

## Chapter 119. Zoning

### Article VIII. General Regulations

#### § 119-69. Frontage onto improved streets; number of uses or buildings; minimum size of dwellings.

A. Frontage required onto improved street.

(1) Each proposed new lot, each land development and each proposed principal building shall be on a lot which directly abuts a public street, a street proposed to be dedicated to the Township by the subdivision plan which created or creates such lot, or a private street which meets all of the requirements of Chapter 98, Subdivision and Land Development. In the case of townhouses, mobile home park, or apartments, each unit may have access onto a parking court which then has access onto a public or private street meeting Township standards.  
[Amended 5-1-2014 by Ord. No. 2014-01]

(2) If a new principal building is proposed to be constructed or placed on a lot that abuts a private street(s), and the lot does not have access onto a public street, then as a condition of the permit, the lot owner shall be required to improve the segments of the private street(s) that directly abut the lot. Such improvements shall result in a minimum compacted depth of the street of eight inches of crushed stone, shale or bank run gravel or other Township approved surface, which shall be leveled. Such surface shall have a minimum width of 12 feet.

B. Number of principal uses and principal buildings per lot.  
[Amended 5-1-2014 by Ord. No. 2014-01]

(1) A lot in a commercial or industrial district may include more than one permitted principal use per lot and/or more than one permitted principal building per lot. In the case where one of uses requires a greater minimum lot size, such minimum size shall be required. For example, if Use 1 requires a one-acre lot area and Use 2 on the same lot requires a two-acre lot area, then the lot shall have a minimum lot area of two acres.

(a) All other applicable requirements shall apply to each use. If differing dimensional requirements apply for different uses on the lot, then the most-restrictive requirement shall apply.

(b) The applicant shall submit a site plan that demonstrates that each structure would meet the requirements of this chapter.

(c) The uses and buildings shall be in common ownership. However, a condominium form of ownership of individual buildings, with a legally binding property owners' association, may be established if the applicant proves to the satisfaction of the Zoning Officer, based upon review by the Township Solicitor, that there will be appropriate legal mechanisms in place.

(2) A lot within a residential district shall not include more than one principal use and shall not include more than one principal building, unless specifically permitted by this chapter.

- (a) A mobile home park, condominium residential development or apartment development may include more than one principal building per lot, provided all other requirements of this chapter are met. A condominium form of ownership of individual dwelling units, with a legally binding homeowners' association, may be established if the applicant proves to the satisfaction of the Zoning Officer, based upon review by the Township Solicitor, that there will be appropriate legal mechanisms in place and compliance with applicable state law.

C. Minimum size of dwellings. Each dwelling unit shall include a minimum of 600 square feet of enclosed habitable, indoor, heated floor area, and which shall be primarily above the ground level.

D. Maximum occupancy.

[Amended 5-1-2014 by Ord. No. 2014-01; 7-16-2019 by Ord. No. 2019-01]

- (1) No mobile home shall be occupied on a lot as a dwelling unless it meets all the requirements for a dwelling.
- (2) No recreational vehicle shall be occupied on a lot for more than 90 days in a calendar year, except as may be approved within a campground with suitable central water supply and sewage disposal. A separate permit shall be required for each thirty-day period. The following additional standards shall apply:
  - (a) A permit shall be required and shall specify the times of occupancy.
  - (b) The recreational vehicle shall be permitted on the lot only when occupied.
  - (c) The recreational vehicle shall maintain the setbacks required for principal structures in the district.
  - (d) The construction of roof-overs, decks, enclosed or covered porches, screened enclosures or any other accessory structure shall be prohibited.
  - (e) Factory produced awnings attached to the recreational vehicle shall be permitted.
  - (f) The applicant shall provide documentation of sewage disposal meeting Township requirements.

## Chapter 119. Zoning

### Article II. Definitions

#### § 119-21. Definitions.

[Amended 12-7-2004 by Ord. No. 2004-06; 9-20-2005 by Ord. No. 2005-02; 2-7-2006 by Ord. No. 2006-03; 2-13-2006 by Ord. No. 2006-04; 5-1-2014 by Ord. No. 2014-01]

When used in this chapter, the following words, terms and phrases shall have the following meanings, unless expressly stated otherwise or unless the context clearly indicates otherwise:

##### **ABANDONED OR JUNKED VEHICLE**

Any unregistered, unlicensed or abandoned automobile, truck, trailer, motorcycle, bus, farm machinery, or other motor vehicle, including dismantled, or wrecked or junked, or held or stored for scrap or for salvage. "Junk vehicle" shall not mean any motor vehicle classified as an "antique motor vehicle" by the Motor Vehicle Code of the State of Pennsylvania (75 Pa.C.S.A. § 101 et seq.); said classification consisting of any self-propelled vehicle, but not a reproduction thereof, owned and operated as an exhibition piece or collector's item, provided that such vehicle shall have noted on its registration record the fact that it is such a special-purpose vehicle, or any self-propelled vehicle manufactured more than 25 years prior to the current year which is used for participation in club activities, exhibits, tours, parades, occasional transportation and similar uses but is not used for general daily transportation.

##### **ABUSED PERSON SHELTER**

See "domestic violence shelter." A nonprofit residential use in which rooms are provided to serve as a temporary safe and supportive environment for persons who, because of actual or threatened physical or mental abuse, are forced to leave their previous living arrangement. Such facilities shall be designed to provide in-house living for persons only until a safe, permanent living arrangement can be obtained.

##### **ABUT or ABUTTING**

Areas of contiguous lots that share a common lot line, except not including lots entirely separated by a street or a perennial waterway. See "adjacent."

##### **ACCESSORY EQUIPMENT**

Any equipment serving or being used in conjunction with a wireless communications facility or wireless support structure. The term "accessory equipment" includes but is not limited to utility or transmission equipment, power supplies, generators, batteries, cables, equipment buildings, cabinets and storage sheds, shelters or similar structures.

[Added 3-16-2021 by Ord. No. 2021-02]

##### **ACCESSORY STRUCTURE (includes ACCESSORY BUILDING)**

A structure serving a purpose customarily incidental to and subordinate to the use of the principal use and located on the same lot as the principal use. Accessory structures include, but are not limited to, a household garage, household storage shed, detached carport, a household swimming pool, or an accessory storage building to a business use. An "accessory building" is any accessory structure that meets the definition of a "building." A portion of a principal building used for an accessory use shall not be considered an accessory building.

- (a) Less than completely and opaquely covered human genitals, pubic region, anus, or female breasts below a point immediately above the top of the areola.
- (b) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

**(16) SPECIFIED SEXUAL ACTIVITIES**

Any of the following:

- (a) The fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breasts.
- (b) Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy.
- (c) Masturbation, actual or simulated.
- (d) Excretory functions as part of or in connection with any of the activities set forth in Subsections (1), (2) and (3) above.

**AFTER-HOURS CLUB**

A use that permits the consumption of alcoholic beverages by five or more unrelated persons between the hours of 2:00 a.m. and 6:00 a.m. and that involves some form of monetary compensation paid by such persons for the alcohol or for the use of the premises.

**AGENT**

Any person other than the owner who, acting for the owner, submits an application for the purpose of obtaining approval in accord with this chapter.

**AGRICULTURAL USE**

An enterprise that is actively engaged in the commercial production and preparation for market of crops, livestock and livestock products and in the production, harvesting and preparation for market or use of agricultural, agronomic, horticultural, silvicultural and aquacultural crops and commodities. The term includes an enterprise that implements changes in production practices and procedures or types of crops, livestock, livestock products or commodities produced consistent with practices and procedures that are normally engaged in by farmers or are consistent with technological development within the agricultural industry. It includes necessary structures within the limits of the parcel and the storage of equipment necessary for production. It excludes agricultural products processing operations, riding academies, livery or boarding stables and dog or other animal kennels.

**AGRICULTURE PRODUCTS PROCESSING**

An industry that involves the processing of raw agricultural products and transforming those products into a more-refined, prepared or marketable state. It includes, but is not limited to, such uses as sawmills, wood pellet production, firewood cutting and sales, wood chipping operations, tanneries, dairies and food canning and freezing operations.

**AGRITOURISM**

Any activity carried out on a working agricultural operation, such as a farm, orchard or vineyard, that allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy rural activities directly related to or part of the agricultural operation, including farming, wineries, historical, cultural, harvest-your-own activities, or natural activities and attractions. An activity is an agritourism activity whether or not the participant paid to participate in the activity.

**AIR B&B**

See "short-term rental."

[Added 7-16-2019 by Ord. No. 2019-01]

## Chapter 119. Zoning

### Article IV. Additional Requirements for Specific Uses

#### § 119-41. Additional requirements for accessory uses.

- A. General. Accessory buildings, structures or uses that are clearly customary and incidental to a permitted by right, special exception or conditional use are permitted by right, except as is provided for in this chapter. A business shall only be conducted as an accessory to a dwelling if specifically permitted by this chapter.
- B. Accessory setbacks. The accessory setback requirements of the applicable district shall apply to every accessory building, structure or use unless a standard that is clearly meant to be more restrictive or less restrictive is specifically stated in this article for a particular accessory use. Accessory structure setback requirements shall not apply to permitted surface parking lots, fences or permitted accessory signs.
- C. Front setback. No accessory structure, use or building shall be permitted in a required front setback in any district, unless specifically permitted by this chapter.  
[Amended 4-23-2015 by Ord. No. 2015-04]
- D. Special standards. Each accessory use shall comply with all of the following standards listed for that use:
  - (1) Antenna, standard (includes amateur radio antenna).
    - (a) Height. No standard antenna, including its supporting structure, shall have a total height above the average surrounding ground level of greater than 75 feet.
    - (b) Anchoring. An antenna shall be properly anchored to resist high winds.
  - (2) Bees, keeping of.
    - (a) Facilities for the keeping of bees shall be set back a minimum of 40 feet from any lot line and shall be fenced if within 100 feet of a lot line. Signs shall be erected as necessary to warn persons of the presence of bees.
    - (b) The bee facilities shall be located and managed in such a manner as to minimize the potential of the bees entering streets, sidewalks or unauthorized properties.
  - (3) Composting as a principal or accessory use (other than raising of mushrooms).
    - (a) All composting shall be conducted in such a manner that does not create a fire, rodent or disease-carrying insect hazard and does not cause noxious odors off of the subject property.
    - (b) Composting shall be permitted as an accessory use, provided that the composting is limited to biodegradable vegetative material, including trees, shrubs, leaves and vegetable waste. Such composting shall be kept free of other garbage and animal fats.

- (c) Any composting of manure shall be restricted to lots of five acres or greater. Such composting shall comply with the published manure management standards of the Pennsylvania State University Cooperative Extension Service.

[1] Commercial bulk composting of manure brought to a site from land of four or more different landowners for off-site use or any bulk mushroom production shall be restricted to the RR or CR districts and shall require special exception approval. Such composting shall meet all of the following requirements:

- [a] Be a minimum of 500 feet from any residential lot line;
- [b] Involve all leachate and compost pad runoff being collected and properly treated;
- [c] Include compost wharves being constructed of an acceptable all-weather impervious surface;
- [d] Require that the applicant prove to the satisfaction of the Zoning Hearing Board that significant nuisances and health hazards will not be generated, through adequate setbacks, procedures, siting and structures; and
- [e] In addition, the Zoning Hearing Board may require that the operations occur within a completely enclosed building.

- (d) Setbacks. Composting areas of greater than one acres shall be set back 75 feet from lot lines of abutting residential lot lines.

(4) Day-care as accessory to a dwelling.

[Amended 5-1-2014 by Ord. No. 2014-01]

- (a) See § 119-27 and the definitions in § 119-21 concerning the number of children who can be cared for in different zoning districts in a family day-care home or a day-care center.
- (b) In any case, seven or more children (other than children who are related to the primary caregiver) shall only be cared for at one time within a single-family detached dwelling with a minimum lot area of one acre and a twenty-foot minimum setback from all existing dwellings on another lot(s). Four to six children, in addition to children who are related to the primary caregiver, shall only be cared for at one time within a dwelling that is not attached to another dwelling. The care of fewer numbers of children may occur within any lawful dwelling unit.
- (c) The dwelling shall retain a residential appearance with no change to the exterior of the dwelling to accommodate the use, other than cosmetic improvements.
- (d) Any day-care center involving seven or more children shall be considered a principal use and meet the standards of § 119-40 for such use, if permitted.
- (e) The use shall be actively operated by a permanent resident of the dwelling.
- (f) If four or more children who are not related to a permanent resident of the dwelling are cared for, then a minimum of 200 square feet of safe exterior play area shall be available.
- (g) See also day-care center as a principal use in § 119-40, and day care as accessory to a place of worship in the Table of Permitted Uses adopted under § 119-27B.
- (h) The use shall comply with any applicable state and federal regulations, including having an appropriate State Department of Public Welfare (or its successor agency) registration certificate or license if required by such agency.
- (i) The use shall include a secure fence around any outdoor areas abutting streets that are routinely used for outdoor play.

(5) Drive-in stand/use.

[Amended 5-1-2014 by Ord. No. 2014-01]

- (a) The proposed traffic flow and ingress-egress shall not cause traffic hazards on adjacent streets.
  - (b) On-lot traffic circulation and parking areas shall be clearly marked.
  - (c) A drive-in stand/use shall be designed with space for an adequate number of waiting vehicles while avoiding conflicts with traffic onto, around and off of the site. Any drive-through facilities shall be designed to minimize conflicts with pedestrian traffic.
- (6) Farm-related business. This use shall be permitted by right on a lot of at least 25 acres, provided the following regulations are met for nonagricultural activities:
- (a) A farm-related business shall be defined as a low-intensity commercial or industrial activity that functions as a customary accessory use to an on-site principal agricultural use. Farm-related businesses are intended to provide supplemental income to farmers to encourage the continuation of farming, and to provide needed services to other farmers.
  - (b) A farm-related business shall be conducted by a resident or owner of the property, his/her relatives, and a maximum total of four other on-site employees, in addition to employees of the agricultural use. In addition, a barn that was constructed for agricultural purposes prior to the adoption of this chapter may be leased to a nonresident for a use meeting these standards.
  - (c) To the maximum extent feasible, a farm-related business should use an existing building. Buildings that existed prior to the effective date of this section may be used for a farm-related business. Any new building constructed for a farm-related business and any new parking area for trucks shall be set back a minimum of 100 feet from any lot line of an existing dwelling, unless a larger setback is required by another section of this chapter. The total of all building floor areas used for a farm-related business shall not exceed 6,000 square feet. The total area used by the farm-related business, including parking, shall not exceed three acres.
  - (d) The farm-related business shall not routinely require the overnight parking of more than one tractor-trailer truck.
  - (e) Any manufacturing operations shall be of a custom nature and shall be conducted indoors.
  - (f) The business shall not generate noxious odors, noise or glare beyond amounts that are typically generated by agricultural operations. Nonagricultural operations shall not routinely occur in a manner that generates traffic or noise heard by neighbors between the hours of 9:00 p.m. and 7:00 a.m.
  - (g) Any retail sales shall only be occasional in nature, and shall occur by appointment or during a maximum of 20 hours per week. This provision shall not restrict permitted sale of agricultural products.
  - (h) Only one sign shall advertise a farm-related business, which shall have a maximum sign area of 12 square feet on each of two sides, and which shall not be internally illuminated, and which shall have a maximum height of 10 feet.
  - (i) Permitted activities.
    - [1] The following activities, and activities that the applicant proves to the Zoning Officer are closely similar, shall be permitted as farm-related businesses:
      - [a] Farm equipment, farm vehicle or buggy repair;
      - [b] Occasional repair of one motor vehicle at a time, beyond those vehicles owned or leased by a resident of the property or his/her relative, but not including a junkyard, auto body shop or spray painting;
      - [c] Light welding and custom machining of parts;

- [d] Sale or mixing of seeds, feed and fertilizers, or mulch sales, provided a use that involves significant tractor-trailer truck traffic shall be located along an arterial or collector street;
- [e] Barber/beauty shops;
- [f] Construction tradesperson's headquarters;
- [g] Music, hobby, trade or art instruction for up to 10 persons at a time;
- [h] Small engine repair;
- [i] Custom woodworking or wood refinishing;
- [j] Custom blacksmithing or sharpening services;
- [k] Installation of accessories to motor vehicles;
- [l] Rental storage of household items and vehicles;
- [m] Boarding of animals, not including a kennel or a stable, which are treated separately;
- [n] Custom butchering, not including a commercial slaughterhouse or stockyard;
- [o] Processing and storage of agricultural products;
- [p] Sawmill;
- [q] Commercial farm tourism and special events, such as farm tours and Halloween activities.

[2] See also stables and retail sales of agricultural products, which are treated as separate uses.

- (j) This subsection shall not regulate agricultural uses that are permitted under other provisions of this chapter.
  - (k) If an activity would be permitted as either a farm-related business or a home occupation, then the applicant may choose which set of provisions shall apply.
  - (l) One off-street parking space shall be provided per nonresident employee, plus parking for any dwelling. In addition, the applicant shall prove to the Zoning Officer that sufficient parking will be available for customers, which is not required to be paved.
  - (m) All existing and new buildings shall maintain a residential or agricultural appearance, as viewed from a public street.
  - (n) The use shall not involve the storage or use of highly hazardous, toxic, radioactive, flammable or explosive substances, other than types typically used in agriculture or a household.
  - (o) Landscaping shall be placed between any outdoor storage of nonagricultural materials or products and any adjacent dwelling from which storage would be visible.
  - (p) The applicant shall prove that adequate space will be provided for truck movements.
- (7) Fences and walls.
- (a) Fences and walls are permitted by right in all districts. Any fence or wall shall be durably constructed and well-maintained. Fences that have deteriorated shall be replaced or removed.
  - (b) No fence, wall or hedge shall obstruct the sight requirements of § 119-71C.



A solid waste facility shall have a maximum total capacity of 500 tons per day.

- (k) Health hazards. Any facility shall be operated in such a manner to prevent the attraction, harborage or breeding of insects, rodents or vectors.
  - (l) Attendant. An attendant shall be present during all periods of operation or dumping.
  - (m) Gates. Secure gates, fences, earth mounds and/or dense vegetation shall prevent unauthorized access.
  - (n) Emergency access. The operator of the use shall cooperate fully with local emergency services. This should include allowing practice exercises on the site and the provision of all information needed by the emergency services to determine potential hazards. Adequate means of emergency access shall be provided.
  - (o) Under authority granted to the Township under Act 101 of 1988,<sup>[6]</sup> the hours of operation shall be limited to between 7:00 a.m. and 9:00 p.m.  
[6] *Editor's Note: See 53 P.S. § 4000.101 et seq.*
  - (p) Tires. See "outdoor storage and display" in § 119-41.
  - (q) Litter. The operator shall regularly police the area of the facility and surrounding streets to collect litter that may escape from the facility or trucks.
  - (r) Dangerous materials. No radioactive, hazardous, chemotherapeutic or infectious materials may be stored, processed, disposed or incinerated. Infectious materials are defined as medical wastes used or created in the treatment of persons or animals with seriously contagious diseases.
  - (s) The applicant shall provide sufficient information for the Township to determine that the requirements of this chapter will be met.
  - (t) State requirements. Nothing in this chapter is intended to supersede any state requirements. It is the intent of this chapter that when similar issues are regulated on both the Township and state levels, that the stricter requirement shall apply for each aspect, unless it is determined that an individual state regulation preempts Township regulation in a particular aspect. The applicant shall provide the Zoning Officer with a copy of all written materials and plans that are submitted to PADEP at the same time as they are submitted to DEP.
  - (u) All loading and unloading of solid waste shall only occur within an enclosed building, and over an impervious surface drains to a holding tank that is then adequately treated. All solid waste processing and storage shall occur within enclosed buildings or enclosed containers.
- (40) Stable, commercial (includes riding academies; see also "keeping of pets" in § 119-41).  
[Amended 5-1-2014 by Ord. No. 2014-01]
- (a) Minimum lot area: two acres for first two horses, plus 1/2 acre for each horse over two.
  - (b) Any horse barn, feed areas, manure storage areas or stable shall be a minimum of 250 feet from any residential lot line. Any corral or fenced-in area shall be set back a minimum of 50 feet from any residential lot line.
  - (c) Manure shall be regularly collected and disposed of in a sanitary manner that avoids nuisances to neighbors. Manure shall be stored in a manner that prevents it from being carried off by runoff into a creek. Manure shall not be stored within 100 feet of a perennial waterway.
- (41) Swimming pool, commercial.  
[Amended 5-1-2014 by Ord. No. 2014-01]

## Chapter 119. Zoning

### Article IV. Additional Requirements for Specific Uses

#### § 119-39. Applicability.

- A. This article establishes additional specific requirements for certain specific uses, in addition to the sign, parking, environmental and other general requirements of this chapter and the requirements of each district. Wherever two requirements conflict, the stricter requirement shall apply.
- B. For uses allowed within a specific zoning district as "special exception" uses, see also the procedures and standards in § 119-17.

#### § 119-40. Additional requirements for specific principal uses.

- A. Each of the following uses shall meet all of the following requirements for that use:

- (1) (Reserved)<sup>[1]</sup>

- [1] *Editor's Note: Former Subsection A(1), Adult uses, was repealed 5-1-2014 by Ord. No. 2014-01.*

- (2) Adult day-care center. See § 119-40A(16).

- [Amended 5-1-2014 by Ord. No. 2014-01]

- (3) After-hours club. As a condition of any approval under this chapter, the applicant shall prove full compliance with State Act 219 of 1990, as amended (Section 7327 of Title 18 of the Pennsylvania statutes).<sup>[2]</sup>

- [2] *Editor's Note: See 18 Pa.C.S.A. § 7327.*

- (4) Animal cemetery. See § 119-40A(13).

- [Amended 5-1-2014 by Ord. No. 2014-01]

- (5) Assisted living facility/personal care home. A minimum of 20% of the lot shall be suitable and developed for passive recreation. This area shall include outdoor sitting areas and pedestrian walks.

- [Amended 5-1-2014 by Ord. No. 2014-01]

- (6) Vehicle and equipment sales (including mobile homes).

- [Amended 5-1-2014 by Ord. No. 2014-01]

- (a) No vehicle, equipment or home on display shall occupy any part of the existing or future street right-of-way or required customer parking area. See buffer yard provisions in § 119-71D.

- (b) See light and glare standards in § 119-48.

- (c) See parking requirements in § 119-76.

- [Amended 4-23-2015 by Ord. No. 2015-04]

[Amended 5-1-2014 by Ord. No. 2014-01]

- (a) All buildings in which animals are housed and all runs shall be located at least 200 feet from all residential lot lines.
- (b) Buildings shall be adequately soundproofed so that sounds generated within the buildings cannot routinely be heard within any adjacent principal building.
- (c) No animal shall be permitted to use outdoor runs from 8:00 p.m. to 8:00 a.m. that are within 250 feet of an existing dwelling. Runs for dogs shall be separated from each other by visual barriers a minimum of four feet in height, to minimize dog barking.
- (d) See state law regulating kennels.
- (e) Minimum lot area: six acres.

(23) Animal husbandry, commercial.

[Amended 5-1-2014 by Ord. No. 2014-01]

- (a) Minimum lot area: five acres.
- (b) Any structure or concentrated feeding areas for the keeping of livestock or poultry shall be located a minimum of 300 feet from any lot line of an existing dwelling and 100 feet from all other exterior lot lines. As a special exception use, the Zoning Hearing Board may approve a smaller setback for the expansion of facilities that existed prior to the adoption of this section where the applicant proves that there is no reasonable and feasible alternative.
- (c) The setbacks from property lines shall not apply from dwellings or residential lots owned by the operator or owner of the livestock use, or affected property owners providing a written notarized letter waiving such setback.
- (d) Fencing shall be used as necessary and practical to prevent livestock from entering streets or unauthorized property.
- (e) The keeping of minks or garbage-fed pigs shall be set back a minimum of 600 feet from all lot lines. For any garbage-fed pigs, the applicant shall provide a written statement of the methods to be used to control odors, pests, rodents and health hazards.
- (f) For any new or expanded operation regulated under the Pennsylvania Agricultural Code (3 Pa.C.S.A. § 501 et seq.), the applicant shall provide evidence to the Township that the nutrient management plan and other requirements of the Act and accompanying regulations are being complied with.
- (g) New or expanded manure storage facilities or structures or concentrated feeding areas used for the keeping of livestock or poultry shall:
  - [1] Not be located within the one-hundred-year floodplain;
  - [2] Not be located within 100 feet of a perennial stream, river, spring, lake, pond or reservoir;
  - [3] Not be located within 100 feet of a private water well or open sinkhole;
  - [4] Not be located within 100 feet of an active public drinking well or an active intake for a public water supply.
- (h) New or expanded manure storage facilities shall not be located within 200 feet of a property line.
- (i) The maximum building coverage shall be 10%, unless a more-restrictive requirement applies under another section.

## Chapter 119. Zoning

### Article VIII. General Regulations

#### § 119-69. Frontage onto improved streets; number of uses or buildings; minimum size of dwellings.

A. Frontage required onto improved street.

- (1) Each proposed new lot, each land development and each proposed principal building shall be on a lot which directly abuts a public street, a street proposed to be dedicated to the Township by the subdivision plan which created or creates such lot, or a private street which meets all of the requirements of Chapter 98, Subdivision and Land Development. In the case of townhouses, mobile home park, or apartments, each unit may have access onto a parking court which then has access onto a public or private street meeting Township standards.

[Amended 5-1-2014 by Ord. No. 2014-01]

- (2) If a new principal building is proposed to be constructed or placed on a lot that abuts a private street(s), and the lot does not have access onto a public street, then as a condition of the permit, the lot owner shall be required to improve the segments of the private street(s) that directly abut the lot. Such improvements shall result in a minimum compacted depth of the street of eight inches of crushed stone, shale or bank run gravel or other Township approved surface, which shall be leveled. Such surface shall have a minimum width of 12 feet.

B. Number of principal uses and principal buildings per lot.

[Amended 5-1-2014 by Ord. No. 2014-01]

- (1) A lot in a commercial or industrial district may include more than one permitted principal use per lot and/or more than one permitted principal building per lot. In the case where one of uses requires a greater minimum lot size, such minimum size shall be required. For example, if Use 1 requires a one-acre lot area and Use 2 on the same lot requires a two-acre lot area, then the lot shall have a minimum lot area of two acres.

- (a) All other applicable requirements shall apply to each use. If differing dimensional requirements apply for different uses on the lot, then the most-restrictive requirement shall apply.

- (b) The applicant shall submit a site plan that demonstrates that each structure would meet the requirements of this chapter.

- (c) The uses and buildings shall be in common ownership. However, a condominium form of ownership of individual buildings, with a legally binding property owners' association, may be established if the applicant proves to the satisfaction of the Zoning Officer, based upon review by the Township Solicitor, that there will be appropriate legal mechanisms in place.

- (2) A lot within a residential district shall not include more than one principal use and shall not include more than one principal building, unless specifically permitted by this chapter.

- (a) A mobile home park, condominium residential development or apartment development may include more than one principal building per lot, provided all other requirements of this chapter are met. A condominium form of ownership of individual dwelling units, with a legally binding homeowners' association, may be established if the applicant proves to the satisfaction of the Zoning Officer, based upon review by the Township Solicitor, that there will be appropriate legal mechanisms in place and compliance with applicable state law.
- C. Minimum size of dwellings. Each dwelling unit shall include a minimum of 600 square feet of enclosed habitable, indoor, heated floor area, and which shall be primarily above the ground level.
- D. Maximum occupancy.  
[Amended 5-1-2014 by Ord. No. 2014-01; 7-16-2019 by Ord. No. 2019-01]
  - (1) No mobile home shall be occupied on a lot as a dwelling unless it meets all the requirements for a dwelling.
  - (2) No recreational vehicle shall be occupied on a lot for more than 90 days in a calendar year, except as may be approved within a campground with suitable central water supply and sewage disposal. A separate permit shall be required for each thirty-day period. The following additional standards shall apply:
    - (a) A permit shall be required and shall specify the times of occupancy.
    - (b) The recreational vehicle shall be permitted on the lot only when occupied.
    - (c) The recreational vehicle shall maintain the setbacks required for principal structures in the district.
    - (d) The construction of roof-overs, decks, enclosed or covered porches, screened enclosures or any other accessory structure shall be prohibited.
    - (e) Factory produced awnings attached to the recreational vehicle shall be permitted.
    - (f) The applicant shall provide documentation of sewage disposal meeting Township requirements.

## § 119-70. Height exceptions.

The maximum structure height specified for each district shall not apply to antennas that meet the requirements of this chapter, water towers, clock or bell towers, steeples of places of worship, electrical transmission lines, elevator shafts, windmills, skylights, chimneys or other appurtenances usually required to be and customarily placed above the roof level and not intended for human occupancy. See also definition of "height" in § 119-21.

## § 119-71. Special lot and setback requirements, sight distance and buffer yards.

[Amended 5-1-2014 by Ord. No. 2014-01]

### A. In general.

- (1) No lot, structure or use shall be created or developed in such a way that it would result in another lot, building or use not being able to meet the requirements of this chapter. This includes, but is not limited to, setback areas, nonimpervious areas and off-street parking areas.
- (2) Emergency access. All uses and structures shall have adequate provisions for access by emergency vehicles and fire ladders.