing or relating to nude persons, human body reproductive organs and features or sexual activities, or an establishment with a designated segment or section devoted to the sale or display of such material or entertainment. These uses include adult arcades, adult bookstores, adult novelty stores, adult video stores, adult cabarets, adult motion-picture theaters, adult theaters, escort agencies, nude model studios and sexual encounter centers.

ADULT THEATER

A theater, concert hall, auditorium, or similar commercial establishment which regularly features persons who appear in a state of nudity or seminudity, or live performances which are characterized by the exposure of specified anatomical areas or by specified sexual activities.

ADVERTISING SIGN or BILLBOARD

A permanent, large-scale, freestanding structure, off-premises sign which is used for general advertising. An advertising sign functions as a principal use. Further, the term refers to all physical portions of the sign, including display faces, support poles, ladders, catwalks, lighting and visual display systems. [Added 7-16-2014 by Ord. No. 2014-02]



AGRICULTURE

(1) GENERAL AGRICULTURE

The tilling of the soil and the raising, keeping and sale of truck crops, field crops and/or tree fruits, but not including forestry and/or animal husbandry, provided the number of animal units is a maximum of 0.5 units per acre on parcels equal to or less than five contiguous acres or the number of animal units is a maximum of 2.0 units per acre on parcels greater than five contiguous acres. General agriculture also includes the construction and use of greenhouses for commercial purposes, provided that total area of all green houses shall be less than or equal to 10,000 square feet.

(2) INTENSIVE AGRICULTURE

An activity shall be considered "intensive agriculture" when the number of animal units per acre, or the total area of all greenhouses erected as defined for general agriculture, are exceeded.

ALIEN SPECIES

A plant species which is not indigenous to the area and which has usually arrived due to human intervention, whether deliberate or accidental.

[Added 4-6-2005 by Ord. No. 2005-01]

ALTERATION OF BUILDING

As applied to a building or structure, a change or rearrangement in the structural parts or in the means of egress; an alteration, whether by extending on a side or by increasing in height; or the moving from one location or position to another.

ALTERNATIVE TOWER STRUCTURES

The upper level of a forest, consisting of branches and leaves of taller trees. A canopy is complete (or has onehundred-percent cover) when the ground is hidden from above.

CARBONATE

A sedimentary rock formed by the organic or inorganic precipitation of mineral compounds characterized by the fundamental chemical ion carbon trioxide, e.g., limestone and dolomite.

CAR WASH

A building or portion thereof for the principal use of cleaning automobiles, employing either mechanical devices or a manual assembly line.

A subterranean cavity or cave produced by dissolution of limestone or dolomite.

CELLULAR TELEPHONE

A system providing portable telephone service to specific subscribers. A cellular telephone may also be referred to as a "wireless telephone."

CENTER LINE OF STREET OR ROAD

An established line typically in the center, equidistant from the edge of paved roadway or street and equidistant from the original, adjacent property lines as they existed before any widening of said roadway or street. The exact location of said center line shall be established by a registered surveyor or engineer and approved by the Zoning Officer.

CERTIFICATE OF OCCUPANCY

A certificate issued by the Township Zoning Officer permitting the occupancy or use of a building, certifying that it has been constructed or will be used in compliance with all the applicable municipal codes and ordinances.

CERTIFIED PLAN

A plan prepared and sealed by a licensed engineer, licensed surveyor or licensed architect.

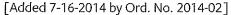
CHANGEABLE COPY SIGN

A sign or portion thereof which has a reader board for the display of text information in which each alphanumeric character, graphic, or symbol is defined by objects, not consisting of an illumination device and may be changed or rearranged manually or mechanically with characters, letters, or illustrations that can be changed or rearranged without altering the face or surface of the sign.

[Added 7-16-2014 by Ord. No. 2014-02]

CHANGEABLE COPY SIGN, ELECTRONIC

A sign or portion thereof that displays electronic information in which each alphanumeric character, graphic, or symbol is defined by a small number of matrix elements using different combinations of light-emitting diodes (LEDs), fiber optics, light bulbs or other illumination devices within the display area. Electronic changeable copy signs include computer programmable, microprocessor-controlled electronic displays. A sign on which the messages changes more than every six seconds, except for time and/or temperature signs shall be considered an animated sign and not an electronic changeable copy sign for the purposes of this chapter.





CLEAR CUTTING

A forestry method that removes 80% or more of the major trees from a lot or portion of any woodlands located on a lot.

CLOSED DEPRESSION

other compensation by the operator of said business. Employee does not include a person exclusively on the premises for repair or maintenance of the premises or equipment on the premises or for the deliver of goods to the premises.



ENGINEER

A professional engineer, licensed as such in the Commonwealth of Pennsylvania.

ENVIRONMENTAL HAZARD SURVEY FORM

A document authorized by the Pennsylvania Worker and Community Right-to-Know Act^[1] which, if required by the Department of Labor and Industry for a facility, describes the hazardous substances emitted, discharged or disposed of from the workplace.

ENVIRONMENTALLY SENSITIVE WOODLAND

Areas of woodlands which coexist with other protected natural resources including, but not limited to, floodplains, floodplain soils, steep slopes, lake and pond buffers, riparian buffers and wetland buffers. [Added 4-6-2005 by Ord. No. 2005-01]

EPA

The Federal Environmental Protection Agency.

EQUIVALENT DWELLING UNIT (EDU)

A nonresidential land use of buildings, structures or land that generates an estimated average daily flow of sewage of 250 gallons or that uses an estimated average daily flow of water of 250 gallons.

ESCORT

A person who, for consideration, agrees or offers to act as a companion, guide, or date for another person or who agrees or offers to privately model lingerie or to privately perform a striptease for another person.

ESCORT AGENCY

A person or business association who furnishes, offers to furnish, or advertises to furnish escorts as one of its primary business purposes for a fee, tip, or other consideration. This term does not include legitimate matchmaking or dating services that do not provide monetary payment to the escort.

ESSENTIAL UTILITIES

Appurtenances, such as substations and pumping stations, related to sewage, water, gas and electric utilities used to serve development within the municipality, but not including cross-country transmission lines or other utilities not required to serve the municipality.

ESTABLISHMENT

For the purposes of § 180-124, means and includes any of the following:

- (1) The opening or commencement of any adult-oriented establishment as a new business;
- (2) The conversion of an existing business, whether or not an adult-oriented establishment, to any adult-oriented establishment;
- (3) The addition of any adult-oriented establishment to any other existing adult-oriented establishment; or
- (4) The relocation of any adult-oriented establishment.

EXTENDED-CARE FACILITY

A facility licensed or approved to provide twenty-four-hour convalescent or chronic care to individuals who, due to advanced age, frailty or chronic illness, are unable to take care of themselves.

FAMILY

Any number of individuals living together on a nontransient basis as a single housekeeping unit, using cooking facilities and certain rooms in common, when said individuals are related by blood, marriage or adoption, including any number of foster children or mentally or physically impaired individuals under the full-time care of resident parents acting in loco parentis; or no more than three unrelated individuals living together.

FAMILY DAY-CARE CENTER

Any profit or nonprofit use or building which provides care for up to six children or adults on a regular basis, during a portion of the day or night, for the purpose of relieving the individual's legal guardian of that care and responsibility.

FAULT

A surface or zone of rock fracture along which there has been noticeable movement.

FENCE

A barrier of posts, rails and boards, panels or other fabricated materials, typically placed or arranged as a line of demarcation between lots or to enclose a lot or portion thereof. [Amended 5-7-2008 by Ord. No. 2008-04]

FLOOD-FRINGE

That portion of the floodplain outside the floodway.

FLOOD (ONE-HUNDRED-YEAR FLOOD)

A flood which, on the average, is likely to occur once in every 100 years (i.e., it has a one-percent chance of occurring each year, although the flood may occur in any year); for the purposes of this chapter, the regulatory flood.



FLOODPLAIN AREA

- (1) A relatively flat or low land area adjoining a river, stream or watercourse which is subject to partial or complete inundation.
- (2) An area subject to the unusual and rapid accumulation or runoff of surface waters from any source.
- (3) All lands within the one-hundred-year floodplain as defined by the Federal Emergency Management Agency, in the most current Flood Insurance Rate Maps.

 [Added 4-6-2005 by Ord. No. 2005-01]
- (4) Land identified as "floodplain" on the Township Zoning Map within the Floodplain District. [Added 4-6-2005 by Ord. No. 2005-01]

FLOODPLAIN SOILS

One or any combination of soils classified as having major hydric components by the Soil Survey of Northampton County.

[Added 4-6-2005 by Ord. No. 2005-01]

FLOODPROOFING

Any combination of structural and nonstructural additions, changes or adjustments to structures which reduces or eliminates flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

FLOODWAY

The designated area of a floodplain required to carry and discharge floodwater of a given magnitude. For the purposes of this chapter, the floodway shall be capable of accommodating a flood of the one-hundred-year magnitude.

FLOOR

A level of a building accessible to humans having an average vertical clearance 6 feet or greater shall be considered a floor.

FLOOR AREA

The sum of the areas of the several floors of the building or structure, including areas used for human occupancy or required for the conduct of the business or use, and basements, attics, and penthouses, as measured from the exterior faces of the walls. It does not include unenclosed or screened porches, attics not used for human occupancy, nor any floor space in an accessory building nor in the main building intended or designed for the parking of motor vehicles in order to meet the parking requirements of this chapter, nor any such floor space intended and designed for accessory heating and ventilating equipment.



FORESTER

A person with a bachelor's or master's degree in forestry from a college or university program that at the time was fully accredited by the Society of American Foresters.



FORESTRY

The management of forests and timberland, when practiced in accordance with accepted silvicultural principles, through developing, cultivating, harvesting, transporting and selling trees for commercial purposes, which does not involve any land development.

FRACTURE TRACES

Linear topographic depressions or lines of depressions less than one mile in length, revealing faults, joints or fissures in the bedrock. These linear features are characterized by increased permeability along which the solution of carbonate rocks is intensified and, hence, along which groundwater movement is concentrated.

GARAGE, PRIVATE

An accessory structure for the storage of passenger motor vehicles without provision for repairing or servicing such vehicles for profit.

GASOLINE SERVICE STATION

A place where gasoline, along with other equivalent fuel for motor vehicles, is retailed directly from pumps and storage tanks to the public.

GEOLOGIST

A professional geologist, licensed as such in the Commonwealth of Pennsylvania.

GHOST LAKES

Small bodies of water which occur in and occasionally around closed depressions or sinkholes after periods of heavy precipitation. They may form from slow permeability of soils, rises in the groundwater table or the creation of a natural liner of impermeable or slowly permeable clays or soils in the depression.

GOLF COURSE

Either a publicly or privately owned and operated athletic field established and maintained for the purpose of playing the sport of golf. This does not include driving range or miniature golf areas.

GOVERNMENTAL USES

Municipal, county, state or federal government buildings or facilities designed and intended to be occupied by the government or designed and intended for public use sponsored by such governments, except landfills and garbage dumps.

GREENHOUSE

A building used to conduct the business of growing and/or selling of trees, shrubs, flowers, vegetables, etc.

GROSS SITE AREA

pursuant to § 180-93. In the case single-family detached dwellings, the measurement shall be from the average roof level for sloping roofs not the highest point.

HEIGHT OF TOWER

The overall height of the tower from the base of the tower to the highest point of the tower, including but not limited to antennas, transmitters, satellite dishes or any other structures affixed to or otherwise placed on the tower. If the base of the tower is not on ground level, the height of the tower shall be measured from the ground level at the base of the building or structure to which the tower is attached.

HOME PROFESSIONAL OFFICE/OCCUPATION

A customary home occupation or professional office for gain, including personal instruction or services, office or studios, crafts, repair services and family day-care facilities. All uses shall be clearly subordinate to the existing residential use of the property.

HOSPICE

A facility that provides support services for terminally ill persons, but that does not primarily involve highly skilled medical care. Such use may occur within a hospital, nursing home, extended care facility, or a standalone residential hospice facility.

[Added 1-21-2004 by Ord. No. 2004-01]

HOSPITAL or MEDICAL CENTER

An institution providing primary health service and medical and surgical care to persons, primarily inpatients, suffering from illness, disease, injury, deformity and other abnormal physical or mental conditions, and including, as an integral part of the institution, related facilities such as laboratories, outpatient facilities or training facilities.

HOTEL

Any building containing six or more guest rooms intended or designed to be used or which are used, rented or hired out to be occupied or which are occupied for sleeping purposes by guests. Dining facilities may be accessory to the hotel.

IMPERVIOUS COVER

See "impervious surface."
[Amended 4-6-2005 by Ord. No. 2005-01]

IMPERVIOUS SURFACE

Any surface which does not absorb rain. All buildings, parking areas, driveways, roads, sidewalks and any areas in concrete, asphalt, stone or crushed aggregate shall be considered impervious surfaces. This definition includes any pavement material that is designed to allow grass to grow up and through the pavement surface. [Added 4-6-2005 by Ord. No. 2005-01]

IMPERVIOUS SURFACE RATIO

A measurement of the intensity of use of a parcel of land, calculated by dividing the total area of all impervious surfaces within the site by the net buildable site area, as determined pursuant to § 180-95C(2)(c) of this Code. [Added 4-6-2005 by Ord. No. 2005-01; amended 4-6-2011 by Ord. No. 2011-02]

INDUSTRIAL USE

The making of goods and articles by hand or machine, often on a large scale and with a division of labor which meets the performance standards, dimensional requirements and other requirements of this chapter.



INVASIVE SPECIES

Any introduced or alien species which overcomes native species for space and resources, and which may result in a monoculture.

[Added 4-6-2005 by Ord. No. 2005-01]

KARST

A terrain, generally underlain by limestone, in which the topography is chiefly formed by the dissolving of rock. It is commonly characterized by closed drainage, subterranean drainage and caves.

KENNEL

A place where four or more animals are kept, boarded, trained raised or bred as a business enterprise. This includes nonprofit shelters, such as the SPCA shelter or Animals in Distress.

LAKE AND POND BUFFERS

The areas within 50 feet of the high water level of any lake or pond, which may be utilized to protect the quality of the body of water by preserving the natural features around it, which may be part of their natural ecosystems.

[Added 4-6-2005 by Ord. No. 2005-01]

LAKES and PONDS

All natural or artificial bodies of water which retain water year round or on a seasonal or intermittent basis. The shorelines of such water bodies shall be measured from the high water level. A body of water which is two or more acres in extent shall be considered a lake, while a body of water which is less than two acres shall be considered a pond.

[Added 4-6-2005 by Ord. No. 2005-01]



LAND DEVELOPMENT

- (1) Any of the following activities:
 - (a) The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:
 - [1] A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or
 - [2] The division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.
 - (b) A subdivision of land.
 - (c) Any construction of a new building or buildings or addition to an existing building or buildings or construction of new or additional impervious surfaces (driveways, parking lots, etc.) which would create more than 10,000 square feet of impervious cover.
 - (d) The diversion or piping of any natural or man-made stream channel.
 - (e) The installation of stormwater systems or appurtenances thereto.
- (2) The following activities are excluded from the definition of land development unless the proposal involves the construction described in Subsection (1)(c), (d) or (e) above:
 - (a) The conversion of an existing single-family detached dwelling or single-family semidetached dwelling into not more than three residential units, unless such units are intended to be a condominium; and
 - **(b)** The addition of an accessory building on a lot subordinate to an existing farm or residential principal building.

LANDFILL (including waste disposal facilities)

A public water system designed to transmit water from a common source to users, in compliance with the requirements of the appropriate state agencies and the Township.

RECREATIONAL VEHICLE

A portable structure without a permanent foundation, which can be hauled, driven or towed for use as a temporary dwelling for recreational purposes, including but not limited to travel trailers, truck campers, self-propelled motor homes and camping trailers.

RECREATION FACILITY

A private, nonprofit recreation or education facility, including a company-sponsored recreation and technical training institute or a private swim club, but not including a golf course.

RESIDENTIAL HOSPICE FACILITY

See "hospice."

[Added 1-21-2004 by Ord. No. 2004-01]

RESOURCE PROTECTION LAND

Lands in natural resources which must remain undeveloped as determined by the resource protection rate as outlined in § 180-95.

[Added 4-6-2005 by Ord. No. 2005-01]

RESTAURANT, SIT-DOWN

An establishment or activity where patrons are served with food, soft drinks, ice cream and similar confections for consumption within the confines of the principal building.

RETAIL STORE

Shops and stores for the sale of antiques, books, beverages, confections, drugs, dry goods, flowers, foodstuff, gifts, garden supplies, hardware, household appliances, jewelry, notions, periodicals, stationery, business machine sales and service, tobacco, paint and wearing apparel and other similar goods to the consumer, excluding adult-related retail.

RETENTION POND

A basin designed to retard stormwater runoff, by temporarily storing the runoff, which does not have a defined outlet structure and which empties through a combination of evaporation, transpiration and infiltration.

RIDING STABLE

A shelter for horses, which may contain facilities for horseback riding.

RIGHT-OF-WAY

Land set aside for use as a street or other means of travel.

RIGHT-OF-WAY, EXISTING

The legal right-of-way as established by the commonwealth or other appropriate governing authority and currently in existence.

RIGHT-OF-WAY LINE

The dividing line between the street and the lot. The right-of-way line shall be the same as the existing or required right-of-way line, whichever is furthest from the street center line.

RIGHT-OF-WAY, REQUIRED

The right-of-way deemed necessary to provide adequate width for future street improvements. Required right-of-way widths are designated in § 180-98F.



RIPARIAN AREA

Land within the required wetland buffer, riparian buffer, or lake or pond buffer.

RIPARIAN AREA PROTECTION AND/OR MANAGEMENT ACTIVITIES

Activities intended to ecologically improve or sustain the current condition of any wetland, waters of the United States, waters of the commonwealth, perennial or intermittent watercourse, lake, or pond that is associated with a riparian area.

[Added 9-15-2010 by Ord. No. 2010-05]

RIPARIAN BUFFER

All areas located within 100 feet of any delineated waters of the commonwealth, waters of the United States, or other perennial or intermittent watercourse.

[Added 4-6-2005 by Ord. No. 2005-01; amended 12-20-2006 by Ord. No. 2006-10]

ROCK OUTCROPS

A portion of bedrock parent material exposed to the surface of the ground for an area in excess of 20 square feet.

ROOMING HOUSE

A building, other than a hotel or motel, containing a single dwelling unit where lodging is provided with or without meals for five or less persons who are not members of the operator's family and by prearrangement for definite periods of time and for compensation, whether direct or indirect, but not to include rest homes, homes for the aged, group homes or halfway houses.

SALVAGE YARD

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

SARA TITLE III OFF-SITE PLAN

A document required by the Federal Superfund Amendments and Reauthorization Act (SARA) which applies to employers who have extremely hazardous substances in the workplace. The document identifies the transportation routes of extremely hazardous substances, a description of the workplace and a risk analysis of the operation to the surrounding community.

SARA TITLE III TIER I & TIER II REPORTS

Documents required by the Federal Superfund Amendments and Reauthorization Act (SARA) which apply to employers who have extremely hazardous substances in the workplace. The Tier I document lists the amounts and locations within the workplace of extremely hazardous substances by type of hazard (e.g., fire, explosion, acute health hazard). The Tier II document provides a listing of each specific extremely hazardous substance in the workplace and each specific hazardous substance exceeding 10,000 pounds on site at any one time.

SCREENING

The use of vegetation materials, such as trees or shrubs, or fences and earthen berms to visually shield nearby uses or structures from one another.^[6]

SEMINUDE or IN A SEMINUDE CONDITION

The state of dress in which clothing partially or opaquely covers specified anatomical areas.

SEWAGE

Any substance that contains any of the waste products or excrement or other discharge from the bodies of human beings or animals and any noxious or deleterious substances being harmful or inimical to the public health, or to animal or aquatic life, or to the use of water for domestic water supply or for recreation, or which constitutes pollution under the Act of June 22, 1937 (P.L. 1987 No. 394), known as "The Clean Streams Law," as amended.

A modification of the terms of this chapter where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of this chapter would result in unnecessary and undue hardship.

VEGETATION

Plant life, including but not limited to grass, agricultural crops, shrubs, trees or other plant material, which is either naturally occurring or which is planted.

VERNAL POOL

A type of wetland characterized as a closed depression where water collects in the spring, but typically dries up by mid or late summer.

VETERINARIAN/ANIMAL HOSPITAL

A structure used for the treatment, housing or boarding of domestic animals by a veterinarian, and animal grooming on a commercial basis.

VIDEO SIGN or VIDEO BILLBOARD

An on- or off-premises sign that changes its message or background in a manner or method of display characterized by motion or pictorial imagery, which may or may not include text and depicts action or a special effect to imitate movement, the presentation of pictorials or graphics displayed in a progression of frames which mimic the illusion of motion, including but not limited to moving objects, moving patterns or bands of light, or expanding or contracting shapes, and/or fade, dissolve, travel, or scrolling features. These also include projected images or messages with the characteristics onto buildings or other objects. [Added 7-16-2014 by Ord. No. 2014-02]

VOCATIONAL OR TRADE SCHOOL

A secondary or higher education facility, primarily teaching usable skills that prepare students for jobs in a trade and meeting the state requirements as a vocational facility.

WALL, FREESTANDING

A solid structure, constructed and erected, unattached to a supporting unit or background. [Added 5-7-2008 by Ord. No. 2008-04]

WALL, RETAINING

A structure constructed and erected between lands of different elevations to protect structures and/or to prevent erosion.

[Added 5-7-2008 by Ord. No. 2008-04]

WASTE

Garbage, refuse and other discarded materials including, but not limited to, solid and liquid materials resulting from municipal, industrial, commercial, institutional, agricultural and residential activities.



WATERCOURSE

Any natural or artificial stream, river, creek, ditch, channel, canal, conduit, culvert, drain, waterway, gully, ravine, or wash in which water flows in a definite direction or course, either continuously or intermittently, and has a definite channel, bed and banks and includes any area adjacent thereto subject to inundation by reason of overflow or floodwater.

[Added 12-20-2006 by Ord. No. 2006-10]



WATERSHED

The entire region or area which contributes and/or drains surface or subsurface waters to a particular river, watercourse or body of water.



WATERS OF THE COMMONWEALTH

All watercourses, streams or bodies of water and their floodways wholly or partly within or forming part of the boundary of the Commonwealth of Pennsylvania or any body of water delineated as such by the Army Corps of Engineers or the Department of Environmental Protection.

[Added 4-6-2005 by Ord. No. 2005-01]



WATERS OF THE UNITED STATES

All interstate waters, intrastate waters used for commerce, including their tributaries and wetlands adjacent to such bodies of water or any body of water delineated as such by the Army Corps of Engineers or the Department of Environmental Protection.

[Added 4-6-2005 by Ord, No. 2005-01]

WATER TABLE

The surface-water elevation of groundwater. This includes a "perched water table," which is defined as the surface-water elevation of a body of groundwater which is separated from an underlying body of groundwater by an unsaturated zone.



WETLAND

Those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support and that, under normal circumstances, do support a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, and similar areas. The term includes but is not limited to wetland areas listed in the State Water Plan, the United States Forest Service Wetlands Inventory of Pennsylvania, the Pennsylvania Coastal Zone Management Plan, and any area identified as a wetland or in accordance with the Pennsylvania Department of Environmental Protection or delineated by any other qualified wetlands scientist.

[Amended 4-6-2005 by Ord. No. 2005-01; 12-20-2006 by Ord. No. 2006-10]



WETLAND BUFFER

All areas within 50 feet from the edge of any wetland. [Added 4-6-2005 by Ord. No. 2005-01; amended 12-20-2006 by Ord. No. 2006-10]

WHOLESALE TRADE

An establishment or business engaged in selling merchandise to retailers, commercial, industrial, institutional, professional or business users or other wholesalers. Wholesale trade may also include agents or brokers and buying merchandise or selling merchandise to such individuals or companies.

WINDMILL

A structure which can generate energy from the wind for use either on or off the lot on which the structure is located.



WOODLAND

All areas of 3,000 square feet or greater which contain an average of one or more trees measuring six inches in caliper or greater, per 1,000 square feet. All associated layers of growth, including but not limited to the canopy, understory and floor, shall be considered as part of the woodland and shall be so protected by the woodland protection rate.

[Amended 4-6-2005 by Ord. No. 2005-01]



WOODLAND CANOPY

The uppermost layer of vegetation in a woodland, which may consist of upper branches of trees, insects, animals and other biotic materials.

[Added 4-6-2005 by Ord. No. 2005-01]



WOODLAND FLOOR

The ground layer in a woodland, which may consist of soil, decayed matter, minerals, dead vegetation, ground covers, shrubs, insects, animals and other biotic materials.

[Added 4-6-2005 by Ord. No. 2005-01]

WOODLAND UNDERSTORY

The middle layer in a woodland, which may consist of small or young trees, shrubs, insects, animals and other biotic materials.

[Added 4-6-2005 by Ord. No. 2005-01]

YARD

That portion of a lot which is unoccupied and open to the sky between the street right-of-way line or lot line and a required building set back line.

YARD, FRONT

A yard extending between side lot lines across the front of a lot.

YARD, REAR

A yard extending across the rear of the lot between side lot lines.

YARD, SIDE

A yard extending from the rear line of the required front yard, front building restriction line to the rear lot line.

ZONING MAP

The map or maps which are a part of this chapter delineating the boundaries of the zoning districts. [9]



ZONING OFFICER

The duly authorized and designated official of the municipality responsible for administering and enforcing the zoning ordinance of the municipality.

- [1] Editor's Note: See 35 P.S. § 7301 et seq.
- [2] Editor's Note: See 35 P.S. § 7301.
- [3] Editor's Note: The former definition of "major tree(s)," which immediately followed this definition, was repealed 4-6-2005 by Ord. No. 2005-01.
- [4] Editor's Note: See Ch. 65, Building Construction.
- [5] Editor's Note: See Ch. 32, Official Map.
- [6] Editor's Note: The former definition of "selection harvest method," which immediately followed this definition, was repealed 4-6-2005 by Ord. No. 2005-01.
- [7] Editor's Note: See Ch. 32, Official Map.
- [8] Editor's Note: The former definition of "thinning of major trees," which immediately followed this definition, was repealed 4-6-2005 by Ord. No. 2005-01.
- [9] Editor's Note: Said map is on file in the Township offices.