WEST CORNWALL TOWNSHIP, LEBANON COUNTY, PA

ORDINANCE NO. 2022-9-12

AN ORDINANCE OF THE TOWNSHIP OF WEST CORNWALL, LEBANON COUNTY, PENNSYLVANIA, REPEALING IN ITS ENTIRETY THE ZONING ORDINANCE AND OFFICIAL ZONING MAP AND ENACTING A NEW ZONING ORDINANCE AND OFFICIAL ZONING MAP; PROVIDING FOR THE SEVERABILITY OF THE PROVISIONS THEREOF; AND, PROVIDING FOR THE EFFECTIVE DATE THEREOF.

WHEREAS, the West Cornwall Township Board of Supervisors (the "Board") enacted the West Cornwall Township Zoning Ordinance and established the West Cornwall Township Official Zoning Map, via Ordinance No. 102, as amended, pursuant to its statutory authority, the Pennsylvania Municipalities Planning Code ("MPC"), Act 247 of 1968, as amended (53 P.S. §10101 *et seq.*); and

WHEREAS, the Board desires to repeal the existing Zoning Ordinance and Official Zoning Map in their entireties and enact a new Zoning Ordinance and Official Zoning Map; and

WHEREAS, the Board has met the procedural requirements of the MPC for the repeal of the existing Zoning Ordinance and Official Zoning Map and the adoption of a new Zoning Ordinance and Official Zoning Map, including notice, review, posting and holding a public hearing; and

WHEREAS, the Board, after due consideration of the proposed new Zoning Ordinance and Official Zoning Map, at a duly advertised public hearing has determined that the health, safety and general welfare of the residents of West Cornwall Township will be served by repealing the existing Zoning Ordinance and Official Zoning Map in their entireties and replacing them with the new Zoning Ordinance and Official Zoning Map attached hereto, and incorporated herein by reference, as Exhibits "A" and "B".

NOW, THEREFORE, be it, and it is hereby ORDAINED by the Board of Supervisors of West Cornwall Township, Lebanon County, Pennsylvania, and it is hereby ENACTED and ORDAINED by authority of same as follows:

Section One.

REPEAL OF EXISTING ZONING ORDINANCE AND OFFICIAL ZONING MAP AND ENACTMENT OF NEW ZONING ORDINANCE AND OFFICIAL ZONING MAP. The existing Zoning Ordinance and Official Zoning Map are hereby repealed in their entireties and replaced with the new Zoning Ordinance and Official Zoning Map attached hereto, and incorporated herein by reference, respectively, as Exhibits "A" and "B".

Section Two.

REPEALER. All Ordinances or parts of Ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts are hereby specifically repealed.

Section Three.

REVISIONS. The Board of Supervisors does hereby reserve the right, from time to time, to adopt modifications of, supplements to, or amendments of and to the Zoning Ordinance and Official Zoning Map, including this provision.

Section Four.

SEVERABILITY. The provisions of this Ordinance are declared to be severable. If any provision of this Ordinance is determined by a court of competent jurisdiction to be invalid or unconstitutional, such determination shall have no effect on any of the remaining portions of the Zoning Ordinance or the Official Zoning Map.

Section Five.

EFFECTIVE DATE. This Ordinance shall become effective immediately upon its enactment by the Board of Supervisors of West Cornwall Township, Lebanon County, PA.

BE IT ENACTED AND ORDAINED, this 12th day of September 2022, by the Board of Supervisors of West Cornwall Township, Lebanon County, Pennsylvania.

WEST CORNWALL TOWNSHIP
BOARD OF SUPERVISORS
Lebanon County, Pennsylvania

Russell L. Gibble, Chairman

David B. Lloyd, Member

Dennis J. Tulli, Member

ATTEST:

Secretary

EXHIBIT A

To Proposed Ordinance 2022-9-12

ZONING ORDINANCE

THE TOWNSHIP OF WEST CORNWALL LEBANON COUNTY, PA

ADOPTED: September 9, 2022

PREPARED BY THE WEST CORNWALL TOWNSHIP PLANNING COMMISSION, IN CONJUNCTION WITH THE WEST CORNWALL TOWNSHIP BOARD OF SUPERVISORS, WITH PROFESSIONAL ASSISTANCE BY GANNETT FLEMING, CAMP HILL, PA 17011.

Chapter 27: Zoning

Part 1
Definitions of Terms

§27-101. Definitions.

Part 2
Establishment of Districts; Provision for Official Zoning Map

§27-201. Official Zoning Map.
§27-202. Replacement of the Official Zoning Map.

Part 3
Rules for Interpretation of District Boundaries

§27-301. Rules for Interpretation of District Boundaries.

Part 4
Application of District Regulations

§27-401. Application of District Regulations.

Part 5
Use Districts

§27-501. Use Districts.

Part 6
A - Agricultural District

§27-601. Intent.
§27-602. Permitted Uses.
§27-603. Lot Area, Building Height, and Yard Requirements.
§27-604. Minimum Off-Street Parking Requirements.
§27-605. Signs and Advertising Structures.
§27-606. Supplementary District Regulations.
§27-607. Environmental Improvements and Energy Conservation.

Part 7
RF - Residential Forest District

§27-701. Intent.
§27-702. Permitted Uses.
§27-703. Lot Area, Building Height, and Yard Requirements.
§27-704. Minimum Off-Street Parking Requirements.
§27-705. Signs and Advertising Structures.
§27-706. Supplementary District Regulations,
§27-707. Environmental Improvements and Energy Conservation Requirements.

Part 8
F - Forest District

§27-801. Intent.
§27-802. Permitted Uses.
§27-803. Lot Area, Building Height, and Yard Requirements.
§27-804. Minimum Off-Street Parking Requirements.
§27-805. Signs and Advertising Structures.
§27-806. Supplementary District Regulations.
§27-807. Environmental Improvements and Energy Conservation Requirements.
§27-808. Ecological Safeguards.

Part 9
R-1 - Low Density Residential Districts

§27-901. Intent.
§27-902. Uses Permitted By Right.
§27-903. Uses Permitted with a Special Exception Approval.
§27-904. Lot Area, Building Height, and Yard Requirements.
§27-905. Minimum Off-Street Parking Requirements.
§27-906. Signs and Advertising Structures.
§27-907. Supplementary District Regulations.
§27-908. Environmental Improvements and Energy Conservation Requirements.

Part 10
R-2 - Medium Density Residential District

§27-1001. Intent.
§27-1002. Uses Permitted By Right.
§27-1003. Uses Permitted with a Special Exception Approval.
§27-1004. Lot Area, Building Height, and Yard Requirements
§27-1005. Supplemental Townhouse and Garden Apartment Standards.
§27-1006. Minimum Off-Street Parking Requirements.
§27-1007. Signs and Advertising Structures.
§27-1008. Supplementary District Regulations.
§27-1009. Environmental Improvements and Energy Conservation Requirements.

Part 11
R-3 - Special Purpose Residential Districts

§27-1101. Intent.
§27-1102. Permitted Uses.
§27-1103. Lot Area, Building Height, and Yard Requirements.
§27-1104. Minimum Off-Street Parking Requirements.
§27-1105. Signs and Advertising Structures.
§27-1106. Supplementary District Regulations.
§27-1107. Environmental Improvements and Energy Conservation Requirements.

Part 12
R-4 - High Density Residential District

§27-1201. Intent.
§27-1202. Uses Permitted By Right.
§27-1203. Lot Area, Yard, and Coverage Requirements
§27-1204. Height Requirements
§27-1205. Activation Standards.
§27-1206. Ground Cover Standards.
§27-1207. Off-Street Parking Requirements.
§27-1208. Signs and Advertising Structures.
§27-1209. Supplementary District Regulations.
§27-1210. Environmental Improvements and Energy Conservation Requirements.

Part 13
MED - Mineral Extraction Districts

§27-1301. Intent.
§27-1302. Permitted Uses.
§27-1303. Lot Area, Building Height, and Yard Requirements.
§27-1304. Minimum Off-Street Parking Requirements.
§27-1305. Signs and Advertising Structures.
§27-1306. Supplementary District Regulations.
§27-1307. Environmental Improvements and Energy Conservation Requirements.

Part 14
C-1 - Neighborhood Commercial Districts

§27-1401. Intent.
§27-1402. Uses Permitted By Right.
§27-1403. Performance Required.
§27-1404. Lot Area, Building Height, and Yard Requirements.
§27-1405. Off-Street Parking Requirements.
§27-1406. Signs and Advertising Structures.
§27-1407. Supplementary District Regulations.
§27-1408. Environmental Improvements and Energy Conservation Requirements.

Part 15
C-2 - General Commercial Districts

§27-1501. Intent.
§27-1502. Uses Permitted By Right.
§27-1503. Uses Permitted with a Special Exception Approval.
§27-1504. Performance Required.
§27-1505. Lot Area, Building Height, and Yard Requirements.
§27-1506. Minimum Off-Street Parking Requirements.
§27-1507. Signs and Advertising Structures.
§27-1508. Supplementary District Regulations.
§27-1509. Environmental Improvements and Energy Conservation Requirements.
§27-1510. Specific Performance Criteria.

Part 16
M - Manufacturing Districts

§27-1601. Intent.
§27-1602. Conditional Uses.
§27-1603. Performance Standards.
§27-1604. Lot Area, Building Height, and Yard Requirements.
§27-1605. Minimum Off-Street Parking Requirements.
§27-1606. Signs and Advertising Structures.
§27-1607. Supplementary District Regulations.
§27-1608. Environmental Improvements and Energy Conservation Requirements.
§27-1609. Specific Performance Criteria.

Part 17
GFP - General Floodplain District

§27-1701. Intent.
§27-1702. Definition of Terms Utilized in the GFP District.
§27-1703. Delineation of Districts.
§27-1704. District Provisions.
§27-1705. Flood Damage Control Regulations
§27-1706. Additional Safeguards.
§27-1707. Factors to Be Considered by the Zoning Hearing Board When Reviewing Special Exceptions and Variances.
§27-1708. Nonconformities.
§27-1709. Lot Area, Yard and Sign Requirements.
§27-1710. Designation of Floodplain Administrator.
§27-1711. Duties of Floodplain Administrator.
§27-1712. Building Permits Required.
§27-1713. Application Procedures and Requirements.
§27-1714. Additional Administrative Requirements.
§27-1715. Enforcement.
§27-1716. Statement of Disclaimer.

Part 18
MUO - Mixed Use Overlay District

§27-1801. Intent.
§27-1802. Minimum Land Area.
§27-1803. Administration
§27-1804. Permitted Uses.
§27-1805. Uses Permitted with a Special Exception Approval.
§27-1806. Mixed Uses.
§27-1807. Lot Area, Yard, and Coverage Requirements
§27-1808. Density and Height Requirements
§27-1809. Open Space Requirements
§27-1810. Additional Standards.

Part 19
Supplementary District Regulations

§27-1901. Intent.
§27-1902. Accessory Buildings and Structures.
§27-1903. Accessory Uses.
§27-1904. Projections Into Yards.
§27-1905. Home Occupation Regulations.
§27-1906. No-Impact Home-Based Business Regulations.
§27-1907. Municipal Uses.
§27-1908. Visibility at Intersections.
§27-1909. Fences, Walls, and Hedges.
§27-1910. Erection of More than One Principal Structure on a Lot.
§27-1911. Structures to Have Access.
§27-1912. Water Supply and Sewerage Facilities Required.
§27-1913. Minimum Habitable Floor Area and Lot Area Requirements.
§27-1914. Steeply Sloped Lots and Environmental Safeguards.
§27-1915. Corner Lot Restriction.
§27-1916. Exceptions to Height Regulations.
§27-1917. Dangerous Structures.
§27-1918. Animals.
§27-1919. Gasoline Pumps and All Other Service Station Equipment.
§27-1920. Parking and Storage of Certain Vehicles.
§27-1921. Parking, Storage, or Use of Major Recreational Equipment and/or Tractor Trailers, Etc.
§27-1922. Mobile Home Parks and Mobile Home Subdivisions.
§27-1923. Public Utilities Exemptions.
§27-1924. Special Care Residential Community/Retirement Housing Development.
§27-1925. Lighting.
§27-1926. Short Term Rental Units.
§27-1927. Road Side Stands.

Part 20
Environmental Improvements and Energy Conservation Requirements

§27-2001. Intent.
§27-2002. Definitions.
§27-2003. Requirement for Environmental and Energy Conserving Improvements.
§27-2004. Environmental and Energy Conserving Standards.
§27-2005. Solar, Wind, and Alternate Energy Standards.
§27-2006. Maintenance and Protection Assurances.
§27-2007. Variances.
§27-2008. Plans and Permits.

Part 21
Off-Street Parking

§27-2101. Intent.
§27-2102. Definitions.
§27-2103. Requirement for Off-Street Parking Facilities.
§27-2104. General Standards.
§27-2105. Schedule of Required Off-Street Parking Spaces.
§27-2106. Shared Parking Facilities.
§27-2107. Access Drives to Parking Areas and Curbing for all Uses Excepting Single and Two-Family Dwellings.
§27-2108. Driveways and Curbs for Single and Two-Family Dwellings.
§27-2109. Loading and Unloading Space.
§27-2110. Illumination of Parking and Loading Areas.
§27-2111. Improvement to Parking and Loading Areas.
§27-2112. Approval of Parking and Loading Plans.

Part 22
Signs and Advertising Structures

§27-2201. Intent.
§27-2202. Area of Sign.
§27-2203. General Regulations.
§27-2204. Signs Permitted in All Districts.
§27-2205. Signs in Residential and Agricultural Districts.
§27-2206. Signs in Commercial and Industrial Districts.
§27-2207. Nonconforming Signs.
§27-2208. Prohibited Signs.

Part 23
Nonconformities

§27-2301. Intent.
§27-2302. Nonconforming Lots of Record.
§27-2303. Nonconforming Uses of Land.
§27-2304. Nonconforming Structures.
§27-2305. Nonconforming Uses of Structures or Land and Structures in Combination.
§27-2306. Uses under Special Exception Provisions Not Nonconforming Uses.
§27-2307. Nonconforming Signs.
§27-2308. Nonconforming Uses, Activities, Construction, and Other Development in the General Floodplain District.

Part 24
Administration and Enforcement, Building and Zoning Permits and Certificates of Zoning Compliance, Conditional Uses and Procedures Relating Thereto

§27-2401. Administration, Enforcement and Authority.
§27-2402. Building and Zoning Permits Required.
§27-2403. Application for a Building and Zoning Permit.
§27-2404. Incomplete Applications.

§27-2405. Approval or Disapproval of a Building and Zoning Permit.
§27-2406. Revocation of a Building and Zoning Permit.
§27-2407. Expiration of a Building and Zoning Permit.
§27-2408. Certificate of Zoning Compliance.
§27-2409. Continuation of Use, Construction, Development, Etc., Deemed Unlawful by Zoning Officer.
§27-2410. Conditional Uses and Procedures Relating Thereto.

Part 25
Zoning Hearing Board; Establishment and Procedure

§27-2501. Intent.
§27-2502. Proceedings of the Zoning Hearing Board.
§27-2503. Hearings, Appeals, and Notice.
§27-2504. Stay of Proceedings.

Part 26
Zoning Hearing Board; Powers and Duties

§27-2601. Authority and Procedures.
§27-2602. Jurisdiction of Zoning Hearing Board.
§27-2603. Jurisdiction of the Township Supervisors.
§27-2604. Administrative Reviews.
§27-2605. Special Exceptions.
§27-2606. Variances.
§27-2607. Ordinance Challenges.
§27-2608. Expiration or Revocation of a Zoning Hearing Board Decision.

Part 27
Appeals from the Zoning Hearing Board

§27-2701. Appeals from the Zoning Hearing Board.

Part 28
Duties of Administrative Official, Zoning Hearing Board, Township Supervisors and Courts on Matters of Appeal

§27-2801. Duties of Administrative Official, Zoning Hearing Board, Township Supervisors and Courts on Matters of Appeal.

Part 29
Schedule of Fees, Charges, and Expenses

§27-2901. Schedule of Fees, Charges, and Expenses.

Part 30
Amendments

§27-3001. Amendments.

Part 31
Provisions of Chapter Declared to Be Minimum Requirements

§27-3101. Provisions of Chapter Declared to Be Minimum Requirements.

Part 32
Complaints Regarding Violations

§27-3201. Complaint.
§27-3202. Enforcement Notice.

Part 33
Penalties for Violation

§27-3301. Penalties for Violation.

Part 1

Definitions of Terms

§27-101. Definitions.

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

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

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

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

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

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

2. Definitions.

   Access drive - an open space of not less than the width required herein which provides vehicular access from a street or private road to the main building on a lot.

   Accessory building or use - see "building, accessory" or "use, accessory."

   Act 247 or *Act 170* - see "Pennsylvania Municipalities Planning Code."

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

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

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

   Alteration, structural - any change in the supporting members of a building, such as bearing walls, columns, beams, or girders.

   Animal hospital - a building used for the treatment, housing, or boarding of small domestic animals such as dogs, cats, rabbits, and birds or fowl by a veterinarian.

   Animal husbandry - the raising, breeding, keeping, or care of farm animals, livestock, or insects for meat byproducts or other utility, which is intended as a business or gainful occupation.

   Animal husbandry, intensive - the practice of raising, breeding, or keeping of farm animals, livestock, or insects that involves large numbers of animals, birds, etc., concentrated in a

small area in which their principal food source is provided through mass feedings rather than by grazing or foraging. This shall include feedlots, poultry houses, and other buildings, structures, corrals, or pens in which animals are confined in close quarters. This shall also include the raising of swine under any conditions.

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

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

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

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

Apartment building - a building consisting of three or more dwelling units.

Automobile body shop - a building that is used for the repair or painting of bodies, chassis, wheels, fenders, bumpers, and/or accessories of automobiles and other vehicles used for conveyance.

Automobile washing center (car wash) - a building on a lot, designed and used primarily for the washing and polishing of automobiles and which may provide for the retail sale of minor, automotive accessories.

Basement - a story partly below the finished grade but having at least one-half of its height (measured from finished floor to finished ceiling) above the average level of the finished grade where such grade abuts the exterior walls of the building. A basement shall be considered as one story in determining the permissible number of stories.

Bed and breakfast lodging - see "guest home."

Boarding house - a residential building that contains the primary residence of the owner(s)/manager(s) and his family as well as long term housing for a maximum of 15

additional persons. No provisions for cooking shall be allowed in any rooming unit; however, congregate meals may be provided to residents where meals are served family style rather than by ordering individual portions from a menu.

Buffer area - a yard space, adjacent to a property line or building, which contains landscaping and plantings designed to screen, separate and shield a potentially incompatible use from adjoining properties.

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

Building, attached - a building which has two party walls in common.

Building, detached - a building which has no party walls.

Building, semi-detached - a building which has only one party wall.

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

Building, principal - a building in which the principal use of the lot is conducted.

Building area - the total areas of outside dimensions on a horizontal plane at ground level of the principal buildings and all accessory buildings exclusive of cornices, eaves, gutters, or chimneys projecting not more than 18 inches; bay windows not extending more than one story and not projecting more than 5 feet; and steps and balconies.

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

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

Campground - a parcel of land upon which two or more campsites are located, established or maintained for occupancy by camping units of the general public as temporary living quarters for recreation, education, or vacation purposes and where acceptable sanitary facilities are provided for each campsite or for the campground as a whole. Camping units which are not occupied on a daily basis shall not be stored in areas reserved as campsites but may be stored in designated areas elsewhere in the campground. Floodplain areas shall not be utilized for sanitary facilities or camping unit storage.

Camping, short-term - location of a camping unit within any one campground for a period not to exceed 15 days in any 1 calendar month.

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

Carport - see "garage, private."

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

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

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

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

Conditional use - an application process whereby uses are allowed or denied by the governing body in accordance with express standards and criteria following review and comment by the planning agency and public notice and hearing.

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

Coverage - see "lot coverage."

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

Court, inner - a court which does not extend to a street, alley, yard, or outer court.

Court, outer - a court which extends to a street, alley, yard, or other outer court.

Cul-de-sac - a street with a single means of entry and exit. A cul-de-sac has two parts, the stem and the turnaround.

Curb level - the officially established grade of the curb in front of the midpoint of the lot.

Dairy - a commercial establishment for the processing or manufacture of milk and milk products.

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

Day care facility, adult - a nonresidential premises in which out-of-home care, excluding care provided by relatives, is provided for four or more functionally disabled, elderly adults for part of a 24-hour day. When such care is situated within an existing health care or nursing home facility, overnight adult care may be provided on a limited basis.

Day care home, family - any family residence, other than the child's own home, in which child day care is provided as an accessory use in the living areas of the residence. Child day care is provided, for profit or not for profit, to four to six children, who are not relatives of the care giver.

Day care home, group - any family residence, other than the child's own home, in which child day care is provided as an accessory use in the living areas of the residence. Child day care is provided, for profit or not for profit, to more than six but less than 12 children, who are not relatives of the care giver.

Developer - any landowner, agent of such landowner, or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land or a land development.

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

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

District - a portion of the Township of West Cornwall within which certain uniform regulations and requirements or combinations thereof apply under the provisions of this Chapter.

Dog kennel - see "pet kennel."

Dwelling, single-family attached - a building with one dwelling unit from the ground to the roof, located on its own lot, and having two or more party walls in common with two or more other dwelling units. (See "townhouse.")

Dwelling, single-family detached - a detached (separate) building designed for or occupied exclusively by one family on an individual lot; however, this shall not include single unit mobile homes which are defined separately.

Dwelling, single-family semi-detached - a building with one dwelling unit from the ground to roof and only one party wall in common with another dwelling unit. Commonly described as a duplex, the semi-detached, single-family dwelling is on an individual lot, is connected on one side to a similar dwelling on an adjacent lot and is usually owner occupied.

Dwelling, two-family detached - a separate building on an individual lot with two dwelling units from ground to roof (one unit over the other). These units are normally renter occupied and are not designed for further subdivision.

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

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

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

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

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

Floodplain - see Part 17 of this Chapter.

Floor area, habitable - see "habitable floor area."

Garage, private - a building or structure which is accessory to the principal building, which provides for the storage of motor vehicles of the families residing on the premises and in which no occupation, business or service for profit is conducted.

Garage, repair - a structure, building, or area of land or any portion thereof used primarily for the servicing and repair of automotive vehicles. A repair garage may provide one or more of the following services: general mechanical repair of motor vehicles including State inspection, lubrication, washing, or sale of accessories and motor vehicle fuels. Uses permissible as a repair garage do not include body work, straightening of body parts,

painting, welding, and storage of certain vehicles as per Part 19 of this Chapter. A repair garage is not an automobile body shop or retail automotive parts store.

Garden apartments - multi-family apartment buildings located on a plot of land under one ownership. Garden apartments are up to three stories high with individual apartments on each story. Garden apartment buildings shall contain at least four, but not more than 24, dwelling units in a single structure, with the units generally renter occupied. The garden apartments share: (1) a common yard area which is the sum of the required lot areas of all dwelling units within the complex, (2) common off-street parking, (3) common outside apartment access for some or all units and (4) central utilities.

Gardening - the cultivation of herbs, fruits, flowers, or vegetables, excluding the keeping of livestock.

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

Grade, finished - the completed surfaces of lawns, walks, and roads brought to grades as shown on official plans of designs relating thereto.

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

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

Guest home - a single-family detached dwelling that contains the primary residence of the owner/manager(s) and his family as well as short-term housing primarily for transient automotive travelers. No facilities for cooking or eating are provided in any rooming unit, and breakfast, if provided, is served family style to guests as a part of the overall lodging arrangements.

Habitable floor area - the sum of the floor area of all heated, finished rooms within a dwelling unit, used on a daily basis for habitation. Such area may include living rooms; recreation rooms; kitchens; dining rooms; bedrooms; bathrooms; hallways; closets; heated and finished basements; cellars and attics; attached garages which have been converted into an integral part of the living quarters; but does not include garages; porches, whether roofed, unroofed or enclosed; roofed terraces; unfinished and unheated basements, attics, cellars or garages; etc.

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

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

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

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

Inn - see "hotel."

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

Kennel - see "pet kennel."

Landowner - the legal or beneficial owner or owners of land including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee if he is authorized under the lease to exercise the rights of the landowner, or other person having a proprietary interest in land.

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

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

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

Loading/unloading space - an off-street space not less than 12 feet wide by 55 feet long and having a minimum clear height of 15 feet, exclusive of access area, for the parking of one vehicle while loading or unloading merchandise or materials.

Lodging house (rooming house) - see "boarding house."

Lot - a single tract or parcel of land, which may legally be described as such, held in single or joint ownership, which is occupied or capable of being occupied by one principal building or principal use together with such accessory buildings, structures and such open spaces as are arranged and permitted by this Chapter.

Lot, corner - a lot at the point of intersection of and abutting on two or more intersecting streets, and which has an interior angle of less than 135 degrees at the intersection of the two street lines.

Lot, interior - a lot other than a corner lot, the sides of which do not abut a street.

Lot, through - an interior lot having frontage on two parallel or approximately parallel streets.

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

Lot coverage - the percentage of the lot or property area covered by buildings or structures, excluding driveways, sidewalks, and other standard paved vehicular or pedestrian accessways.

Lot depth - a mean horizontal distance between the front and rear lot lines measured in the general direction of its side lot lines.

Lot frontage - that portion of a lot extending along a street or road right-of-way line.

Lot line - any line dividing a lot from another lot, street, or parcel.

Lot width - the horizontal distance between the side lot lines measured at right angles to its depth. The required lot width shall be measured at the required minimum front yard setback line, except that trapezoidal or pie shaped lots at the turnaround of cul-de-sac streets shall have lot frontage equal to at least 50 percent of the required lot width and shall achieve required lot width at a point equal to 50 percent of the lot depth.

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

Mobile home - a transportable, single unit structure intended for permanent occupancy as a single-family dwelling or office, which is contained in one unit or more units designed

to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and which is constructed so that it may be used without a permanent foundation.

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

Mobile home site - an area within a mobile home park or mobile home subdivision designated to contain one mobile home and the necessary utility connections and appurtenances. The area may be rented to an occupant as in mobile home park, or sold to an occupant, as in a mobile home subdivision.

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

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

Municipality - the Township of West Cornwall.

No-impact home-based business - a business or commercial activity administered or conducted as an accessory use which is clearly secondary to the use as a residential dwelling and which involves no customer, client or patient traffic, whether vehicular or pedestrian, pickup, delivery or removal functions to or from the premises, in excess of those normally associated with residential use.

Nonconforming lot - a lawfully established lot of record, existing at the date of the passage of this Chapter or any amendments thereto, which does not at this time have the minimum lot width or contain the minimum lot area for the zoning district in which it is located.

Nonconforming sign - a lawful sign which does not conform to the regulations of the district in which it is located.

Nonconforming structure or building - a lawfully constructed structure, building or part thereof which, at the time of the enactment of this Chapter or any subsequent amendments thereto, does not comply with the provisions of this Chapter or such amendments, with respect to restrictions on lot coverage, height, yard requirements, location on the lot or other similar requirements.

Nonconforming use - a lawfully established use, whether of land, building or structure, which does not comply with the applicable use provisions of this Chapter, or subsequent

amendments thereto, where such use was lawfully in existence at the time of the enactment of this Chapter or such amendments thereto.

Nursery, day care - see "day care."

Nursery, horticulture - any lot or parcel of land used to cultivate, propagate, and grow trees, shrubs, vines and other plants including the buildings, structures, and equipment customarily incidental and accessory to the principal use.

Nursing or convalescent home - an extended or intermediate care facility licensed or approved to provide full-time convalescent or chronic care to individuals who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves.

Office - a building or portion of a building wherein services are performed involving predominantly administrative, professional or clerical operations.

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

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

Open space - the unoccupied space open to the sky on the same lot with the building.

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

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

Permit - building and zoning permit issued by the duly appointed Zoning Officer.

Personal care facility - a premises in which food, shelter and personal assistance or supervision are provided for a period exceeding 24 hours for four or more adults who do not require the services in or of a licensed long, term care facility, but who do require assistance or supervision in matters such as dressing, bathing, diet, financial management,

evacuation of a residence in the event of an emergency, or medication prescribed for self-administration.

Personal care room - a dwelling room located in a personal care facility, licensed by the Pennsylvania Department of Health, which is occupied by no more than one resident and which is located in a building in which meals are provided in a common dining room.

Pet, customary household - any normally domesticated animal or bird that is kept for pleasure rather than utility and which may be kept inside or outside of a dwelling.

Pet, novelty - an animal, bird, or insect that is kept for pleasure, that is not a customary household pet, nor of a domesticated variety, provided that it is not otherwise prohibited by law and is kept inside a dwelling.

Pet kennel - an enclosure or area (located outside a dwelling) which houses or is designed for keeping more than three birds or animals, 6 months in age or older; however, this does not include pet zoos or menageries.

Planning commission - the West Cornwall Township Planning Commission.

Plantings, landscape - see Part 20 of this Chapter.

Plat - a map, plan, or layout showing the subdivision of land and indicating the location and boundaries of individual properties.

Premises - any lot, parcel, or tract of land and any building constructed thereon.

Private - not publicly owned, operated, or controlled.

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

Quarry, sand pit, gravel pit, borrow pit, topsoil stripping - a lot or land or part thereof used for the purpose of extracting minerals, stone, sand, clay, gravel, or topsoil for sale, and exclusive of the process of grading a lot preparatory to the construction of a building for which application for a building permit has been made.

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

Recycling collection facility - a center for the acceptance by donation, redemption or purchase of recyclable materials from the public.

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

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

Restaurant, drive through - an accessory or primary use where the customer receives food or beverage via a drive-up window without the need for the customer to leave his vehicle.

Restaurant, fast food - a commercial establishment where a limited selection of food or beverage is sold either for consumption on the premises or as a "takeout" service. Food preparation is normally designed for immediate service to customers over the counter without dedicated waitstaff and food is normally prepared in advance to facilitate this type of "fast" service.

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

Riding academy - an establishment where horses are kept for riding or driving, or are stabled for compensation.

Rooming house - see "boarding house."

Rooming unit - any habitable room or group of rooms forming a single habitable unit, used or intended to be used for living and sleeping, but not for cooking or eating.

Row house - see "townhouse."

Sanitarium, sanatorium - a private hospital, whether or not such facility is operated for profit.

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

Setback - the horizontal distance from a lot line to the part of the building nearest to such a lot line.

Shopping center - a group of stores, two or more in number, planned and designed as an integrated unit with off-street parking provided on the property as an integral part of the unit.

Short Term Rental Unit - a residential dwelling or property that is rented wholly or partially for a fee for a period of less than 30 continuous days and is not a hotel, motel, boarding house, or guest home.

Sign - the word "sign" includes any writing (including letter, word, or numeral); pictorial representation (including illustration or decoration); emblem (including device, symbol, or trademark); or any other device or similar character which (1) is a structure or any part

thereof, or is attached to, painted on or in any other manner represented on a vehicle, building, or other structure; (2) is used to announce, direct attention to, or advertise; and (3) is visible from outside a building.

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

Freestanding sign - an independently supported sign which is not attached to any building or structure and which is supported by not more than two posts placed in the ground, with no other material between the sign and the ground.

Ground sign - an independently supported sign which is not attached to any building or structure in which the supports between the ground and the sign do not permit clear visibility between the sign and the ground.

Marquee sign - any sign attached to, any manner, or made a part of a marquee.

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

Projecting sign - a sign erected or displayed which is attached to the wall of a building and projects in a perpendicular fashion from said wall. Wall signs that project more than 12 inches shall be treated as projecting signs.

Roof sign - a sign erected or displayed on a roof top; roof signs shall not exceed the maximum height requirements for buildings or structures.

Wall sign - a sign erected or displayed on or parallel to the surface of a building and does not project more than 12 inches therefrom.

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

Sign, double-faced - a sign consisting of two display areas placed back-to-back or joined along a common edge and is treated as having one sign area. If the display areas are joined along a common edge and the interior angle is greater than 45 degrees, the structure shall be treated as having two sign areas.

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

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

Special exception - a use specified in the district regulations which is permitted only if the Zoning Hearing Board grants it as a special exception use and allows issuance of a permit by the Zoning Officer pursuant to the provisions of this Chapter.

Stable, private - an accessory building in which horses are kept for private use and not for hire, remuneration, exhibition, or sale.

Stable, public - a building in which any horses are kept for remuneration, hire, exhibition, or sale.

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

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

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

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

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

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

Theater - a building or part of a building devoted to the showing of moving pictures or for dramatic, musical, or live performances.

Theater, outdoor drive-in - an open lot or part thereof with its appurtenant facilities devoted primarily to the showing of moving pictures or for dramatic, musical or live performances on a commercial basis to patrons seated in automobiles or on outdoor seats.

Tourist home - see "guest home."

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

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

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

Use, accessory - a use customarily incidental and subordinate to the principal use or building and located on the same lot with such principal use or building.

Use, principal - the main purpose for which land or a building is designed, arranged, intended or for which it is or may be occupied or maintained.

Variance - a modification of the regulations of this Chapter granted by the Zoning Hearing Board to the petitioner on grounds of practical difficulties or an unnecessary hardship, not self-imposed, pursuant to the provisions of this Chapter and the PMPC.

Yard - an open space, other than a court, unoccupied by a structure; provided, however, that fences, walls, posts, trees, lawn furniture, and other customary yard accessories are permitted in any yard subject to height limitations and requirements limiting obstruction of visibility.

Yard, front - an unoccupied space, open to the sky, between the front property line (road right-of-way line) and the building line of the principal building closest to the front property line.

Yard, rear - an unoccupied space, open to the sky, between the rear property line, and the building line of the principal building which is closest to the rear property line.

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

Yard, required rear - an unoccupied space, open to the sky, between the rear property line and a line drawn parallel thereto, at such distance therefrom as may be specified herein for any district, and extending for the full width of the lot.

Yard, required side - an unoccupied space, open to the sky, between the side property line and a line drawn parallel thereto at such distance therefrom as may be specified herein for any district, and extending the full depth of the lot.

Yard, side - an unoccupied space, open to the sky, between the side property line and the side building line of the principal building. In most cases, a lot has two side yards located on opposite sides of the principal building.

Zoning Officer - the agent(s) or official(s) designated by the Township of West Cornwall to enforce this Chapter.

Part 2

Establishment of Districts; Provision for Official Zoning Map

§27-201. Official Zoning Map.

1. The Township is hereby divided into zones or districts as shown on the Official Zoning Map which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this Chapter.
2. The Official Zoning Map shall be identified by the signature of the Chairperson of the Board of Supervisor, attested by the Secretary and bearing the seal of the Township under the following words:

   "This is to certify that this is the Official Zoning Map referred to in Part 2, §27-201 of Ordinance Number 2022-9-12 of the Township of West Cornwall, Lebanon County, Pennsylvania," together with the date of the adoption of this Chapter.
3. If, in accordance with the provisions of this Chapter and Article VI of Pennsylvania Municipalities Planning Code, changes are made in district boundaries or other matter portrayed on the Official Zoning Map, such changes shall be entered on the Official Zoning Map promptly after the amendment has been approved by the Township Supervisors with an entry on the Official Zoning Map as follows:

   "On (date), by official action of the Board of Supervisors, the following (change/changes) were made in the Official Zoning Map: (brief description of nature of change)," which entry shall be signed by the Chairperson of the Board of Supervisors and attested by the Township Secretary.

   No amendment to this Chapter which involves matter portrayed on the Official Zoning Map, shall become effective until after such change and entry has been made on said map.
4. No changes of any nature shall be made in the Official Zoning Map or matter shown thereon except in conformity with the procedures set forth in this Chapter. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of this Chapter and punishable as provided under Part 33.
5. Regardless of the existence of purported copies of the Official Zoning Map which may from time to time be made or published, the Official Zoning Map which shall be located in the Office of the Township Supervisors shall be the final authority as to the current zoning status of land and water areas, buildings and other structures in the Township.

§27-202. Replacement of the Official Zoning Map.

In the event that the Official Zoning Map becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes and additions, the Township Supervisors may by resolution adopt a new Official Zoning Map which shall supersede the prior Official Zoning Map. The new Official Zoning Map shall be identified by the signature of the Chairperson of the Board of Supervisors, attested by the Township Secretary and bearing the seal of the Township under the following words:

"This is to certify that this is the Official Zoning Map, adopted (date) as part of Ordinance No. 2022-9-12 of the Township of West Cornwall, Lebanon County, Pennsylvania."

Unless the prior Official Zoning Map has been lost or has been totally destroyed, the prior map or any significant parts thereof remaining shall be preserved together with all available records pertaining to its adoption or amendment.

Part 3

Rules for Interpretation of District Boundaries

§27-301. Rules for Interpretation of District Boundaries.

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

1. Boundaries indicated as approximately following the center line of streets, highways, or alleys shall be construed to follow such center lines.
2. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
3. Boundaries indicated as approximately following Township limits shall be construed as following such Township limits.
4. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.
5. Boundaries indicated as parallel to, or extensions of, features indicated in paragraphs 1 through 4 above shall be so construed.
6. Where physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map, or in other circumstances not covered by paragraphs 1 through 5 above, the Zoning Hearing Board shall interpret the district boundaries.
7. Where a district boundary line divides a lot, which was a lawful lot of record at the time of adoption of this Chapter, the Zoning Hearing Board may permit, as a special exception, the regulations for either portion of the lot to extend beyond the district line into the remaining portion of the lot for development up to 50% of the overall size of a proposed building or for a distance not to exceed 100 feet for non-structure land uses. In the case where a proposed building is large enough that the 50% allowance results in encroachment of more than 100 feet into an adjacent District, then all incidental or associated non-structure uses may also extend the same distance as the building into the adjacent District.

Part 4

Application of District Regulations

§27-401. Application of District Regulations.

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

1. No building, structure or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter by erected, constructed, reconstructed, moved, or structurally altered except in conformity with all regulations herein specified for the district in which it is located.
2. No building or other structure shall hereafter be erected or altered:
   A. To exceed the height or bulk;
   B. To accommodate or house a greater number of families;
   C. To occupy a greater percentage of lot area;
   D. To have narrower or smaller rear yards, front yards, side yards, or other open spaces than herein required; or,
   E. in any other manner contrary to the provisions of this Chapter.
3. No part of a yard, or other open space, or off-street parking or loading space required about or in connection with any building for the purpose of complying with this Chapter, shall be included as part of a yard, open space, or off-street parking or loading space similarly required for any other building.
4. No yard or lot existing at the time of passage of this Chapter shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this Chapter shall meet at least the minimum requirements within their respective zoning districts established by this Chapter.
5. When a specific use is neither permitted nor prohibited in the schedule of district regulations, the Zoning Hearing Board shall make a determination, as an administrative review, as to the similarity or compatibility of the use in question to the permitted uses in the district, basing the decision on the overall intent stipulated for the district.
6. Where a district boundary line divides a lot, which was a lawful lot of record at the time of adoption of this Chapter, the Zoning Hearing Board may permit, as a special exception, the regulations for either portion of the lot to extend beyond the district line into the remaining portion of the lot for a distance not to exceed 50 feet.

Part 5

Use Districts

§27-501. Use Districts.

1. For the purpose of regulating and restricting the location of trades, industries, multiple-family housing, single-family housing, and other uses of property, the number of square feet of lot area per dwelling unit, the width of lots, the location and size of yards, and the size and height of buildings, the Township is divided into classes of use districts termed respectively:
   A. A - Agricultural.
   B. RF - Residential Forest.
   C. F - Forest.
   D. R-1 - Low Density Residential.
   E. R-2 - Medium Density Residential.
   F. R-3 - Special Purpose Residential
   G. R-4 - High Density Residential.
   H. MED - Mineral Extraction.
   I. C-1 - Neighborhood Commercial.
   J. C-2 - General Commercial.
   K. M - Manufacturing.
   L. GFP - General Floodplain.
   M. MUO - Mixed Use Overlay.
2. All territory, excepting floodplains, which may hereafter be annexed to the Township shall be considered to be in the (A) Agricultural District until otherwise classified. All annexed territory which has been delineated as floodplain by the Federal Insurance Administrator in an official Flood Insurance Study shall be considered to be in the (GFP) General Floodplain District until otherwise classified.
3. It is the intent of this Ordinance that all uses, or combinations of uses, not specifically provided for either alone or in combination in any other zoning district shall be permitted in, and only in, the MED – Mineral Extraction zoning districts as conditional uses subject to Part 24, as amended, if amended.

Part 6

A - Agricultural District

§27-601. Intent.

The regulations of the Agricultural District are designed to protect and preserve the existing agricultural lands of the Township and those areas where environmental conditions are most conducive to agricultural operations which will produce high crop yields. Principal protection and preservation emphasis is concentrated on existing farmland and conversion to nonfarm usage is discouraged. Limited residential, nonresidential, and farm related commercial uses are permitted to facilitate those individuals who may desire to locate in an agricultural setting.

§27-602. Permitted Uses.

The following uses are permitted, subject to the requirements listed herein and in §27-603 and §27-604 of this Part:

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

B. Nonintensive animal husbandry.

C. Intensive animal husbandry subject to the requirements of §27-1918 of this Chapter.

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

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

F. Public park and recreation areas, forest preserves, game refuges, and similar nonintensive uses.

G. Churches, associated parish houses, and cemeteries.

H. Single-family dwellings.

I. Group family dwellings provided that the following conditions are met:

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

(2) All parking for the use shall be off-street. In addition to the two off-street parking spaces required for the dwelling unit, sufficient additional off-street parking shall be provided to adequately handle the parking needs of the use (e.g., one additional space for each resident vehicle kept on the premises).

J. Guest homes provided that the following conditions are met:

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

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

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

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

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

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

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

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

(9) The use of any amenities provided by the guest house such as swimming pool or tennis courts shall be restricted in use to the resident family and guests of the establishment. Any social functions or activities including, but not limited to, tea parties, horse and carriage rides, wedding receptions . . . shall be limited to overnight guests of the establishment only.

K. Short term rental units, subject to Supplementary District Regulations

L. Family day care homes provided that the following conditions are met:

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

(2) Applicant shall obtain and maintain a registration certificate from the Pennsylvania Department of Welfare for the family day care home; a copy of said certificate shall be attached to the building permit.

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

(4) No signs pertaining to the day care service shall be permitted.

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

(1) Transient or temporary roadside stands for the sale of "home-grown" or "home-made" products when located not less than 20 feet from the road cartway and not within the road right-of-way, and not in use for more than ninety (90) consecutive calendar days, nor more than one-hundred twenty (120) total calendar days in a year.

(2) Home occupations and accessory uses as regulated in Part 19 of this Chapter.

N. Upon approval by the Zoning Hearing Board, the following special exception uses are permitted provided the use complies with the conditions listed herein and Part 26 of this Chapter. Additionally, the applicable requirements of §27-603 of this Part, shall also apply.

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

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

(3) Sawmills and other establishments associated with forestry.

(4) Group day care homes provided that the following conditions are met:

(a) Applicant shall obtain written approval or licensure of the group daycare home from the Pennsylvania Department of Welfare.
(b) Day care shall be provided by the resident of the home and a maximum of two nonresident assistants.
(c) A minimum of three off-street parking spaces shall be provided in addition to that required for the residence.
(d) Loading and unloading of children from vehicles shall only be permitted on the driveway or on the approved parking area.
(e) The size of sign permitted shall be limited to that allowed for a home occupation.

§27-603. Lot Area, Building Height, and Yard Requirements.

1. A lot width, lot area, lot coverage, yard setback, and building height requirement of not less than the dimensions shown in the following table, unless otherwise specified heretofore in this Section, §27-603 or Part 19, shall be provided for every dwelling unit and/or principal nonresidential building or use erected, altered or established in this district.

District Requirements

Use	Lot Requirements				Yard Requirements			
	Min Lot Area (sq ft)	Max Lot Area (sq ft)	Min Lot Width	Max Lot Cover-age	Front	One Side	Total Sides	Rear
Nonresidential								
Use of building specified in §27-602.A through §27-602.G.	3 acres	-	250 ft	10%	50 ft	20 ft	40 ft	50 ft
Use of building specified in special exception in §27-602.N.	3 acres	-	250 ft	10%	50 ft	20 ft	40 ft	50 ft
Residential								
Single-family detached or group family dwelling	3 acres	-	250 ft	10%	50 ft	20 ft	40 ft	50 ft

2. No building with the exception of farm structures or structures specifically listed in §27-1916 shall exceed two and one-half stories or 35 feet in height unless authorized as a special exception.

§27-604. Minimum Off-Street Parking Requirements.

Off-street parking shall be provided for in accordance with Part 21 of this Chapter.

§27-605. Signs and Advertising Structures.

Signs shall be permitted in accordance with Part 22 of this Chapter.

§27-606. Supplementary District Regulations.

The supplementary district regulations in Part 19 shall apply, where applicable, as additional requirements for this district.

§27-607. Environmental Improvements and Energy Conservation.

The environmental and energy requirements in Part 20 shall apply, where applicable, as additional requirements for this district.

Part 7

RF - Residential Forest District

§27-701. Intent.

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

§27-702. Permitted Uses.

1. Customary agricultural operations such as gardening, orchards, truck farming, flower and tree nurseries, but not including the raising, keeping, and/or breeding of poultry and livestock. In no case shall manure, fertilizer, or other odor or dust producing substances be stored anywhere within 200 feet of an adjoining lot line.
2. Private stables or pet kennels, provided that no building in which animals are kept. (e.g., barn, stable, shed, shelter, etc.) and no kennel runway, animal training ring or other enclosure which concentrates animals shall be located within 100 feet of any lot line or road right-of-way.
3. Public conservation areas and structures for the conservation of open space, water, soil, forest, and wildlife resources.
4. Public park and recreation areas, forest preserves, campgrounds, game refuges, and similar nonintensive uses.
5. Publicly owned nursery, kindergarten, elementary, middle, and high schools.
6. Municipal buildings and community facilities such as police and fire protection facilities, museums, libraries, etc., provided that they do not contain restaurants, cafes, membership clubs, or other places offering food, beverages, dancing, or entertainment.
7. Churches and similar places of worship and parish houses.
8. Single-family dwellings.
9. Group family dwellings subject to the conditions listed in §27-602.I of this Chapter.
10. Guest homes subject to the conditions listed in §27-602.J of this Chapter.
11. Short term rental units, subject to Supplementary District Regulations.
12. Family day care homes subject to the conditions listed in §27-602.L of this Chapter.
13. Customary accessory uses and buildings incidental to any of the above permitted uses as provided for in Part 19 of this Chapter.
14. Transient or temporary roadside stands for the sale of "home-grown" or "home-made" products when located not less than 20 feet from the road cartway and not within the road right-of-way, and not in use for more than ninety (90) consecutive calendar days, nor more than one-hundred twenty (120) total calendar days in a year.

15. Upon approval by the Zoning Hearing Board, the following special exception uses are permitted provided the use complies with the conditions listed herein and the applicable requirements specified in Part 26 of this Chapter:

    A. Semi-public or private recreation areas and structures operated by membership clubs solely for the benefit of their members and not for gain. The following conditions shall be met:

        (1) Ten-acre minimum lot area.

        (2) The sum of all areas covered by principal and accessory buildings shall not exceed 10 percent of the total area of the lot.

        (3) No building, structure or part thereof or any parking or loading area shall be located within 100 feet of any road right-of-way line or lot line.

        (4) Exterior lighting, other than that essential for the safety and convenience of the users of the premises shall be prohibited. All exterior lighting shall be shielded from the view of all surrounding streets and lots.

        (5) Any such club shall be incorporated pursuant to the provisions of a membership corporation or unincorporated association approved by the Township Supervisors and catering exclusively to members and their guests.

    B. Group day care homes subject to the conditions listed in §27-602.N(4) of this Chapter.

    C. Day care centers provided that the following conditions are met:

        (1) The property shall be served by public water and sewer facilities.

        (2) Applicant shall obtain written approval or licensure of the day care center from the Pennsylvania Department of Public Welfare.

        (3) Plans for the construction or modification of the facility shall be reviewed/approved by the Pennsylvania Department of Labor and Industry and written proof of said review/approval shall be provided.

        (4) Unloading and loading of children from vehicles shall only be permitted on the driveway or on the approved parking area.

        (5) Off-street parking shall be provided at the rate of one space for each employee, plus four spaces for the first 10 licensed capacity slots for children, plus one space for each additional 10 slots for children approved for the center. Off-street parking shall also be provided for vehicles owned and operated by the facility as a part of its day care services.

        (6) Play areas for children shall be fenced and shall be located no closer than 50 feet to any lot line or road right-of-way, except that play area setbacks may be reduced to 25 feet from side and rear lot lines when a dense screen planting is established and maintained within the setback area.

§27-703. Lot Area, Building Height, and Yard Requirements.

A lot width, lot area, lot coverage, yard setback, and building height requirement of not less than the dimensions shown in the following table, unless otherwise specified heretofore in this Section, §27-702 or §27-1913, shall be provided for every dwelling unit and/or principal nonresidential building or use erected, altered or established in this district.

District Requirements

Use	Lot Requirements			Yard Requirements		
	Min Lot Area (sq ft)	Min Lot Width	Max Lot Cover-age	Front	Each Side	Rear
All Permitted Uses If land-scape has slope in excess of 20% - also see §27-1913 of this Chapter	3 acres	250 ft	10%	50 ft	30 ft	50 ft
Nonresidential Building	3 acres	250 ft	10%	50 ft	30 ft	50 ft
Single-Family Detached						
No public utilities	2 acres	200 ft	20%	50 ft	20 ft	50 ft
Public water and/or sewer	1 acre	150 ft	20%	40 ft	15 ft	40 ft

No building, with the exception of farm structures, shall exceed two and one-half stories or 35 feet in height unless authorized as a special exception.

§27-704. Minimum Off-Street Parking Requirements.

Off-street parking shall be provided for in accordance with Part 21 of this Chapter.

§27-705. Signs and Advertising Structures.

Signs shall be permitted in accordance with Part 22 of this Chapter.

§27-706. Supplementary District Regulations,

The supplementary district regulations in Part 19 shall apply, where applicable, as additional requirements for this district.

§27-707. Environmental Improvements and Energy Conservation Requirements.

The environmental and energy requirements in Part 20 shall apply, where applicable, as additional requirements for this district. In addition to compliance with the requirements of Part 20, the following shall be met for this district:

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

2. Removal of trees, shrubs, and other vegetative cover (excluding noxious weeds and plants as defined by the Pennsylvania Department of Agriculture), shall be limited to 50 percent of the site, to prevent erosion and destruction of the natural forested habitat.

Part 1

F - Forest District

§27-101. Intent.

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

§27-102. Permitted Uses.

1. Crop and truck farming, truck gardening, horticulture, non-commercial greenhouses, nurseries, aviaries, apiaries, forestry establishments, and similar enterprises.
2. Public conservation areas and structures for the conservation of open space, water, soil, forest, and wildlife resources.
3. Public park and recreation areas, forest preserves, camps, game refuges, and similar nonintensive public uses.
4. Single-family dwellings.
5. Group family dwellings subject to the conditions listed in §27-602.I of this Chapter.
6. Guest homes subject to the conditions listed in §27-603.J of this Chapter.
7. Short term rental units, subject to Supplementary District Regulations.
8. Transient or temporary roadside stands for the sale of "home-grown" or "home-made" products when located not less than 20 feet from the road cartway and not within the road right-of-way, and not in use for more than ninety (90) consecutive calendar days, nor more than one-hundred twenty (120) total calendar days in a year.
9. Private stables or pet kennels, provided that no building in which animals are kept. (e.g., barn, stable, shed, shelter, etc.) and no kennel runway, animal training ring or other enclosure which concentrates animals shall be located within 100 feet of any lot line or road right-of-way.
10. Upon approval by the Zoning Hearing Board, the following special exception uses are permitted provided the use complies with the conditions listed herein and the applicable requirements specified in Part 26 of this Chapter:
    A. Semi-public or private recreation areas, game and wildlife hunting, and gunning clubs, camps, and associated structures.
    B. Recreation areas and associated structures operated by membership clubs solely for the benefit of their members and not for gain.

§27-803. Lot Area, Building Height, and Yard Requirements.

A lot width, lot area, lot coverage, yard setback and building height requirement of not less than the dimensions shown in the following table, unless otherwise specified heretofore in this Section or §27-1913, shall be provided for every dwelling unit and/or principal nonresidential building or use erected, altered, or established in this district.

District Requirements

Use	Lot Requirements			Yard Requirements		
	Min Lot Area (sq ft)	Min Lot Width	Max Lot Coverage	Front	Each Side	Rear
All Permitted Uses If landscape has slope in excess of 20% - also see §27-1913 of this Chapter	No public water or sewer: 5 acres Public water or sewer: 2.5 acres	250 ft	5%	75 ft	50 ft	75 ft

Unless specified otherwise in this Chapter or authorized as a special exception, no building shall exceed two and one-half stories or 35 feet in height.

§27-804. Minimum Off-Street Parking Requirements.

Off-street parking shall be provided for in accordance with Part 21 of this Chapter.

§27-805. Signs and Advertising Structures.

Signs shall be permitted in accordance with Part 22 of this Chapter.

§27-806. Supplementary District Regulations.

The supplementary district regulations in Part 19 shall apply, where applicable, as additional requirements for this district.

§27-807. Environmental Improvements and Energy Conservation Requirements.

The environmental and energy requirements in Part 20 shall apply, where applicable, as additional requirements for this district.

§27-808. Ecological Safeguards.

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

1. Applications for development shall be accompanied by a soil and erosion control plan approved and/or prepared by the Lebanon County Conservation District.
2. Additionally, all properties shall be limited to the removal of no more than 25 percent of the tree crown cover (trees with more than a 2-inch caliper) and prior to removal, a timbering cutting plan approved by a forester with the Pennsylvania Department of Environmental Protection is submitted to the Zoning Officer.

3. Removal of shrubs and other vegetative cover (excluding noxious weeds and plants as defined by the Pennsylvania Department of Agriculture), shall be limited to 25 percent of the site, to prevent erosion and destruction of the natural forested habitat.

Part 9

R-1 - Low Density Residential Districts

§27-901. Intent.

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

§27-902. Uses Permitted By Right.

1. Single-family detached dwellings.
2. Group family dwellings subject to the conditions listed in §27-602.1 of this Chapter.
3. Churches, associated parish houses, and cemeteries.
4. Publicly owned nursery, kindergarten, elementary, middle, and high schools.
5. Public parks and public playgrounds.
6. Municipal buildings and community facilities such as police and fire protection facilities, museums, libraries, etc., provided that they do not contain restaurants, cafes, membership clubs or other places offering food, beverages, dancing, or entertainment.
7. Agriculture, truck farming, gardening, flower and tree nurseries, and noncommercial greenhouses, but not including intensive or nonintensive animal husbandry or pet kennels.
8. Short term rental units, subject to Supplementary District Regulations.
9. Family day care homes as regulated in §27-602.L of this Chapter.
10. Transient or temporary roadside stands for the sale of "home-grown" or "home-made" products when located not less than 20 feet from the road cartway and not within the road right-of-way, and not in use for more than ninety (90) consecutive calendar days, nor more than one-hundred twenty (120) total calendar days in a year.
11. Customary accessory uses and buildings incidental to any of the above permitted uses as provided for in Part 19 of this Chapter.

§27-903. Uses Permitted with a Special Exception Approval.

Upon approval by the Zoning Hearing Board, the following special exception uses are permitted provided the use complies with the conditions listed herein and the applicable requirements specified in Part 26 of this Chapter:

1. Group day care homes subject to the conditions listed §27-602.N(4) of this Chapter.
2. Day care centers subject to the conditions listed in §27-702.15.0 of this Chapter.
3. Clinics and Professional offices, subject to the following requirements:

A. The architectural design of the structure shall be harmonious with other structures in the neighborhood.

B. Parking shall not be permitted in the front yard.

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

5. Privately owned elementary, middle, and high schools.

6. Private institutions of higher education, convents, and monasteries provided that the following conditions are met:

   A. A minimum lot area of 3 acres for the first 300 students or enrollees plus 1 acre for each additional 100 students or enrollees.

   B. Dormitory or residential quarters shall be located a minimum of 100 feet from any property line.

7. Nonintensive animal husbandry or pet kennels subject to the following conditions:

   A. A minimum lot size of 10 acres shall be provided.

   B. Buildings in which livestock, poultry, insects, or other than customary household pets are kept shall be no closer than 200 feet from any lot line or road right-of-way.

   C. No storage of manure or odor or dust producing substances shall be permitted within 200 feet of any lot line or road right-of-way.

§27-904. Lot Area, Building Height, and Yard Requirements.

A lot width, lot area, lot coverage, yard setback, and building height requirement of not less than the dimensions shown in the following table, unless otherwise specified heretofore in this Section or §27-902, shall be provided for every dwelling unit and/or principal nonresidential building or use erected, altered, or established in this district.

District Requirements

Use	Lot Requirements			Yard Requirements		
	Min Lot Area (Sq ft)	Min Lot Width	Max Lot Coverage	Front	Each Side	Rear
Nonresidential Building	3 acres	250 ft	25%	50 ft	20 ft	50 ft
Residential						
Single-family detached						
No public utilities	1 acre	150 ft	25%	40 ft	15 ft	30 ft
Public water or sewer	30,000 sq ft	125 ft	30%	30 ft	10 ft	25 ft
Public water and sewer	20,000 sq ft	100 ft	35%	30 ft	10 ft	25 ft

No building with the exception of farm structures shall exceed two and one-half stories or 35 feet in height unless authorized as special exception.

§27-905. Minimum Off-Street Parking Requirements.

Off-street parking shall be provided for in accordance with Part 21 of this Chapter.

§27-906. Signs and Advertising Structures.

Signs shall be permitted in accordance with Part 22 of this Chapter.

§27-907. Supplementary District Regulations.

The supplementary district regulations in Part 19 shall apply, where applicable, as additional requirements for this district.

§27-908. Environmental Improvements and Energy Conservation Requirements.

The environmental and energy requirements in Part 20 shall apply, where applicable, as additional requirements for this district.

Part 10

R-2 - Medium Density Residential District

§27-1001. Intent.

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

§27-1002. Uses Permitted By Right.

1. Single-family detached and semi-detached dwellings.
2. Two-family detached and semi-detached dwellings.
3. Townhouses, provided that the following requirements are met:
   - A. Minimum lot area of 3,500 square feet per dwelling unit.
   - B. Maximum development density shall not exceed five dwelling units per gross acre. In areas of steep slopes where more than 20 percent of the project site is steeply sloped (in excess of 15 percent), maximum density shall be reduced to four dwelling units per gross acre.
   - C. Minimum lot width of 24 feet for two-story townhouses. Where a one or one and one-half story townhouse is developed, the minimum lot width shall be 28 feet.
   - D. A minimum front and rear yard of 25 feet each, as measured from the property line or any paved parking area, shall be provided for each townhouse unit.
   - E. Side yard minimums of 15 feet shall be provided from the unattached sides of buildings; however, a minimum side yard of 25 feet shall be provided from any paved parking areas perimeter boundary line.
   - F. No group of townhouses shall consist of more than five attached units, with no more than three continuous dwellings with the same front or rear setback, each variation of the setback being at least 4 feet. Developers are encouraged to use variety in design and construction to enhance appearance.
   - G. No detached accessory buildings or 'structures shall be permitted on individual lots of less than 8,000 s.f. size. All townhouses shall be designed to provide at least 400 cubic feet of storage area attached to the principal structure. The exterior of the attached storage area shall be constructed of the same material and shall have the same finished appearance at the principal structure and all other requirements of this Part shall be met. Garages and other normal accessory structures may be

attached to the principal structure on each individual lot provided all other requirements of this Part are met. Detached accessory buildings and structures for common use by the entire development shall be permitted on common areas as per Part 19 of this Chapter.

H. Townhouse development shall be in compliance with §27-1005 of this Chapter.

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

J. Off-street parking, as required in §27-1006 and Part 21 of this Chapter, shall be located on the lot or within 150 feet of the dwelling unit to be served.

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

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

A. Maximum development density shall not exceed eight dwelling units per gross acre.

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

C. Garden apartment buildings shall contain at least four but not more than 8 dwelling units per story in a single structure.

D. A minimum setback of 20 feet shall be provided from any road right-of-way, driveway, or paved parking area. Additionally, the building setback line shall be a minimum distance of 30 feet from any front, side, or rear property line.

E. A minimum isolation distance of 50 feet shall be provided between garden apartment buildings.

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

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

H. If patios are provided at ground level, they shall be designed for visual privacy and shall be a minimum of 100 square feet.

I. Garden apartment development shall be in compliance with §27-1005 of this Chapter.

J. Off-street parking, as required by §27-1006 and Part 21 of this Chapter, shall be located within 150 feet of the dwelling unit to be served. Furthermore, parking facilities and driveways shall be located no less than 25 feet from any road right-of-way and 10 feet from all other property lines.

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

5. Group family dwellings subject to the conditions listed in §27-602.I of this Chapter.

6. Short term rental units, subject to Supplementary District Regulations.
7. Churches and similar places of worship and parish houses.
8. Public parks and public playgrounds.
9. Municipal buildings and community facilities such as police and fire protection facilities, museums, libraries, etc., provided that they do not contain restaurants, cafes, membership clubs, or other places offering food, beverages, dancing, or entertainment.
10. Nursery, kindergarten, elementary, middle, and high schools.
11. Family day care homes, as regulated in §27-602.L of this Chapter.
12. Customary accessory uses and buildings incidental to any of the above permitted uses as provided for in Part 19 of this Chapter.

§27-1003. Uses Permitted with a Special Exception Approval.

Upon approval by the Zoning Hearing Board, the following special exception uses are permitted, provided the use complies with the conditions listed herein and the applicable requirements specified in Part 26 of this Chapter.

1. Special exception uses specified in §27-903.1 through §27-903.6 of the R-1 Low Density Residential District, subject to the conditions stated therein.
2. Conversion apartments provided that the following conditions are met:
   A. Conversion apartments may be established only within an existing single-family dwelling and must be an independent dwelling unit.
   B. The property shall be served by public water and sewer facilities.
   C. The conversion apartment shall contain a minimum of 350 and a maximum of 875 square feet of habitable floor area; however, no conversion apartment shall occupy more than 40 percent of the area of the single-family dwelling unit nor reduce said unit to less than 700 square feet of habitable floor area.
   D. A minimum of two off-street parking spaces shall be provided for each dwelling unit.
   E. There shall be no exterior evidence of the conversion apartment except for the existence of an entrance which is separate and private from that of the single-family dwelling.

§27-1004. Lot Area, Building Height, and Yard Requirements

1. A lot width, lot area, lot coverage, yard setback, and building height requirement of not less than the dimensions shown in the following table, unless otherwise specified heretofore in §27-1002 or elsewhere in this Chapter, shall be provided for every dwelling unit and/or principal nonresidential building or use erected, altered, or established in this district.

District Requirements

Use	Lot Requirements			Yard Requirements		
	Min Lot Area (sq ft)	Min Lot Width	Max Lot Cover-age	Front	Each Side	Rear
Nonresidential Building	3 acres	250 ft	20%	50 ft	20 ft	50 ft
Residential (No Public Utilities)						
Single-family detached	1 acre	125 ft	30%	40 ft	15 ft	35 ft
Residential (Public Water or Sewer)						
Single-family detached	20,000 sq ft	100 ft	40%	30 ft	10 ft	25 ft
Residential (Public Water and Sewer)						
Single-family detached	8,000 sq ft/unit	80 ft/ lot	40%	30 ft	10 ft	25 ft
Single-family semi-detached	5,000 sq ft/unit	45 ft/lot*	40%	25 ft	8 ft**	25 ft
Two-family detached	4,000 sq ft/unit	80 ft/ lot	40%	25 ft	8 ft*	25 ft
Two-family semi-detached	2,500 sq ft/unit	45 ft/ lot	40%	25 ft	8 ft**	25 ft
Townhouse			(See §27-1002.3)			
Garden Apartment			(See §27-1002.4)			

*Minimum lot width to party wall

**Yard requirements apply to unattached sides of building

2. No building without sprinkler fire suppression systems, with the exception of farm structures, shall exceed two and one-half stories or 35 feet in height unless authorized as special exception. Buildings equipped with sprinkler fire suppression systems shall not exceed three and one-half stories or 45 feet in height unless authorized as a special exception.

§27-1005. Supplemental Townhouse and Garden Apartment Standards.

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

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

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

C. The setback area from any adjacent property line or right-of-way shall be called a buffer area. Said side or rear yard buffer areas shall be landscaped with a screen planting which shall be designed, located, and maintained in accordance with the requirements of Part 20 of this Chapter.

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

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

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

G. Fences or shrub fence lines shall not be permitted within townhouse or garden apartment developments with the exception of buffer areas as described in §27-1102.2.G.

H. Curbing, sidewalks, and street lighting shall be required throughout townhouse and garden apartment developments. Curbs shall be concrete. Sidewalks shall be minimum of 5 feet wide concrete. Streetlights shall be spaced at no less than 200 feet intervals, with type and design approved by the Township.

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

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

K. A minimum of three off-street parking spaces shall be provided for each dwelling. Two of the parking spaces shall be designated and assigned to each townhouse,

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

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

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

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

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

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

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

R. Developments shall provide for recreational facilities and opportunities in accordance with the West Cornwall Township Recreation, Parks and Open Space Plan, and accompanying ordinance.

§27-1006. Minimum Off-Street Parking Requirements.

In addition to the requirements listed in Part 10, the off-street parking regulations of Part 21 shall apply where applicable to the uses permitted in this district.

§27-1007. Signs and Advertising Structures.

Signs shall be permitted in accordance with Part 22 of this Chapter.

§27-1008. Supplementary District Regulations.

The supplementary district regulations in Part 19 shall apply, where applicable, as additional requirements for this district.

§27-1009. Environmental Improvements and Energy Conservation Requirements.

The environmental and energy requirements in Part 20 shall apply, where applicable, as additional requirements for this district.

Part 11

R-3 - Special Purpose Residential Districts

§27-1101. Intent.

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

§27-1102. Permitted Uses.

1. All uses in the R-1 Low Density Residential District subject to the regulations of the R-3 Special Purpose Residential District, with the exception of those items classified as special exception uses in the R-1 Low Density Residential District, which shall be special exception uses in the R-3 Special Purpose Residential District.
2. Mobile home parks and subdivisions subject to the following regulations:
   A. *Scope*. All mobile home parks and subdivisions hereafter established in the R-3 District and all expansions or alterations to existing mobile home parks and subdivisions are subject to all applicable regulations of this Section.
   B. *Use of Terms*. A development subject to these regulations shall be known as a park in this Section unless specified differently in the text.
   C. *Park Size*. Each park hereafter designed shall be at least 10 acres. The park shall not be divided by any public street or alley but may contact any street or alley. Hereafter, any street or alley so contacted shall be known as a perimeter street or alley.
   D. *Density*. Each park shall have a maximum density of five mobile homes per gross acre, and no individual mobile home lot in a mobile home subdivision shall be less than 2,500 square feet.
   E. *Yard Requirements, Mobile Homes*. No mobile home shall be located at less than the following:
      (1) Fifty feet from any perimeter street line or perimeter lot line.
      (2) Thirty feet from the edge of a park street.
      (3) Twenty-five feet from any other mobile home.
      (4) Ten feet from interior side lot lines.
      (5) Twenty-five feet from interior rear lot lines.
   F. Yard Requirements, All Other Buildings. No service building or accessory building for park residents' general use shall be located at less than the following:
      (1) Fifty feet from a perimeter street line.
      (2) Fifty feet from a perimeter lot line.
      (3) Forty feet from any mobile home.

G. *Yard Requirements, Landscaping in Buffer Areas*. The 50-foot setback requirement from any perimeter street line or perimeter lot line shall be called a buffer area. Said side or rear buffer areas shall be landscaped with a screen planting and front buffer areas shall be landscaped with a perimeter planting. All required planting areas shall comply with the applicable requirements of Part 20 of this Chapter.

H. *Park Street*. A street installed exclusively for park residents' use shall have a durable surface capable of supporting residential traffic and shall conform to the following regulations:

(1) A park street shall be at least 34 feet wide for two-way traffic. A traffic pattern in the park shall allow for efficient access to all points.

(2) Each mobile home site shall be accessible from a park street.

(3) Each park shall be provided with at least two points of ingress/egress for vehicular traffic from public streets.

(4) No more than two park streets shall intersect at any one point.

(5) Park streets designated to provide parking for sites shall be widened by 8 feet on each side to be used for parking.

I. *Walkways*. A walkway with paved surface shall be installed as follows:

(1) Between each mobile home stand, as described herein, and a park street.

J. Off-Street Parking.

(1) Each mobile home site shall be provided with two parking spaces on the individual mobile home site and the spaces shall comply with Part 21 of this Chapter.

(2) Parking spaces for a given site shall be adjacent to each other.

(3) Parking spaces shall be accessible from a park street only.

K. Utility Services.

(1) Each mobile home site shall be served by a public water system and by a connection to the public sewer system.

(2) Each mobile home site shall be served by a connection to an electrical distribution system.

(3) Any transmission line within the limits of the park for telephone service, electricity, or centralized television reception shall be buried underground.

L. Common Open Space Areas.

(1) The park shall be provided with common open space areas not less than 10 percent of the gross park area; said areas shall be for the enjoyment of all park residents. These areas may include, but are not limited to, such facilities as service buildings for meeting rooms, laundromats, storage cubicles for residents either individually or collectively, playgrounds, swimming pools,

fields and courts for various organized team sports, and landscaped areas for passive recreation.

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

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

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

M. Mobile Home Site Improvements.

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

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

(3) Each mobile home shall be situated on a mobile home stand which consists of a permanent footer and foundation or permanent pier pads, in accordance with the International Residential Code, current edition.

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

(5) Landscaping for individual sites shall include at least one shade tree for every two mobile home sites and shall comply with all applicable requirements of Part 20 of this Chapter.

§27-1103. Lot Area, Building Height, and Yard Requirements.

A lot width, lot area, lot coverage, yard setback and building height requirement of not less than the dimensions shown in the following table, unless otherwise specified heretofore in this Section or §27-1102, shall be provided for every dwelling unit and/or principal nonresidential building or use erected, altered or established in this district.

District Requirements

Use	Lot Requirements			Yard Requirements		
	Min Lot Area (sq ft)	Min Lot Width	Max Lot Coverage	Front	Each Side	Rear
Nonresidential Building	3 acres	250 ft	25%	50 ft	20 ft	50 ft
Mobile Home Park	10 acres	—	25%	50 ft	50 ft	50 ft
Single-family Detached						
No public utilities	1 acre	150 ft	25%	40 ft	15 ft	30 ft

Public water or sewer	30,000 sq ft	125 ft	30%	30 ft	10 ft	25 ft
Public water or sewer	20,000 sq ft	100 ft	35%	30 ft	10 ft	25 ft

No building with the exception of farm structures shall exceed two and one-half stories or 35 feet in height unless authorized as special exception.

§27-1104. Minimum Off-Street Parking Requirements.

Off-street parking shall be provided in accordance with Part 21 of this Chapter.

§27-1105. Signs and Advertising Structures.

Signs shall be permitted in accordance with Part 22 of this Chapter.

§27-1106. Supplementary District Regulations.

The supplementary district regulations in Part 19 shall apply, where applicable, as additional requirements for this district.

§27-1107. Environmental Improvements and Energy Conservation Requirements.

The environmental and energy requirements in Part 20 shall apply, where applicable, as additional requirements for this district.

Part 12

R-4 - High Density Residential District

§27-1201. Intent.

The regulations of the R-4 High Density Residential Districts are designed to regulate development in a manner consistent with the land uses and built form of existing dense residential neighborhoods.

§27-1202. Uses Permitted By Right.

1. Single-family detached dwellings.
2. Group family dwellings subject to the conditions listed in §27-602.I of this Chapter.
3. Churches, associated parish houses, and cemeteries.
4. Public parks and public playgrounds.
5. Municipal buildings and community facilities such as police and fire protection facilities, museums, libraries, etc.
6. Indoor and outdoor educational, cultural, or recreation facilities, subject to the following conditions:
   A. A minimum lot area of 6,000 square feet.
   B. Frontage on four sides of the lot.
7. Short term rental units, subject to Supplementary District Regulations.
8. Family day care homes, as regulated §27-602.L of this Chapter.
9. Customary accessory uses and buildings incidental to any of the above permitted uses.

§27-1203. Lot Area, Yard, and Coverage Requirements

Lot dimensions, yard dimensions, and structural coverage shall meet the following dimensions:

Use	Lot Requirements			Yard Requirements				Coverage
	Min. Lot Area	Min. Lot Width	Min. Lot Depth	Front	Each side	Rear		Total all structures
Residential								
Single-family detached	480 sq ft	20 ft	24 ft	Min: 0 ft Max: 5 ft[1]	2.5 ft	5 ft[2]		85%
Group home	8,000 sq ft	80 ft	80 ft	Min: 0 ft Max: 5 ft[1]	5ft	20 ft		50%
Non-Residential	4,000 sq ft	80 ft	80 ft	Min: 0 ft Max: 5 ft[1]	5 ft	20 ft		50%

1. For lots with existing buildings on adjacent lots, front building setback shall match the average of the front setbacks of two closest adjacent buildings.
2. For lots under 500 sq ft in area with rear frontage along a commonly controlled alley between 4 ft and 10 ft wide, rear setback is 0 ft min.

§27-1204. Height Requirements

Heights and elevations of structures shall meet the following dimensions:

Principal Building Height	Principal Building Ground Floor Elevation[1]	Accessory Structure Height	Maximum Fence Height
Residential			
Min: 1.5 stories Max: 2.5 stories, 35 ft	Min: 18 in Max: 36 in	Max: 1.5 stories, 22 ft	Side or rear fences: 6 ft Front fences: 3 ft
Non-Residential			
Max: 35 ft	Max: 48 in	Max: 22 ft	Side or rear fences: 6 ft Front fences: 3 ft

1. As measured from the average elevation of the finished lot grade along the front of the building.

§27-1205. Activation Standards.

The following criteria shall apply to all principal residential structures:

1. Front entrances. A primary and functional front entrance shall face the front street and be accessed from a covered, unenclosed porch that extends across at least 50% of the front façade. The front porch shall have at least 5 ft of useable depth.
2. Fenestration. Window and door openings shall comprise a minimum of 20% of the ground floor front façade area, and 15% of upper floor front façade areas.
3. Roof Pitch. Flat roofs shall not be permitted, except as part of a Mansard roof.
4. Visual interest. Traditional vernacular architectural elements and variations in building setbacks, roof pitches, exterior materials, and use of color are encouraged.

§27-1206. Ground Cover Standards.

The following criteria shall apply:

1. Impervious Surfaces. Fully impervious surfaces shall be limited to structures and pedestrian walkways. Patios shall be constructed in a manner to allow drainage between paver elements. Driveways and parking areas shall not be paved, except with pervious paver systems which provide stormwater infiltration. Paved driveways in existence prior to the adoption of the Zoning Ordinance may be kept and maintained.
2. Tree Cover. Existing mature trees of 6 inch or greater caliper at 3ft above grade shall be retained whenever feasible. New site development shall include tree plantings that will create a canopy coverage of 70% of the lot when mature.

§27-1207. Off-Street Parking Requirements.

1. General Standards
   A. Parking spaces may be located adjacent to drivable streets, within the required front yard for lots fronting drivable streets
   B. Each required parking space shall be at least 9 ft wide by 18 ft long.
   C. Required off-street parking may be located in one or more off-site parking lots or structures, provided that all spaces are within 1000 ft of the lot.
2. Required Parking Spaces. Standards in Part 21 shall apply, except for the following unique minimum parking standards:
   A. Indoor and outdoor educational, cultural, or recreation facilities: 1 space for every 12 seats.
   B. Places of Worship: 1 space for every 12 seats.

§27-1208. Signs and Advertising Structures.

Signs shall be permitted in accordance with Part 22 of this Chapter.

§27-1209. Supplementary District Regulations.

The supplementary district regulations in Part 19 shall apply, where applicable, as additional requirements for this district. Regulations in 27-1908, concerning visibility at intersections, shall not apply due to the unique nature of the existing street grid in the R-4 district.

§27-1210. Environmental Improvements and Energy Conservation Requirements.

The environmental and energy requirements in Part 20 shall apply, where applicable, as additional requirements for this district.

Part 13

MED - Mineral Extraction Districts

§27-1301. Intent.

The Mineral Extraction District is comprised of an existing quarry area of the Township adjoining property under the same ownership in an adjoining Township where said use is permitted by special exception. While being primarily used for that purpose, this district also is used for agricultural purposes and is suitable for other uses not specifically provided for either alone or in combination in any other zoning district.

§27-1302. Permitted Uses.

1. All uses permitted in the A - Agricultural District subject to the regulations of that district, and all other uses, or combinations of uses, not specifically provided for either alone or in combination in any other zoning district shall be permitted as conditional uses subject to Part 24, as amended, if amended.
2. Surface mining of stone and other minerals provided the following conditions are met:
   A. There shall be a buffer zone of 100 feet from all adjoining lot lines upon which no mining or related activities may be conducted and which shall have constructed on it an earth berm 6 feet high and tree plantings a minimum width of 20 feet. The earth berm and tree plantings shall surround all areas in which mining and processing activities are conducted.
   B. No structure shall be erected for the processing of stone or minerals or any other purpose unless approved as a special exception pursuant to §27-2605 and the following conditions:
      (1) No structure in which processing of materials is conducted or machinery is operated shall be closer than 500 feet to any adjoining lot line. No other structure shall be closer than 200 feet to any adjoining lot line.
      (2) They do not have any adverse effect on adjacent areas with respect to smoke or dust emission, odors, noise, glare, and obstruction of view.

§27-1303. Lot Area, Building Height, and Yard Requirements.

With respect to all other uses than mining, the requirements of the Agricultural District shall apply.

§27-1304. Minimum Off-Street Parking Requirements.

Off-street parking shall be provided in accordance with Part 21 of this Chapter.

§27-1305. Signs and Advertising Structures.

Signs shall be permitted in accordance with Part 22 of this Chapter.

§27-1306. Supplementary District Regulations.

The supplementary district regulations in Part 19 shall apply, where applicable, as additional requirements for this district.

§27-1307. Environmental Improvements and Energy Conservation Requirements.

The environmental and energy requirements in Part 20 shall apply, where applicable, as additional requirements for this district.

Part 14

C-1 - Neighborhood Commercial Districts

§27-1401. Intent.

Within any large-scale residential neighborhood there exists a demand for certain commercial facilities to fulfill the daily needs of persons living therein. These demands can be met by providing conveniently located commercial districts designed to accommodate a limited range of commercial uses which would be compatible with the residential community they serve.

§27-1402. Uses Permitted By Right.

1. Single-family detached, single-family semi-detached, two-family detached, and two-family semi-detached residential uses, subject to District and Lot Requirements set forth in the R-2 Medium Density Residential District; and conversion apartments of the same.
2. Short term rental units, subject to Supplementary District Regulations.
3. Special care residential community/retirement housing, which may include assisted living facility, personal care facility, nursing and/or convalescent home, and/or limited accessory commercial uses which primarily serve residents and visitors to the community, but excluding facilities which are licensed to and have their primary purpose to provide treatment for addition, subject to the requirements listed in §27-1924.
4. Day care centers subject to the conditions listed in §27-702.15.0 of this Chapter.
5. Stores for the retailing of food, clothing, drugs, confectionery, hardware, sporting goods, household appliances, flowers, etc.
6. Personal service shops, including barbers, beauty parlors, tailors, shoe repair, dry cleaning (excluding dry cleaning plants), laundromats, florists, etc.
7. Banks, savings and loan, and finance agencies.
8. Sit down restaurants, tea rooms, cafes, and other places serving food and drink, but not including drive-in, drive-through, or fast food restaurants.
9. Business and professional offices.
10. Medical and/or dental offices or clinics and associated pharmacies.
11. Multiple commercial use complexes provided that the following conditions are met:
    A. The multiple commercial use complex shall consist of a group of two and not more than four commercial retailing uses, planned, designed and constructed as one principal structure. Each commercial establishment within the complex shall share at least one party wall with another establishment.
    B. The gross floor area of the complex shall not exceed 6,000 square feet of area.
12. Customary accessory uses and buildings incidental to any of the above permitted uses as provided for in Part 19 of this Chapter.

§27-1403. Performance Required.

1. In order for any of the above listed uses to be permitted, they must be non- objectionable in terms of smoke or dust emission, odors, noise, heat, vibration, visual impact or glare, and shall not be injurious or have an adverse effect on adjacent areas or the Township as a whole. Should the Zoning Officer require additional information in order to make a determination concerning the above-mentioned dangers, the applicant shall provide said information to the Zoning Officer as a part of the permit application.
2. Furthermore, since the Neighborhood Commercial District is located in close proximity to residential areas, all construction and remodeling in the district shall be designed to fit harmoniously with these residential uses, and shall include environmental improvements (landscaping) as required by Part 20 of this Chapter.

§27-1404. Lot Area, Building Height, and Yard Requirements.

A lot width, lot area, lot coverage, yard setback, and building height requirement of not less than the dimensions shown in the following table, unless otherwise specified heretofore in this Section or §27-1402, shall be provided for every principal nonresidential building or use erected, altered, or established in this district.

District Requirements

Use	Lot Requirements			Yard Requirements		
	Min Lot Area (sq ft)	Min Lot Width	Max Lot Coverage	Front	Each Side	Rear
Special Care Residential Community/ Retirement Housing Development*	5 acres	80 ft	60%	25 ft	10 ft	25 ft
Nonresidential Use						
No public utilities	1 acre	125 ft	20%	40 ft	10 ft	25 ft
Public water or sewer	20000	100 ft	30%	30 ft	10 ft	25 ft
Public water and sewer	10000	80 ft	60%	30 ft	10 ft	25 ft

* Individual buildings and dwellings within a Special Care Residential Community/Retirement Housing Development need not separately comply with these requirements. The requirements apply to the development as a whole, and the perimeter yards. Individual buildings and/or dwellings shall provide separation of 10 feet for each story of the taller of the adjacent buildings.

A. Where a side or rear yard adjoins a residential district, said yard shall be no less than 20 feet in width and shall be designated as buffer area and landscaped in accordance with Part 20 of this Chapter, except in the case where the abutting property is already developed with a non-residential use, in which case said yard may be as established in the District Requirements table set forth above. Said yard shall still be landscaped per Part 20 of this Chapter.

B. No building without sprinkler fire suppression systems, with the exception of farm structures, shall exceed two and one-half stories or 35 feet in height unless

authorized as special exception. Buildings equipped with sprinkler fire suppression systems shall not exceed three and one-half stories or 45 feet in height unless authorized as a special exception.

§27-1405. Off-Street Parking Requirements.

Off-street parking shall be provided for in accordance with Part 21 of this Chapter.

1. Off-street parking may be permitted in any required yard, provided that no impermeable surface shall be placed within 5 feet of any adjoining property line or street or road right-of-way line.
2. Parking areas must be located at least 10 feet from an abutting Residential District boundary, unless the abutting property is already developed as a non-residential use, in which case the other requirements of this Chapter shall apply. This setback shall be landscaped and/or fenced to provide a year-round visual barrier from the Residential District.
3. Each business use established or expanded after the date of adoption of this Chapter shall provide off-street loading and unloading space at the side or rear of the building in accordance with §27-2109 of this Chapter.

§27-1406. Signs and Advertising Structures.

Signs shall be permitted in accordance with Part 22 of this Chapter.

§27-1407. Supplementary District Regulations.

The supplementary district regulations in Part 19 shall apply, where applicable, as additional requirements for this district.

§27-1408. Environmental Improvements and Energy Conservation Requirements.

The environmental and energy requirements in Part 20 shall apply, where applicable, as additional requirements for this district.

Part 15

C-2 - General Commercial Districts

§27-1501. Intent.

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

§27-1502. Uses Permitted By Right.

1. Medical, dental, and veterinary clinics, laboratories, and associated pharmacies.
2. Stores for the retailing of food, clothing, drugs, confectionery, hardware, food, sporting goods, household appliances, flowers, and other consumer goods.
3. Personal service shops, including barbers, beauty parlors, tailors, shoe repair, dry cleaning (excluding dry cleaning plants), laundromats, florists, etc.
4. Banks, savings and loan, and finance agencies.
5. Business and professional offices.
6. Private, membership, or social clubs, including those serving food or drink.
7. Sit down restaurants, tea rooms, cafes, and other places serving food and drink, but not including drive-in, drive-through, or fast food restaurants.
8. Nurseries and commercial greenhouses.
9. Indoor amusement enterprises, such as theaters, arenas, bowling alleys, dance halls, and other recreation or entertainment establishments, less than 20,000 square feet in gross floor area.
10. Messenger, dispatch, express, and courier services.
11. Taxi and bus passenger stations, and transfer trucking facilities.
12. Mortuary and undertaking establishments.
13. Printing and publishing firms.
14. Contractor shops for plumbers, HVAC, electricians, painting, etc.
15. Automobile washes, self-wash or automatic.
16. Automobile repair garages, subject to the following regulations:
    A. No repair work shall be performed out of doors.
    B. All automotive parts, dismantled and derelict vehicles, and similar articles shall be stored only within an enclosed building.
    C. The use and storage of all flammable and combustible liquids shall comply with the requirements set forth by the Fire Marshal Division of the Pennsylvania State

Police, based on 37 Pa.Code, Chapters 11 and 13, and the following requirements, whichever are greater:

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

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

D. Automotive vehicles without valid, current license plates, and/or State inspection shall be restricted according to Part 19 of this Chapter.

17. Automobile body shops provided that the following conditions are met:

A. All work shall be conducted indoors.

B. Paint booths shall be adequately filtered and vented to minimize exhaust of noxious fumes.

C. Flammable and/or combustible materials shall be stored within a fireproof enclosure within the principal structure or within an accessory building located no less than 50 feet from any lot line.

D. Outdoor storage of auto parts or equipment shall not be permitted at any time.

18. Customary accessory uses and buildings incidental to any of the above permitted uses as provided for in Part 19 of this Chapter.

19. All other uses which in the opinion of the Zoning Officer are similar to the above uses and in harmony with the intent of the regulations for this district. When a proposed use is not sufficiently similar to enable the Zoning Officer to make a ruling, the Zoning Hearing Board shall make a determination as authorized in Part 26 of this Chapter.

§27-1503. Uses Permitted with a Special Exception Approval.

Upon approval by the Zoning Hearing Board, the following special exception uses are permitted, provided the use complies with the conditions listed herein, other applicable regulations, and the requirements specified in Part 26 of this Chapter.

1. Hotels and motels.
2. Hospitals.
3. Drive-in, drive-through, or fast food restaurant facilities.
4. Shopping centers or similar complexes with multiple principal commercial uses provided that the following conditions are met:

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

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

Total Gross Floor Area	Minimum Lot Area Required
0-20,000 sq ft	1 acre
20,001-40,000 sq ft	2 acres
Greater than 40,000 sq ft	2 acres plus 1 acre for each 15,000 sq ft (or fraction thereof) in excess of the initial 40,000 sq ft of floor area.

C. Such use shall comply in all respects with the lot width, lot coverage, yard and building height requirements of this Chapter.

5. Indoor amusement enterprises, such as theaters, arenas, bowling alleys, dance halls, and other recreation or entertainment establishments, equal to or greater than 20,000 square feet in gross floor area.
6. Camping or RV resorts.
7. Automobile dealers.
8. Automobile fueling stations with or without accessory convenience stores, subject to the following regulations:
   A. The use and storage of all flammable and combustible liquids shall comply with the requirements set forth by the Fire Marshal Division of the Pennsylvania State Police, based on 37 Pa.Code, Chapters 11 and 13, and the following requirements, whichever are greater:
      (1) All gasoline and petroleum pumps shall be located outside of buildings, no less than 35 feet from any road right-of-way line or lot line.
      (2) All fuel, oil, or similar combustible petroleum products storage tanks shall be located underground at least 35 feet from any road right-of-way line or lot line.

§27-1504. Performance Required.

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

§27-1505. Lot Area, Building Height, and Yard Requirements.

A lot area, lot width, lot coverage, yard depth, and building height satisfying the requirements of the following table, unless otherwise specified heretofore in §27-1502, shall be provided for

every commercial use and/or principal nonresidential building or use hereafter erected, altered, or established in this district

District Requirements

Lot Requirements			Yard Requirements			
Min. Lot Area (sq. ft.)	Min. Lot Width	Max. Lot Coverage	Front	One Side	Total Sides	Rear
1 acre	200 ft	50%	50 ft	20 ft	40 ft	40 ft

A. Where a side or rear yard adjoins a residential district, said yard shall be no less than 50 feet in width and shall be designated as a buffer yard and landscaped in accordance with Part 20 of this Chapter.

B. No building without sprinkler fire suppression systems, with the exception of farm structures, shall exceed two and one-half stories or 35 feet in height unless authorized as special exception. Buildings equipped with sprinkler fire suppression systems shall not exceed three and one-half stories or 45 feet in height unless authorized as a special exception.

§27-1506. Minimum Off-Street Parking Requirements.

Off-street parking and loading shall be provided in accordance with Part 21 of this Chapter.

A. Parking areas may be included in 50 percent of the required yards of the C-2 District except where they adjoin a residential district. All yards shall be appropriately landscaped and maintained in accordance with Part 20 of this Chapter.

B. Each business use established or expanded after the date of adoption of this Chapter shall provide off-street loading and unloading space at the side or rear of the building in accordance with Part 21 of this Chapter.

§27-1507. Signs and Advertising Structures.

Signs shall be permitted in accordance with Part 22 of this Chapter.

§27-1508. Supplementary District Regulations.

The supplementary district regulations in Part 19 shall apply, where applicable, as additional requirements for this district.

§27-1509. Environmental Improvements and Energy Conservation Requirements.

The environmental and energy requirements in Part 20 shall apply, where applicable, as additional requirements for this district.

§27-1510. Specific Performance Criteria.

A. Unless waived by the governing body, a traffic plan for any proposed use shall be required to be submitted to the governing body of review and approval, preferably with the land development plan, as a prerequisite for the approval of any use or the

issuance of a building and zoning permit. The traffic plan shall restrict vehicular traffic to and from the proposed use to major collectors or arterial roads where there is direct access to such roads. If there is no direct access to major collectors or arterial roads such that the only access is to local roads, then the approval of the governing body is required to access the local roads, which approval may be conditioned upon improvements or limitations imposed by the governing body. In making its decision with regard to any such conditions or limitations, the governing body shall consider the health, safety and welfare of the public including, without limitation, the impact on pedestrians and other non-vehicular traffic, bridges, existing parking and school bus stops on the impacted local roads.

B. All uses which include twenty-five (25) or more residential dwelling units, or multi-family uses which are designed to house more than fifty (50) persons shall have two (2) points of vehicular ingress and egress, one of which shall be fully paved and shall be designed to provide full-time, primary access onto a public street accessible by all emergency and service vehicles, and the other which shall be separated by at least one-hundred (100) feet, which may be compacted stone or macadam paving and which may be designed to provide temporary or emergency access to a public street.

Part 16

M - Manufacturing Districts

§27-1601. Intent.

The M - Manufacturing District, as delineated, includes current industrial sites plus additional acreage to encourage the establishment of new uses which would constitute a harmonious and appropriate blend of development with the surrounding agricultural and residential areas of the Township. In order to protect existing and proposed development within the Township, the following uses shall be permitted, provided that the performance standards listed in §27-1603 of this Chapter can be met. These standards are designed to mitigate any adverse impacts which such industrial activity may have upon the remainder of the Township.

§27-1602. Conditional Uses.

The following is a list of uses and/or activities which may be permitted within this district provided that the performance standards listed in §27-1603 can be satisfied:

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

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

C. Warehousing and wholesaling establishments and storage facilities, not including junkyards or recycling centers. All storage yards shall be completely enclosed by a screen planting as provided for in Part 20 of this Chapter and backed by a solid fence not less than 6 feet in height.

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

E. Communication facilities requiring transmission antennas, radio or television stations, satellite earth stations, and similar uses provided that the following conditions are met:

(1) All communication equipment, including antennas and their associated structures or supports, shall meet principal building/structure setbacks and maximum height limitations and shall not be located in required buffer areas.

(2) All ground-mounted antennas shall be completely enclosed by a minimum 6-foot high fence.

(3) Antennas and their associated structures or supports shall be neutral in color and shall not contain or be a part of any form of advertising message or sign.

(4) Radiation emissions from communications equipment associated with the above uses shall not be detectable at or beyond the property line.

(5) The property owner or applicant establishes it is not feasible to co-locate the proposed facilities on an existing tower or other structure.

F. Automobile body shops, repair garages, and gasoline stations provided that the following conditions are met:

(1) In addition to compliance to the requirements of §27-1919 of this Chapter, any other flammable and/or combustible materials associated with the automobile body shop use shall be stored within a fireproof enclosure within the principal structure or within an accessory building located no less than 50 feet from any lot line or 75 feet from any road right-of-way line.

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

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

(4) Automotive vehicles without valid, current license plates, and/or State inspection shall be restricted according to §27-1920 of this Chapter.

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

G. Customary accessory uses and buildings incidental to any of the above permitted uses. Any incidental storage yard accessory to any permitted use shall be completely enclosed by a screen planting as provided for in Part 20 of this Chapter and backed by a solid fence not less than 6 feet in height.

H. Upon approval by the Zoning Hearing Board, the following special exception uses are permitted provided that the use complies with the performance standards listed in §27-1603 of this Chapter, the applicable requirements specified in Part 26 of this Chapter and the following conditions are met:

(1) Automobile recycling and junkyards used for storage, wrecking, and converting used or discarded materials provided that the following conditions are met:

(a) Minimum lot area of 10 acres shall be provided.
(b) Such use shall be completely enclosed by a dense screen planting as provided for in Part 20 of this Chapter and backed by a solid fence not less than 6 feet in height.
(c) If the facility is located within 500 feet of residentially zoned property, it shall not be in operation between 7 p.m. and 7 a.m., Monday through Saturday, or all-day Sunday.

(2) Recycling collection or processing facilities provided that the following conditions are met:

(a) Facility shall be screened from the public right-of-way by operation in an enclosed building or the facility shall be:

1) Within an area enclosed by an opaque fence at least 6 feet in height with landscaping.

2) At least 150 feet from residentially zoned property.

3) In compliance with all applicable noise standards for the district.

(b) The site shall be maintained free of litter and any other undesirable materials and shall be cleaned of loose debris on a daily basis.
(c) If the facility is located within 500 feet of residentially zoned property, it shall not be in operation between 7 p.m. and 7 a.m., Monday through Saturday, or all-day Sunday.
(d) Any container provided for afterhours donation of recyclable materials shall be at least 100 feet from any residentially zoned property, shall be of sturdy rustproof construction, shall have sufficient capacity to accommodate materials collected, and shall be secure from unauthorized entry or removal of materials.
(e) The entrance to the facility shall be clearly marked with the name and phone number of the facility operator and the hours of operation.
(f) Space shall be provided on site for the anticipated peak load of customers to circulate, park and deposit recyclable materials, If the facility is open to the public, off-street space shall be provided for a minimum of 10 customers or the peak load, whichever is higher.
(g) One off-street parking space shall be provided for each commercial vehicle operated by the recycling facility. Parking requirements shall otherwise be as required by Part 21 of this Chapter.

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

(a) All principal and accessory buildings, storage areas, scales, distribution areas and parking facilities shall be a minimum of 100 feet from any lot line or road right-of-way line.
(b) If the facility is located within 500 feet of residentially zoned property, it shall not be in operation between 7 p.m. and 7 a.m., Monday through Saturday, or all-day Sunday.

§27-1603. Performance Standards.

In order for any of the above listed uses to be permitted, they must be non-objectionable in terms of smoke or dust emission, odors, noise, heat, vibration, visual impact or glare, and shall not be injurious or have an adverse effect on adjacent areas or the Township as a whole. Should the Zoning Officer require additional information in order to make a determination concerning the above-mentioned dangers, the applicant shall provide said information to the Zoning Officer as a part of the permit application. No use and/or activity shall be established, expanded, reconstructed or relocated in the M - Manufacturing District unless and until certification is provided to the Zoning Officer satisfactorily demonstrating compliance to the performance standards of this Section. Certification shall consist of approvals through State or Federal permitting authorities, reports, or analyses by private consultants, engineers, etc., or other acceptable sources. In addition to the specific performance standards stated herein, the governing body may impose, through the conditional use procedures, other reasonable standards and conditions to protect the health, safety, and welfare of the Township.

§27-1604. Lot Area, Building Height, and Yard Requirements.

A lot width, lot area, lot coverage, yard setback and building height requirement of not less than the dimensions shown in the following table, unless otherwise specified heretofore in this Section, §27-1602 or §27-1603, shall be provided for every principal or accessory industrial use and/or principal or accessory nonresidential building or use erected, altered, or established in this district.

District Requirements

Use	Lot Requirements			Yard Requirements		
	Min Lot Area (sq ft)	Min Lot Width	Max Lot Coverage	Front Side	Each	Rear
Nonresidential Building	2 acres	250 ft	35%	100 ft	50 ft	50 ft

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

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

C. The height of any main or accessory building or structure shall not exceed 35 feet if not equipped with sprinkler fire suppression system, or 45 feet if equipped with sprinkler fire suppression system, except that chimneys, flagpoles, water tanks, and other mechanical appurtenances may be built to a height not exceeding 75 feet above the finished grade when erected upon or as an integral part of the building.

§27-1605. Minimum Off-Street Parking Requirements.

Off-street parking shall be provided for in accordance with Part 21 of this Chapter.

§27-1606. Signs and Advertising Structures.

Signs shall be permitted in accordance with Part 22 of this Chapter.

§27-1607. Supplementary District Regulations.

The supplementary district regulations in Part 19 shall apply, where applicable, as additional requirements for this district.

§27-1608. Environmental Improvements and Energy Conservation Requirements.

The environmental and energy requirements in Part 20 shall apply, where applicable, as additional requirements for this district.

§27-1609. Specific Performance Criteria.

A traffic plan for the facility may be required to be filed, preferably with the land development plan, for approval prior to the issuance of a building and zoning permit, said plan shall restrict vehicular traffic to and from the facility to major collectors or arterials where possible. If local, residential roads are to be utilized, approval must be granted by the Township.

Part 17

GFP - General Floodplain District

SECTION 1701 - INTENT - These regulations are designed to prohibit or restrict construction of any permanent building or structure. or uses and activities in the Special Flood Hazard Area (SFHA), in order to prevent unnecessary loss of life or property from possible natural catastrophe, as well as to protect stream valleys from ecologically detrimental development that may contribute to a water pollution problem, create erosion in and around watercourses, and induce flooding conditions. In addition, these provisions are intended to prevent the creation of health, welfare, and safety hazards, the extraordinary and unnecessary expenditure of public funds for flood protection and relief, to minimize future flood damage, and comply with federal and state floodplain management requirements.

SECTION 1702 - DEFINITION OF TERMS UTILIZED IN THE SFHA

A. Accessory Use or Structure — A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.

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

C. Base Flood — A flood which has a one percent (1%) chance of being equaled or exceeded in any given year (also called the "100-year flood).

D. Base Flood Elevation (BFE) - The elevation shown on the Flood Insurance Rate Map (FIRM) for Zones AE, All, A1-30 that indicates the water surface elevation resulting from a flood that has a one percent (1°A) or greater chance of being equaled or exceeded in any given year.

E. Basement — Any area of the building having its floor below ground level on all sides.

F. Building — A combination of materials to form a permanent structure having walls and a roof. Included shall be all manufactured homes and trailers to be used for human occupancy.

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

H. Development — Any man-made change to improved or unimproved real estate, including but not limited to the construction, reconstruction, renovation, repair, expansion, or alteration of buildings or other structures; the placement of manufactured homes; streets,

and other paving; utilities; filling, grading and excavation; mining; dredging; drilling operations; storage of equipment or materials; and the subdivision of land.

I. Existing Manufactured Home Park or Subdivision — A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

J. Expansion to an Existing Manufactured Home Subdivision - The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

K. Flood — A general and temporary inundation of normally dry land areas by water from waterway
overflows or the unusual and rapid accumulation or runoff of surface waters from any source.

L. Flood Insurance Rate Map (FIRM) - The official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

M. Flood Insurance Study (FIS) — The official report provided by the Federal Emergency Management Agency that includes flood profiles, the Flood Insurance Rate Map, the Flood Boundary and Floodway Map, and the water surface elevation of the base flood.

N. Floodplain Area — A relatively flat or low land area which is subject to partial or complete inundation from an adjoining or nearby stream, river or watercourse; and/or any area subject to the unusual and rapid accumulation of surface waters from any source.

O. Floodproofing — Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

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

Q. Highest Adjacent Grade — The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

R. Historic Structure — Any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Dept. of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

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

S. Lowest Floor — The lowest floor of the lowest fully enclosed area (including basements). An unfinished flood resistant partially enclosed area, used solely for parking of vehicles, building access and incidental storage, in an area other than a basement area is not considered the lowest floor of a building, provided that such space is not designed and built so that the structure is in violation of the applicable non-elevation design requirements of this ordinance.

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

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

V. Market Value — For the purposes of this Ordinance, shall be determined utilizing the market value established by the Lebanon County Tax Assessment Office.

W. Minor Repair — The replacement of existing work with the equivalent materials for the purpose of its routine maintenance and upkeep, but not including the cutting away of any wall, Partition or portion thereof, the removal or cutting of any structural beam or bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the exit way requirements; nor shall minor repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain, leader, gas, oil, waste, vent, or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

X. New Construction — Structures for which the start of construction commenced on or after June 5, 2012 and indicates any subsequent improvements to such structures. Any construction started after December 17, 1979 and before June 5, 2012 is subject to the ordinance in effect at the time the permit was issued, provided the start of construction was within ninety (90) days of permit issuance.

Y. New Manufactured Home Park or Subdivision — A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the

manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the floodplain management regulations adopted by a community.

Z. Person — An individual, partnership, public or private association or corporation, firm, trust, estate, municipality, governmental unit, public utility or any other legal entity whatsoever, which is recognized by law as the subject of rights and duties.

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

BB. Regulatory Flood Elevation — The base flood elevation (BFE) plus a freeboard safety factor of two (2) feet_

CC. Special Flood Hazard Area ISFHA) — means an area in the floodplain subject to a one percent (1%) or greater chance of flooding in any given year. It is shown on the FIRM as Zones A, AO, Al -30, AE, A99, or All

DD. Start of Construction — Includes substantial improvement and other proposed new development and means the date the permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within ninety (90) days from the date of the permit and shall be completed within two (2) years after the date of issuance of the permit unless a time extension is granted, in writing, by the Floodplain Administrator. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slabs or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling, nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not as part of the main structure. For a structure without a basement or poured footings, the "start of construction" includes the first permanent framing or assembly of the structure or any part thereof on its piling or foundation. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

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

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

GG. Substantial Improvement - Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage" regardless of the actual repair work performed. The term does not, however include any project for the improvement of a structure to correct existing violations of the state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions.

Historic structures undergoing repair or rehabilitation that would constitute a substantial improvement as defined in this ordinance, must comply with all ordinance requirements that do

not preclude the structure's continued designation as a historic structure. Documentation that a specific ordinance requirement will cause removal of the structure from the National Register of Historic Places or the State Inventory of Historic Places must be obtained from the Secretary of the Interior of the State Historic Preservation Officer. Any exemption from the ordinance requirements will be the minimum necessary to preserve the historic character and design of the structure.

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

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

II. II. Uniform Construction Code (UCC) — The statewide building code adopted by The Pennsylvania General Assembly in 1999 applicable to new construction in all municipalities whether by the municipality, a third party, or the Department of Labor and Industry. Applicable to residential and commercial buildings. The Code adopted the International Residential Code (IRC) and the International Building Code (IBC), by reference, as the construction standard applicable with the State floodplain construction.

For coordination purposes, references to the above are made specifically to various sections of the IRC and the IBC.

JJ. JJ. Violation — Means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in 44 CFR §60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

SECTION 1703 - DELINEATION OF DISTRICTS The Special Flood Hazard Area (SFHA) shall include all areas of this municipality subject to inundation by flood waters of the Base Flood. The basis for the delineation of the SFHA shall be the Flood Insurance Study (FIS) and the accompanying Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) (dated June 5, 2012 or the most recent revision thereof). The above referenced FIS and FIRMs, and any subsequent revisions and amendments are hereby adopted by the municipality and declared to be part of this ordinance.

The A Area/District shall be those areas of the municipality identified as an A Zone on the FIRM included in the FIS prepared by FEMA and for which no one-percent (1%) annual chance flood

elevations have been provided. The actual elevation and extent of the district is to be determined by the Base Flood Elevation. In order to determine the Base Flood elevation, the following variety of sources of data shall be used:

A. All digital data developed as part of the Flood Insurance Study,

B. Alluvial Soil Maps prepared by the U. S. Soil Conservation Service,

C. Local data from the 1972 flood,

D. Army Corps of Engineers — Flood Plain Information Reports,

E. U. S. Geological Survey — Flood Prone Quadrangles, and

F. Other available studies and sources of flood plain information.

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

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

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

The identified floodplain area may be revised or modified by the municipal governing body where studies or information provided by a qualified agency or person documents the need for such revision. However, prior to any such change, approval must be obtained from FEMA. Additionally, as soon as practicable, but not later than six (6) months after the date such information becomes available; a community shall notify FEMA of the changes by submitting technical or scientific data.

SECTION 1704 - DISTRICT PROVISIONS All uses, activities, construction, including manufactured homes, and other development occurring within the SFHA - A Zones shall be undertaken only in strict compliance with the provisions of this Ordinance and all other applicable state and federal codes, ordinances and requirements including, but not limited to, the Uniform Construction Code (UCC) and the Lebanon County Subdivision and Land Development Ordinance.

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

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

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

A. Permitted Uses — In the SFHA — A Zones no development, including manufactured homes, shall be permitted except where it can be demonstrated through hydrologic and hydraulic analysis performed in accordance with standard engineering practice that the effect proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge. The following uses and activities are permitted provided that (1) the information required in Section 1814 of this Ordinance is submitted as a part of the permit application, (2) they are in compliance with the provisions of the nearest zoning district, (3) they will not result in any increase in the level of the Base Flood anywhere, (4) they are not prohibited by this or any other ordinance, (5) they do not require the placement or use of permanent on-lot sewage facilities within

the SFHA, and (6) they do not require manufactured homes, encroachments, new construction, substantial improvements, fill, vehicles or parts thereof, or other development except as outlined below:

1. Agricultural uses such as general farming, horticulture, truck gardening, nurseries, pasturing, grazing, forestry, sod farming and wild crop harvesting.
2. Public and private recreational uses and activities such as parks; picnic grounds; areas for short term camping or recreational vehicle uses; golf courses, boat launching and swimming areas; hiking, bicycling, and horseback riding trails; wildlife and nature preserves; game farms; fish hatcheries; shooting ranges and shooting preserves; and hunting and fishing areas. Open structures such as picnic pavilions, consisting of a slab, open structural supports such as posts and pillars, and a roof shall be permitted only if constructed in compliance with the Uniform Construction Code (UCC).
3. All uses and open structures customarily accessory to permitted uses in the nearest adjoining district such as yard areas, gardens, or play areas; signs, unroofed porches, patios, open porches or carports provided that said structures are not enclosed by screening, latticing, studs, or structural supports less than eight (8) feet apart which would in any manner restrict the flow of flood water and debris and are in compliance with the applicable requirements of the Uniform Construction Code (UCC); impervious parking and loading areas; and airport landing strips. Accessory structures shall not include manufactured homes, vehicles or parts thereof.
4. Utilities, public facilities and improvements such as railroads, streets, bridges, transmission lines, pipelines, water and sewage treatment plants, and other similar or related uses.
5. Water-related uses and activities such as marinas, docks, wharves, piers, etc.
6. Extraction of sand, gravel, and other materials.
7. Storage of materials and equipment provided that they .are not buoyant; toxic to humans, animals, or vegetation; flammable or explosive, and are not subject to major damage by flooding; or provided that such material and equipment is firmly anchored to prevent flotation or movement; and/or can be readily removed from the area within the time available after flood warning.

B. PROHIBITED USES — In the SFHA — A Zones the following uses and activities are strictly prohibited:
   1. Hospitals, sanitariums, sanatoriums, clinics, etc., whether public or private.
   2. Public or private nursing homes.
   3. Jails or prisons.
   4. Public or private schools or institutions of higher education.
   5. New manufactured home parks and manufactured home subdivisions and substantial improvements to existing manufactured home parks.

6. Any new or substantially improved structure which will be used for the production or storage of any materials which are toxic, flammable or explosive or which will be used for any activity requiring the maintenance of a supply of more than 550 gallons of such materials or any amount of radioactive substances.
7. Any other use, activity, or development not specifically permitted under the terms of this article.

SECTION 1705 - FLOOD DAMAGE CONTROL REGULATIONS

A. Basements and First Floors
   1. All new construction (including manufactured homes) and substantial improvements (including manufactured home) of residential structures must have the lowest floor (including basements) constructed at or above an elevation of two (2) feet above the Base Flood Elevation. Additionally, manufactured homes shall be placed on a permanent foundation, anchored to resist floatation, collapse, or lateral movement.
   2. All new construction and substantial improvements of non-residential structures must have the lowest floor (including basements) constructed at or above an elevation of two (2) feet above the Base Flood elevation: or together with attendant utility and sanitary facilities, be floodproofed to an elevation of two (2) feet above the Base Flood Elevation in accordance with the following:
      a. Plans showing details of all floodproofing measures, prepared by a registered professional engineer or architect, and showing the size of the proposed structure and its relation to the lot where it is to be constructed.
      b. A determination of elevations of existing ground, proposed finished ground, lowest floor level, and floodproofing limits; certified by a registered professional engineer, surveyor, or architect.
      c. A certificate prepared by the registered professional or architect who prepared the plans in (1) above, that the structure in question, together with attendant utility and sanitary facilities, is designed so that; (1) below an elevation of two (2) feet above the Base Flood Elevation the structure is watertight, with walls substantially impermeable to the passage of water, (2) the structure will withstand the hydrostatic, hydrodynamic, buoyant, impact, and other forces resulting from the flood depths, velocities, pressures, and other factors associated with the Base Flood.

B. Electrical, Mechanical, and Plumbing Systems
   1. All electric water heaters, electric furnaces, electric air conditioning and ventilating systems, and other critical electrical installation shall be permitted only at elevations of two (2) feet above the Base Flood Elevation.
   2. No electrical distribution panels shall be allowed at an elevation less than two (2) feet above the Base Flood elevation.
   3. Water heaters, furnaces, and other critical mechanical installations shall be permitted only at elevations of two (2) feet or more above the Base Flood Elevation.

C. Space Below The Lowest Floor

1. Fully enclosed space below the lowest floor (excluding basements) which will be used solely for parking of a vehicle, building access, or incidental storage in an area other than a basement, shall be designed and constructed to allow the automatic entry and exit of floodwaters for the purpose of equalizing hydrostatic forces on exterior walls. The term "fully enclosed space" also includes crawl spaces.
2. Designs meeting this requirement must either be certified by a registered professional engineer or architect, or meet or exceed the following criteria: (a) a minimum of two openings having a net total area of not less than one (1) square inch for every square foot of enclosed space; (b) the bottom of all openings shall be no higher than one (1) foot above grade; (c) openings may be equipped with screens, louvers, etc. or other coverings or devices provided that they may permit the automatic entry and exit of floodwaters.

D. Additionally, all new construction (including manufactured homes) and substantial improvement (including manufactured home) of residential and non-residential structures shall comply with all applicable requirements of the Uniform Construction Code (UCC).

SECTION 1706 - ADDITIONAL SAFEGUARDS

A. No new construction or development shall be located within a designated floodway. Where the floodway has not been specifically identified for a stream or waterway, no new construction or development shall be permitted within the stream channel (from top of bank to top of bank). Furthermore, construction or development outside the stream banks but within the SFHA shall be permitted only when in compliance with this Ordinance and Pennsylvania Department of Environmental Protection permit requirements.

B. No part of any private on-lot sewage disposal system shall be constructed within the SFHA.

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

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

E. All buildings and structures, including manufactured homes, shall be constructed and placed on the lot so as to offer the minimum obstruction to the flow of water and shall be designed to have a minimum effect upon the flow and height of flood water.

F. The following shall not be placed or caused to be placed in any of the designated SFHA: Fences, except two-wire fences, other structures, or other matter which may impede, retard, or change the direction of the flow of water, or that will catch or collect debris carried by such water, or that is placed where the natural flow of the stream of flood waters would carry the same downstream to the damage or detriment of either public or private property adjacent to the floodplain.

G. Recreational vehicles to be placed within any SFHA shall be on the site for fewer than one-hundred, eighty (180) consecutive days and fully licensed and ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect utilities and security devices, and has no permanent foundation or attached additions.

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

1. Fill shall extend beyond a structure for a sufficient distance to provide acceptable access. For residential structures, fill shall extend laterally fifteen (15) feet beyond the building line from
2. all points. For non-residential structures, fill shall be placed to provide access acceptable for the intended use. At grade access, with fill extending laterally fifteen (15) feet beyond the building line, shall be provided to a minimum of twenty-five (25%) percent of the perimeter of a non-residential structure.
3. Fill shall consist of soil or small rock materials only. Sanitary landfills shall not be permitted.
4. Fill material shall be compacted to provide the necessary permeability and resistance to erosion, scouring, or settling.
5. Fill slopes shall be no steeper than one (1) vertical on two (2) horizontal, unless substantiating data justifying steeper slopes are submitted to and approved by the Floodplain Administrator.
6. Fill shall be used only to the extent to which it does not adversely affect adjacent properties.
7. Use of fill shall be permitted only when the property owner or applicant provides a document acceptable by the Floodplain Administrator, certified by a registered professional engineer, stating that the cumulative effect of the proposed fill, in conjunction with the other anticipated development, will not result in an increase in the water surface elevation of the Base Flood at any point.

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

J. The placement of any manufactured home in the SFHA is prohibited except as a replacement unit in an existing manufactured home park or an existing manufactured home subdivision. Said replacement units and any substantial improvements thereto shall comply with Section 1605 of this Ordinance and be placed on a permanent foundation: elevated so that the lowest floor of the manufactured home is at least two (2) feet above the Base Flood Elevation; anchored to resist flotation, collapse, or lateral movement; and comply with the Uniform Construction Code (UCC).

SECTION 1707 - FACTORS TO BE CONSIDERED BY THE ZONING HEARING BOARD WHEN REVIEWING VARIANCES In reviewing applications for Special Exceptions and Variances, the Zoning Hearing Board shall consider and shall apply all relevant factors specified in this Ordinance, in the Pennsylvania Municipalities Planning Code, and other ordinances and shall apply all of the following factors:

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

B. The danger that materials may be swept onto other lands or downstream to the injury of others.

C. The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination, and unsanitary conditions.

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

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

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

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

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

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

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

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

L. No variance shall be granted to allow either in whole or in part any prohibited use listed in Section 1604(B) of this Ordinance.

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

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

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

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

Q. Variances shall not be granted which result in any increase in the Base Flood Elevation.

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

    1. Increased insurance premium rates will result, and

2. Construction occurring below the Base Flood Elevation will increase risks to life and property.

S. Other factors which are relevant to the purpose of this Ordinance.

SECTION 1708 - NONCONFORMITIES A structure, or use of a structure or land which lawfully existed before the enactment of these provisions, but which is not in conformity with these provisions, may be continued subject to the following:

A. Existing nonconforming structures or uses located in the SFHA — A Zones:

1. Shall not be moved, replaced or substantially improved, but may be modified, altered, or repaired to incorporate all applicable floodproofing measures as per Section 1605 of this Ordinance and the Uniform Construction Code (UCC) provided that such measures and elevation techniques do not raise the level of the Base Flood.

2. May be expanded or enlarged, but not substantially improved, provided that said expansion or enlargement (a) does not exceed 25% of the area of the first floor of the structure existing at the effective date of a floodplain management regulation adopted by the municipality, (b) is not constructed below the existing first floor elevation, and (c) complies with all applicable floodproofing requirements of Section 1605 of this Ordinance and the Uniform Construction Code (UCC). Plans for the above-mentioned expansion or enlargement shall be accompanied by a side profile of the existing and proposed structures and shall indicate existing grade, floor elevations, use of fill, etc.

B. If any nonconforming structure or use, including manufactured homes, located in the SFHA — A Zone is demolished, removed, or destroyed by any means, including floods, to an extent of fifty percent (50%) or more of the market value of the structure, it shall not be reconstructed, replaced, or continued except in conformity with the provisions of this Ordinance, Section 1605 of this Ordinance, the Uniform Construction Code (UCC) and any other applicable ordinance.

SECTION 1709 - LOT AREA, YARD AND SIGN REQUIREMENTS The lot area, yard, sign and other district requirements of the land in question shall be the same as the district requirements of the nearest zoning district.

SECTION 1710 - DESIGNATION OF THE FLOODPLAIN ADMINISTRATOR The Zoning Officer is hereby appointed to administer and enforce this Ordinance and is referred to as the Floodplain Administrator.

SECTION 1711 - DUTIES OF THE FLOODPLAIN ADMINISTRATOR

A. The Floodplain Administrator shall issue a permit only after it has been determined that the proposed work to be undertaken will be in conformance with the requirements of this and all other applicable codes and ordinances.

B. During the construction period, the Floodplain Administrator or other authorized official shall inspect the premises to determine that the work is progressing in compliance with the information provided on the permit application and with all applicable municipal laws and ordinances. He/she shall make as many inspections during and upon completion of the work as are necessary.

C. In the discharge of his/her duties, the Floodplain Administrator shall have the authority to enter any building, structure, premises, or development in the identified floodplain area, upon presentation of the proper credentials, at any reasonable hour to enforce the provisions of this Ordinance.

D. In the event the Floodplain Administrator discovers that the work does not comply with the permit application or any applicable laws and ordinances, or that there has been a false statement or misrepresentation by any applicant, the Floodplain Administrator shall revoke the permit and report such fact to the municipal governing body for whatever action it considers necessary.

E. The Floodplain Administrator shall maintain all records associated with the requirements of this Ordinance including, but not limited to, permitting, inspection, and enforcement.

F. The floodplain Administrator or other authorized official shall consider the requirements of the 34 PA Code and the 2009 IBC and the 2009 IRC or latest revisions thereof.

SECTION 1712 - BUILDING PERMITS REQUIRED Building permits shall be required before any new construction, substantial improvement, placement or relocation of any structure (including manufactured homes) or development is undertaken within any identified flood prone area of the municipality. Prior to the issuance of any permit, the Floodplain Administrator shall review the application for the permit to determine if all other necessary government permits required by the State and Federal laws have been obtained, such as those required by the Pennsylvania Sewage Facilities Act (Act 966-537, as amended); the Pennsylvania Dam Safety and Encroachments Act (Act 1978-325, as amended); the Pennsylvania Clean Streams Act (Act 1937-394, as amended); the U.S. Clean Water Act, Section 404, 33, U.S.C. 1344; and any other required local, State, or Federal permits, including but not limited to the following permits when applicable; floodway, wetland, surface mining, earth disturbance, or the State Fire Marshall. No permit shall be issued until this determination has been made. The applicant shall submit to the Floodplain Administrator copies of all other required State and Federal permits. Copies of all required permits shall be maintained by the Floodplain Administrator as a part of the building permit file.

After the issuance of a building permit or site plan approval by the Floodplain Administrator, no changes of any kind shall be made to the application, permit, or any of the plans, specifications or other documents submitted with the application without the written consent or approval of the Floodplain Administrator.

SECTION 1713 - APPLICATION PROCEDURES AND REQUIREMENTS Applications for a Building and Zoning Permit shall be filed by the property owner, his authorized agent or an individual with a proprietary interest in the property, said individual to hereafter be known as the

applicant. Applications shall be submitted to the Floodplain Administrator and contain the following:

A. Building and Zoning Permit Application Form — On a form supplied by the Floodplain Administrator, the applicant shall provide information to describe the size, location, and nature of the proposed building, structure or use. The applicant shall sign the application form to verify the accuracy of their information.

B. Plot Plan — All applications for a Building and Zoning Permit shall be accompanied by a plot plan in accordance with the following:

1. Name and address of the applicant.

2. Name and address of the owner of the land on which the proposed construction is to occur.

3. Name and address of contractor.

4. Site location address.

5. Three (3) copies of the plot plan shall be submitted. In lieu thereof, an 81/2" x 1 I " plot plan is acceptable, provided it is suitable for photocopying.

6. The plot plan shall show, where applicable, size, shape, and dimensions of the lot; size and location of all existing buildings; size, location, and use of all proposed buildings, additions, or alterations; parking lots; parking spaces, driveways, signs, and other site improvements; and other information as may be necessary to determine conformance with this Ordinance.

7. Brief description of proposed work and estimated cost, including a breakout of flood related cost and market value of the building before the flood damage occurred where appropriate.

C. Application Fee — All applications for a Building and Zoning Permit shall be accompanied by a fee in accordance with the current schedule of fees adopted by resolution by the municipality.

D. Placards — In addition to the Building and Zoning Permit, the Floodplain Administrator shall issue a placard which shall be displayed on the premises during the time construction is in progress. This placard shall show the number of the Building and Zoning Permit, the date of issuance, and signed by the Floodplain Administrator.

E. Start of Construction — Work on the proposed construction and/or development shall begin within ninety (90) days after the date of issuance and shall be completed within two (2) years after the date of issuance of the Building and Zoning Permit or the Building and Zoning Permit shall expire unless a time extension is granted, in writing, by the Floodplain Administrator. Construction and/or development shall be considered to have started with the preparation of land, land clearing, grading, filling, excavation of basement, footings, piers, or foundations, erection of temporary forms, the installation of piling under proposed subsurface footings, or the installation of sewer, gas and water pipes, or electrical or other service

Time extensions shall only be granted if the written request is submitted by the applicant, which sets forth sufficient and reasonable cause for the Floodplain Administrator to approve such a request.

SECTION 1714 - ADDITIONAL ADMINISTRATIVE REQUIREMENTS

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

1. A plan, at a scale of one (1) inch being equal to one hundred (100) feet or less, shows a north arrow, scale, and date, the location of all existing and proposed buildings structures, and other improvements, which accurately locates the proposed construction and/or development with respect to existing bodies of water or watercourses, identified floodplain area boundaries, stream channel, and if available, information pertaining to the floodway, and flow of water including direction and velocities, existing floodplain development and all proposed subdivision and land development to assure that:

a. All such proposals are consistent with the need to minimize flood damage and conform with the requirements of this and all other applicable codes and ordinances;

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

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

d. Structures will be anchored to prevent flotation, collapse, or lateral movement;

e. Building materials are flood-resistant;

f. Appropriate practices that minimize flood damage have been used; and

g. Electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities have been designed and located to prevent water entry or accumulation.

2. Such plan shall also include existing and proposed contours (at intervals determined to be adequate by the Floodplain Administrator based upon site conditions) and elevations of the grounds, Base Flood Elevations, structure elevation, lowest floor elevation based upon North American Vertical Datum of 1988, size of structure, location and elevation of streets, water supply, sanitary sewage facilities, supplemental information as may be necessary under 34 PA Code, the 2009 IBC or the 2009 IRC or latest revisions thereof, soil types and flood proofing measures. When proposed construction and/or development involves structures and/or fill to be located within the designated floodplain, such plan shall

also include details of proposed fill, pile structures, retaining walls, foundations, erosion control measures, and the Floodplain Administrator may require more detailed contour and elevation data. If available, information concerning flood depths, pressures, velocities, impact and uplift forces and other factors associated with a base flood.

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

4. A document certified by a registered professional engineer or architect, to show that the cumulative effect of any proposed development within a SFHA when combined with all other existing and anticipated development, will not increase the base flood elevation more than one (1) foot at any point.

5. A document certified by a registered professional engineer or architect, which states that the proposed construction or development has been adequately designed to withstand the pressures, velocities, impact and uplift forces associated with the base flood elevation. Such statement shall include a description of the type and extent of the flood proofing measures which have been incorporated into the design of the structure and/or the development.

6. The appropriate component of the Department of Environmental Protection's "Planning Module for Land Development."

7. Where excavation or grading is proposed, a plan meeting the requirements of the Department of Environmental Protection, to implement and maintain erosion and sedimentation control.

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

C. A record of all variances granted, including their justification, shall be maintained by the community as well as reported in the annual report to Department of Community and Economic Development (DCED) and the biennial report to FEMA.

SECTION 1715 - ENFORCEMENT

A. Notices — Whenever the Floodplain Administrator or other authorized municipal representative determines that there are reasonable grounds to believe that there has been a violation of any provisions of this Ordinance, or of any regulations adopted pursuant thereto, the Floodplain Administrator shall give notice of such alleged violation as hereinafter provided. Such notice shall:

1. Be in writing;

2. State the name of the owner of record and any other person against whom the municipality intends to take action;

3. State the location of the property in violation;

4. State the specific violation with a description of the requirements which have not been met, citing in each instance the applicable provisions of the ordinance;

5. Contain an outline of remedial action which, if taken, will affect compliance with the provisions of this Ordinance. State the date before which the steps for compliance must be commenced and the date before which the steps must be completed, not to exceed thirty (30) days;

6. State the date before which the steps for compliance must be commenced and the date before which the steps must be completed, not to exceed thirty (30) days;

7. State that the recipient of the notice has the right to appeal to the municipal zoning hearing board within a prescribed period of time in accordance with procedures set forth in this ordinance;

8. State that failure to comply with the notice within the time specified, unless extended by appeal to the zoning hearing board, constitutes a violation, with possible sanctions clearly described.

9. Be served upon the property owner or his agent as the case may require; provided, however, that such notice or order shall be deemed to have been properly served upon such owner or agent when a copy thereof has been served with such notice by any other method authorized or required by the laws of this State.

B. Any person, partnership, or corporation who or which has violated or permitted the violation of the provisions of this Ordinance shall, upon being found liable therefore in a civil enforcement proceeding commenced by the Township, pay judgment of not more than five hundred ($500) dollars plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership, or corporation violating this Ordinance to have believed that there was no such

violation, in which event there shall be deemed to have been only one (1) such violation until the fifth (5th) day following the date of the determination of a violation by the district justice and therefore each day that a violation continues shall constitute a separate violation.

C. The court of common pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem fine pending a final adjudication of the violation and judgment.

D. Nothing contained in this Section shall be construed or interpreted to grant to any person or entity other than the Township the right to commence any action for enforcement pursuant to this Section.

E. District justices shall have initial jurisdiction over proceedings brought under this Section.

SECTION 1716 - STATEMENT OF DISCLAIMER The degree of flood protection sought by the provisions of this Ordinance is considered reasonable for regulatory purposes and is based on acceptable engineering methods of study; however, larger floods may occur on rare occasions. Flood heights may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. This Ordinance does not imply that areas outside the flood plain districts or that land uses permitted within such districts will be free from flooding or flood damages. This Ordinance shall not create liability on the part of this municipality or any officer or employee thereof for any flood damage that results from reliance on this Ordinance or any administrative decision made thereunder.

Part 18

MUO - Mixed Use Overlay District

§27-1801. Intent.

The regulations of the MUO Mixed Use Overlay District are designed to encourage creative development and extend the mix of uses and development patterns found in the village of Quentin.

§27-1802. Minimum Land Area.

A minimum of 40 acres of contiguous land shall be required for a Mixed Use Development.

§27-1803. Administration

1. Plan of Development Approval. The West Cornwall Township Board of Supervisors shall review a Plan of Development for a Mixed Use Development through the Conditional Use approval process in Part 24. In approving a conditional use permit, the Board of Supervisors shall find the Plan of Development meets the objectives of Part 24 along with the requirements of this Part. The Board may condition the conditional use permit per Part 24. Construction of the development may occur in phases but shall adhere to the Plan as approved and conditioned.
2. Special Exception Uses. If the proposed Plan of Development contains any uses which require Special Exception approval (see 27-1805 below), those uses shall require approval by the Zoning Hearing Board, and shall comply with the regulations listed herein, other applicable regulations, and the regulations specified in Part 26 of this Chapter.
3. Modifications to the Plan of Development. During construction of the Mixed Use Development, the Board of Supervisors may approve and condition any proposed modifications to the Plan of Development as a modification to the original conditional use permit.
4. Changes of Use in Established Sites. Once constructed and established, a proposed change of use for an established individual site within the development shall only require the level of review as determined in 27-1804 and 27-1805 and may be applied for by the tenant or landowner. For example, a proposed change of use from an existing personal service shop to retail store shall be permitted by right, requiring only a zoning permit and not modification of the conditional use permit for the entire Plan of Development.

§27-1804. Permitted Uses.

The following uses are permitted by right in mixed use developments:

1. Single-family detached dwellings.
2. Single-family semi-detached dwellings.
3. Public, semi-public, or private conservation areas for the preservation of open space, water, soil, forest, and wildlife resources.

4. Public, semi-public, or private outdoor recreation uses and facilities, parks, playing fields, playgrounds, and gardens.
5. Churches and similar places of worship, and associated parish houses.
6. Municipal buildings and community facilities such as police and fire protection facilities, museums, libraries, etc.
7. Day care centers and adult day care facilities, subject to the requirements of §27-702.15.
8. Medical, dental, and veterinary clinics, laboratories, and associated pharmacies.
9. Stores for the retailing of food, clothing, drugs, confectionery, hardware, food, sporting goods, household appliances, flowers, and other consumer goods.
10. Personal service shops, including barbers, beauty parlors, tailors, shoe repair, dry cleaning (excluding dry cleaning plants), laundromats, florists, etc.
11. Banks, savings and loan, and finance agencies.
12. Business and professional offices.
13. Private, membership, or social clubs, including those serving food or drink.
14. Sit down restaurants, tea rooms, cafes, and other places serving food and drink, but not including drive-in, drive-through, or fast food restaurants.
15. Nurseries and commercial greenhouses.
16. Indoor amusement enterprises, such as theaters, arenas, bowling alleys, dance halls, and other recreation or entertainment establishments, less than 20,000 square feet in gross floor area.
17. Messenger, dispatch, express, and courier services.
18. Mortuary and undertaking establishments.
19. Printing and publishing firms.
20. Automobile washes, self-wash or automatic.
21. Customary accessory uses and buildings incidental to any of the above permitted uses.

§27-1805. Uses Permitted with a Special Exception Approval.

Upon approval by the Zoning Hearing Board, the following special exception uses are permitted, provided the use complies with the conditions listed herein, other applicable regulations, and the requirements specified in Part 26 of this Chapter.

1. Group family dwelling/day care homes subject to the conditions listed in §27-602.N(4) of this Chapter.
2. Age-restricted multi-family apartment dwellings, meeting the following conditions:
   A. Permanent occupancy of residential units shall be restricted to individuals 55 years of age or older and their spouses.

B. The layout and arrangement of buildings, parking areas, services, recreation areas, common open space, and plantings shall be made in consideration of the particular topographic characteristics, natural amenities, and adjacent uses of the site.

C. Postal delivery may be provided at communal facilities.

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

E. Associated parking areas, building entrances, sidewalks, and ramps shall be illuminated to ensure the security of property and safety of persons using such areas and shall provide interconnectivity between residences, service areas, and any recreation areas within the development.

3. Privately owned elementary, middle, and high schools.

4. Private institutions of higher education, convents, and monasteries provided that the following conditions are met:

A. A minimum lot area of 3 acres for the first 300 students or enrollees plus 1 acre for each additional 100 students or enrollees.

B. Dormitory or residential quarters shall be located a minimum of 100 feet from any property line.

5. Riding academies and public, semi-public or private stables, subject to the following conditions:

A. Storage of manure or odor or dust producing substances shall not be permitted within 200 feet of any residential use.

6. Hotels and motels.

7. Drive-in, drive-through, or fast food restaurants serving food or beverages.

8. Contractor shops for plumbers, HVAC, electricians, painting, etc.

9. Self-service storage facilities.

10. Gasoline stations, with or without accessory convenience retail, meeting the following conditions:

A. The gasoline station site, including accessory uses and associated areas for parking, loading, drive-thru lanes, storage, utilities, buffers and other site requirements shall constitute a maximum of 2.5 acres within the Mixed Use Development.

B. A maximum of 8 fuel pumps serving a maximum of 16 vehicles at one time. Pumps or service parking dedicated for tractor-trailers or similar shall not be permitted.

C. Frontage of at least 200 feet along a state-controlled road on at least two sides of the lot.

D. Long-term or overnight parking for trucks or trailers shall not be permitted, and overnight accommodations for drivers shall not be provided.

E. The use and storage of all flammable and combustible liquids shall comply with the requirements set forth by Pennsylvania Code and the following requirements, whichever is greater:

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

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

§27-1806. Mixed Uses.

1. A single Mixed Use Development may consist of multiple individual sites, with or without a phased development plan. Across the entire development, and within individual sites, multiple uses and multiple principal structures are permitted.
2. Multiple principal uses may occupy individual structures. Where both residential and non-residential uses share a single structure, non-residential uses shall only be located on the ground floor.

§27-1807. Lot Area, Yard, and Coverage Requirements

Lot dimensions, yard dimensions, and structural coverage shall meet the following dimensions:

Use	Lot Requirements			Yard Requirements			Coverage
	Min. Lot Area	Min. Lot Width	Min. Lot Depth	Front	Each side	Rear	Max. all structures within a single lot or site
Single-family detached dwellings	20,000 sq ft	100 ft	100 ft	Min: 40 ft	15 ft	25 ft	40%
Single-family semi-detached dwellings	15,000 sq ft	80 ft	100 ft	Min: 40ft	15ft[1]	25 ft	40%
Other individual sites[2]	10,000 sq ft	80 ft	80 ft	Min: 10 ft	10 ft[2]	25 ft	75%

1. Side setback is for unattached side.

2. Requirements apply to an individual site or lot within a Mixed Use Development. Within an individual site, detached, attached, and semi-detached structures are permitted. Separation between structures within a site shall meet minimum separation distances required by the Pennsylvania Unified Construction Code.

§27-1808. Density and Height Requirements

1. Density. The total number of residential dwelling units in an individual multi-family apartment development site shall not exceed 10 dwelling units per acre of that multi-family apartment development site. Across the entire Mixed Use Development, the number of apartment dwelling units shall not exceed 120 dwelling units.
2. Height. No building without sprinkler fire suppression systems, with the exception of farm structures, shall exceed two and one-half stories or 35 feet in height unless authorized as special exception. Buildings equipped with sprinkler fire suppression systems shall not exceed three and one-half stories or 45 feet in height unless authorized as a special exception.

§27-1809. Open Space Requirements

1. A minimum of 20% of the entire Mixed Use Development shall be reserved as common open spaces. The location and layout of the reserved open spaces shall provide the following benefits:
   A. Recreation and open space that may be required by the Lebanon County Subdivision and Land Development Ordinance;
   B. Protection of natural resources, such as water bodies, wetlands, floodplains, steep slopes, unique geologic features, wildlife habitats, aquifer recharge areas, etc.;
   C. Stormwater management facilities, where such facilities are integrated with other open space uses permitted by this section and achieve the following:
      1) Promote recharge of the groundwater system;
      2) Provide a scenic amenity with plantings beyond what is required for basic stormwater functionality;
      3) Creates a self-sustaining natural landscape that supports wildlife;
   D. Suitable and conveniently located active or passive recreation, including public, semi-public, or private recreation uses, parks, playing fields, playgrounds, and gardens;
   E. Provision of greenways with trails connecting sites within the Mixed Use Development site to each other and to adjoining uses beyond the Development;
   F. Buffer areas between residential uses and more intense uses within or adjacent to the Mixed Use Development. Such buffers shall be landscaped with adequate ground plantings, shrubbery, and trees to provide a year-round visual buffer.
2. Reserved common open space shall be preserved in perpetuity by deed restriction, conservation easement, or other agreement in a form acceptable to the Township and duly recorded in the Office of the Recorder of Deeds of Lebanon County. An agreement shall designate owners and entities responsible for management and maintenance of the reserved common open space.

§27-1810. Additional Standards.

1. The entirety of the Mixed Use Development shall be served by public water and sewer facilities.
2. Utility lines serving all uses within the Mixed Use Development shall be located underground, with the following exemptions:
   A. Riding academies and stables;
   B. Outdoor recreation facilities, parks, playing fields, playgrounds, and gardens;
   C. Reserved common open spaces and conservation areas;

3. All permitted uses and their associated areas for parking, loading, refuse, utilities, storage and other associated site improvements shall be located within 800 feet of Quentin Road (SR 0072), with the following exceptions:
   A. Riding academies and stables;
   B. Recreation facilities, parks, playing fields, playgrounds, and gardens;
   C. Reserved common open spaces and conservation areas;
   D. Single-family detached dwellings.
4. Motor vehicle access to individual lots shall be provided via a system of shared or joint use internal access drives or driveways, or via streets other than Quentin Road (SR 0072). Direct motor vehicle access serving an individual lot, use, building or parking lot shall not be permitted to or from Quentin Road (SR 0072), unless an applicant can provide a traffic impact study that demonstrates each of the following:
   A. A proposed entrance or exit to Quentin Road (SR 0072) is in the best interest of efficient traffic operations and can improve safety on the individual site, the entire development, and surrounding roadways, including but not limited to reducing delays at a single access point that would otherwise operate at worse than a Level of Service 'C' in rural areas and Level of Service 'D' in urban areas;
   B. The frontage of the individual site and the development is sufficient to permit multiple motor vehicle access points in accordance with the spacing requirements of the Lebanon County Subdivision and Land Development Ordinance; and
   C. The Pennsylvania Department of Transportation has reviewed the study and found the proposed vehicular access plans adequate and appropriate.
5. All primary building entrances within the site shall be connected via sidewalk or other paved pedestrian facilities, with at least 5 feet in clear width, graded to meet Americans with Disabilities Act requirements, and adequately lit for safe use. The pedestrian network shall also connect to adjacent pedestrian infrastructure. Crosswalk markings and ADA-compliant ramps shall be provided across internal roadways, driveway entrances, and parking lots.
6. Storage facilities for trash and rubbish shall not be located between any building and an adjacent public road. Storage of trash and rubbish shall be within covered, vermin-proof containers and located within an opaque enclosure that is architecturally compatible with the primary building(s) on the site.
7. Loading activity for commercial uses shall not occur between any building and an adjacent public road. Docks and other structural loading facilities shall not be located on a part of the building facing a public road.
8. Any part of a lot which is not used for buildings, structures, loading facilities, docks, or service areas, parking spaces and aisles, access drives, driveways, pathways, and other similar improvements shall be provided with an all-season, well-maintained vegetative ground cover or plantings. Landscaped areas shall be kept free of debris and rubbish.

Part 19

Supplementary District Regulations

§27-1901. Intent.

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

§27-1902. Accessory Buildings and Structures.

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

§27-1903. Accessory Uses.

1. Private, noncommercial swimming pools which are designed to contain a water depth of 24 inches or more, regardless of whether they are permanently affixed or movable, shall be located on the same lot or tract as the dwelling and shall be permitted neither in the required front yard nor closer to any street line than the dwelling. In all other yards, a pool shall not be closer than 15 feet to any lot line, as measured from the water's edge. All pools shall be completely enclosed with a continuous impenetrable fence or barrier no less than 4 feet in height above the ground level and shall be equipped with a lockable gate or retractable ladder which prevents access at less than 4 feet. Any deck, patio, or impermeable surface, not under roof or otherwise enclosed, which surrounds, is attached to, or associated with a pool shall be no closer than 10 feet to the side or rear lot line.
2. Private tennis courts shall be permitted within side or rear yards provided that such facility shall not be less than 15 feet from side or rear lot lines.
3. Antennas.
   A. Antennas may be located as an accessory use in any residential or agricultural district by the owners of any property for their personal use and not to provide service to others provided the following conditions are met:
      (1) Roof-mounted antennas, including satellite dish antennas, shall only be located on principal structures and shall be subject to review and approval for compliance with current building code requirements. Maximum height of a roof-mounted antenna shall not exceed that permitted for the principal structure.

(2) Ground-mounted antennas, including satellite dish antennas, shall, be located to the rear of the front building line of the principal structure, shall be mounted at ground level, and shall be anchored to prevent lateral movement. Side and rear setbacks of 10 feet shall be maintained. Ground-mounted antennas shall not exceed 15 feet in height.

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

(4) Antennas shall meet all manufacturer's specifications and shall be neutral in color so as to be as nonintrusive as possible.

B. Antennas may be located as an accessory use in any commercial or industrial district provided that the requirements of §27-1602.E of this Chapter are met.

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

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

§27-1904. Projections Into Yards.

The following may be permitted in required yards and shall not be considered in the determination of yard size:

1. The front yard setback for a building on a lot with existing buildings on adjacent lots may match the average of the front yard setbacks of the two adjacent buildings.
2. Patios, paved terraces, decks, or open, unroofed porches shall be permitted in all yards provided that such structures (1) shall be no closer than 5 feet to any lot line, (2) shall be no greater than 5 feet above finished grade.
3. Projecting architectural features - bay windows, cornices, eaves, fire places, chimneys, window sills, or other architectural features, provided they do not extend more than 5 feet into any required yard nor closer than 3 feet to any adjacent property lines; however, any canopies, porte cocheres or other roofs that extend more than 5 feet from the building line as defined in Part 1 of this Chapter, shall be subject to the yard requirements applied from the lot line to the edge of the roof.
4. Stairs, landings, and decks which are unroofed, provided that they are no closer than 5 feet to any lot line.

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

§27-1905. Home Occupation Regulations.

A home occupation as defined in Part 1 may be permitted in any district under the following conditions:

1. The proprietor of the home occupation shall reside on the premises. The home occupation shall be incidental to the use of the property as a residence, and there shall be no exterior evidence of the occupation nor change to the appearance of the dwelling to facilitate the operation of the occupation, other than one small sign as provided in Part 22 of this Chapter.
2. The home occupation shall be conducted wholly within the dwelling and shall not occupy more than 25 percent of the habitable floor area nor more than 750 square feet. This area shall include all functions or activities of the home occupation.
3. The proprietor may employ not more than one assistant who does not reside within the dwelling used for the home occupation.
4. Parking generated by the conduct of a home occupation shall be provided for on the lot, in addition to the parking required for the residence. Off-street parking improvements shall comply with Part 21 of this Chapter.
5. Any home occupation or accessory function to a home occupation which may create objectionable noise, fumes, odor, dust, electrical interference, or substantially more than normal residential traffic shall be prohibited.

§27-1906. No-Impact Home-Based Business Regulations.

A no-impact home-based business as defined in Part 1 may be permitted as an accessory use by right in any Residential district, except that such permission shall not supersede any deed restriction, covenant or agreement restricting the use of land, nor any master deed, bylaw or other document applicable to a common interest ownership community. No-impact home-based businesses shall be subject to the following conditions:

1. The business activity shall be compatible with the residential use of the property and surrounding residential uses.
2. The business shall employ no employees other than family members residing in the dwelling.
3. There shall be no display or sale of retail goods and no stockpiling or inventory of a substantial nature.
4. There shall be no outside appearance of a business use, including, but not limited to, parking, signs or lights.
5. The business activity may not use any equipment or process which creates noise, vibration, glare, fumes, odors or electrical or electronic interference, including interference with radio or television reception, which is detectable in the neighborhood.

6. The business activity shall not generate any solid waste or sewage discharge, in volume or type, which is not normally associated with residential use in the neighborhood.
7. The business activity shall be conducted only within the dwelling and may not occupy more than 25% of the habitable floor area.
8. The business shall not involve any illegal activity.

§27-1907. Municipal Uses.

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

§27-1908. Visibility at Intersections.

On a corner lot a structure, fence, wall, planting, or vehicle shall not be erected, placed, parked, planted, or allowed to grow in such a way as to impede vision of pedestrian and vehicular traffic within clear-sight triangles on all corners between a height of 30 inches and 7 feet above the center-line grades of intersecting streets. The clear-sight triangle is formed by the intersecting center lines of the streets and a third side closing the triangle such that it touches the corner lot. Mailboxes are exempt from this regulation. Pennsylvania Department of Transportation regulations relating to clear sight distances for truck traffic shall be applicable to all commercial or industrial subdivisions and land development applications in the Township.

§27-1909. Fences, Walls, and Hedges.

Unless otherwise regulated, fences, walls, and hedges may be permitted in any required yard or along the edge of any yard; however, any fence, wall, or hedge located along the sides or front edge of any front yard shall not be over 48 inches in height and shall not obstruct visibility. Furthermore, notwithstanding other provisions of this Chapter, fences, walls, and hedges in residential districts shall not exceed 6 feet in height unless that portion above 6 feet shall remain 50 percent open.

§27-1910. Erection of More than One Principal Structure on a Lot.

In any district, more than one structure housing a permitted or permissible principal use may be erected on a single lot, provided that yard and other requirements of this Chapter and the Lebanon County Subdivision and Land Development Ordinance shall be met for each structure as though it were on an individual lot.

§27-1911. Structures to Have Access.

Every building hereafter erected or moved shall be on a lot adjacent to a public street, or shall be provided with a lawfully established means of access to an approved public or private street or shared driveway. All principal structures shall be so located on lots as to provide safe and convenient access for standard vehicles for servicing, fire and police protection, and required off-

street parking. If the Zoning Officer determines that existing or proposed access does not meet the above criteria, the property owner shall improve or obtain access to meet the above criteria and, where requested by the Zoning Officer, provide written certification by appropriate emergency management officials to verify feasible emergency vehicle access. Any private street or right-of-way created after the effective date of this Ordinance shall contain the following language:

"COVENANT TO HOLD HARMLESS – WEST CORNWALL TOWNSHIP. In the event of litigation concerning the rights-of-way or other easements created hereby, the parties, for themselves, their personal representatives, heirs, successors and assigns, covenant and agree not to sue or cause West Cornwall Township to become a party to said litigation. West Cornwall Township shall constitute an intended third-party beneficiary of this provision. In the event West Cornwall Township becomes a party to any such litigation, the parties hereto shall, jointly and severally, hold West Cornwall Township harmless from any and all loss, cost and/or expense incurred in investigating and/or defending the matter, including, without limitation, actual engineering, surveying and attorneys' fees, costs and expenses."

§27-1912. Water Supply and Sewerage Facilities Required.

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

§27-1913. Minimum Habitable Floor Area and Lot Area Requirements.

Unless otherwise regulated in this Chapter, every dwelling unit hereafter designed, established, or erected shall contain a minimum habitable floor area of 700 square feet or a total of 175 square feet per person residing in the dwelling, whichever is greater. Existing two-family or multi-family development shall only be expanded or enlarged provided than a minimum lot area of 3,000 square feet is provided for each dwelling unit located on said property.

§27-1914. Steeply Sloped Lots and Environmental Safeguards.

In any district, development on steeply sloped lots (in excess of 15 percent slope) shall include appropriate design and implementation of measures to prevent and/or control environmental damage, erosion and destruction of vegetation and natural habitat. The following specific criteria shall apply to development on steeply sloped lots:

1. *Less than 25 Percent of Lot Steeply Sloped*. Development of lots which contain slopes in excess of 15 shall be designed and located to limit or avoid disturbance of the steeply sloped portions of the lot. Removal of trees and vegetation shall be limited to the areas where slope is less than 15 percent, except when absolutely necessary for buildings, driveway, and other essential lot improvements.
2. *Twenty-five Percent or More of Lot Steeply Sloped*. Development of lots where 25 percent or more of the lot is steeply sloped in excess of 15 percent requires careful design and minimal disturbance of the terrain and natural features. Within the Residential Forest

District, minimum lot size shall be increased to 150 percent of that specified by the district requirements listed in §27-703 of this Chapter. Within all districts, approval of the lot development is required from the Lebanon County Conservation District to insure adequate erosion and sedimentation control, slope stabilization and re-vegetation. Specifically, development of these steeply sloped lots shall require:

A. Design and implementation of adequate erosion and sedimentation control facilities.

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

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

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

§27-1915. Corner Lot Restriction.

In all districts, corner lots shall have no required rear yards, but shall have two required front yards as measured from the road right-of-way line and two required side yards as measured from the lot lines.

§27-1916. Exceptions to Height Regulations.

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

§27-1917. Dangerous Structures.

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

§27-1918. Animals.

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

1. Customary household pets 'are permitted within any zoning district, provided that pet numbers and location do not constitute a pet kennel, unless kennel regulations are satisfied and pet kennels are permitted in that district.
2. Novelty pets are permitted within any zoning district, provided that the pets are kept inside a dwelling or in an approved enclosure with shelter, do not constitute a health or safety hazard, and shall meet the following criteria:
   A. Applicant shall obtain written approval or licensure from the Pennsylvania State Game Commission.
   B. The maximum number of novelty pets shall not exceed two.
3. Pet kennels are permitted as specified within the zoning district. Existing pet kennels in zoning districts where not permitted by this Chapter shall be limited in expansion or alteration by the nonconforming use restrictions of Part 23 and a minimum 100 feet setback from any road right-of-way or lot line.
4. Riding academies and public or private stables for horses are permitted where specified within the zoning districts, subject to conditions listed therein.
5. Non-intensive animal husbandry is a permitted use within the Agricultural District and a special exception use in the R-1 - Low Density Residential District. Elsewhere, existing non-intensive animal husbandry uses may be continued and expanded only when in compliance with the nonconforming use restrictions of Part 23 and provided a minimum 100 feet setback from any road right-of-way or lot line is maintained for any building expansion which houses animals.
6. Intensive animal husbandry involves large numbers of livestock or fowl concentrated within an enclosure. Accordingly, intensive animal husbandry uses are permitted only within the Agricultural District, subject to the following requirements:
   A. Structures in which livestock or fowl are kept shall be no closer than 100 feet to any lot line or road right-of-way. Setbacks from side and rear lot lines shall be determined through the permitting process established by the Nutrient and Odor Management Act (NOMA) as regulated by the State Conservation Commission (SCC).
   B. No storage of manure or odor or dust producing substances shall be permitted within 100 feet of any lot line or road right-of-way. Setbacks from side and rear lot lines shall be determined through the permitting process established by the Nutrient and Odor Management Act (NOMA) as regulated by the State Conservation Commission (SCC).

C. Lebanon County Conservation District approval of the site design is required to insure proper disposal of animal wastes. At a minimum, the following shall be required:

(1) Animal waste management plan for the proper storage and disposal of manure.

(2) Nutrient management plan for the proper utilization of nutrients to insure maximum crop production and minimum nutrient loss.

(3) Animal waste storage facilities shall be structurally sound and water tight.

(4) All site plans shall be designed, all structures constructed, and all plans implemented in accordance with applicable State laws, Lebanon County Conservation District standards and local animal waste ordinances, if any.

D. Existing intensive animal husbandry uses which are lawfully nonconforming may be continued and expanded only when in compliance with the nonconforming use restrictions of Part 23 and when any such expansion satisfies the requirements of §27-1918.

§27-1919. Gasoline Pumps and All Other Service Station Equipment.

Unless otherwise specified herein, all gasoline pumps, tanks, and all other vehicle service equipment shall be located not less than 25 feet from any lot line and/or road right-of-way and located such that vehicles stopped for service will not extend over the property line. Canopies for pumps can extend no further than 12 feet into the front setback line restrictions for the gasoline pumps. Canopies are required to meet side and rear yard setbacks of 25 feet. Furthermore, the use and storage of all flammable and combustible liquids shall comply with the requirements set forth by the Fire Marshall Division of the Pennsylvania State Police, based on 37 Pa.Code, Chapters 11 and 13.

§27-1920. Parking and Storage of Certain Vehicles.

Automotive vehicles or trailers of any kind without current, valid license plates and/or State inspection shall not be parked or stored on any property other than in completely enclosed buildings or properly approved junkyards. Additionally, such vehicles shall not be parked or stored along public streets in any zoning district.

§27-1921. Parking, Storage, or Use of Major Recreational Equipment and/or Tractor Trailers, Etc.

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

1. Major recreational equipment and/or tractor trailers, etc., shall be parked or stored (1) in a carport, (2) in an enclosed building, or (3) to the rear of the required front yard setback line. Such equipment may not be parked or stored within any public right-of-way.
2. If this equipment is parked or stored in the rear of the required front yard setback line, a minimum setback of 10 feet shall be maintained from any side or rear property line. The above-mentioned side or rear setback may be reduced to 5 feet, provided that a screen planting (as defined in Part 20 of this Chapter) is established and maintained between the equipment parking area and any adjacent property line(s).
3. For loading and unloading purposes only, major recreational equipment and/or tractor trailers, etc., may be parked anywhere on a residential or agricultural premises for a period not to exceed 24 hours.
4. No such major recreational equipment and/or tractor trailers, etc., shall be used for a permanent residence, or any other living, sleeping or housekeeping activities when parked or stored on a residential or agricultural lot, or in any other location not approved for such use.

§27-1922. Mobile Home Parks and Mobile Home Subdivisions.

All mobile home parks and mobile home subdivisions hereafter erected, established, substantially altered or expanded shall comply with the requirements of Part 11 of this Chapter. However, alterations or expansion of said parks or subdivisions shall not require special exception approval before the issuance of a building and zoning permit.

§27-1923. Public Utilities Exemptions.

For the purposes of this Chapter, public utilities exemptions to district requirements shall extend only to accessory support and maintenance structures and buildings not requiring human occupancy. Such uses and structures including fences shall be located no closer than 10 feet to any lot line or road right-of-way line. Principal utility structures (e.g., sewage treatment plants, electrical power plants, etc.) shall be permitted in any district but shall comply in all respects with the requirements for a principal use of the district in which it will be located. In either case, said utility corporation shall secure a building and zoning permit from the Zoning Officer prior to the start of construction. Said permit application shall include any and all approvals required by other agencies, etc., for the use specified.

§27-1924. Special Care Residential Community/Retirement Housing Development.

In addition to the requirements set forth in other sections, all Special Care Residential Community/Retirement Housing Developments shall comply with the following requirements:

1. All units within a Special Care Residential Community/Retirement Housing Development shall be served by public water and public sewer.
2. Special Care Residential Community/Retirement Housing Developments may contain any or all of the following housing types: quadplex dwellings, multi-unit buildings and other forms of housing, excluding single-family detached dwellings and semi-detached dwellings.

3. Permanent occupancy of residential units within a Special Care Residential Community/Retirement Housing Development shall be restricted to individuals 55 years of age or older and their spouses; persons who are disabled or have other medical needs and their spouses; and no more than two (2) care providers who must be at least eighteen (18) years of age.
4. Density within the Special Care Residential Community/Retirement Housing Development shall be limited to 12 units per gross acre.
5. Before beginning operations, a Special Care Residential Community/Retirement Housing Development shall obtain the necessary licensing and/or approval from the appropriate federal or state agencies, if any.
6. All parking areas, building entrances, sidewalks, and ramps shall be illuminated to ensure the security of property and safety of persons using such areas and shall provide interconnectivity between residences, service areas, and recreation areas (if any).
7. Parking within a Special Care Residential Community/Retirement Housing Development shall be provided in accordance with the chart below:

Type of Unit	Parking Spaces Required
Nursing Home	1 space per 4 units plus 1 space for each employee on the 2 largest shifts
Assisted Living and Personal Care	1 space per unit plus 1 space for each employee on the 2 largest shifts

§27-1925. Lighting.

1. Intent. To protect the health, safety and welfare of the public, this section establishes standards exterior site illumination that provides for safety and security while minimizing light pollution and light trespass.
2. Applicants shall provide sufficient information for the Zoning Officer or other reviewing body to determine whether proposed lighting will comply with this section.
3. Lighting Standards.
   A. All exterior lighting shall be fully shielded and directed downward to prevent off-site glare. Sources shall not be directly visible from any adjacent street right-of-way or abutting property.
   B. Flashing, blinking, running, scrolling, traveling, animated, or intermittent lighting shall not be visible from the exterior of any building except as associated with a temporary holiday display.
   C. Exterior lighting shall use sensor technologies, timers, or other means to activate only during times when in use. All non-residential exterior lighting, including building, sign and parking lot lighting, shall be kept extinguished outside of business hours, except for lighting determined to be necessary for site security and the safety of residents, employees, and customers.

D. The maximum height of exterior fixtures, including parking lot lighting, shall be 20 feet.

E. The internal illumination of building-mounted canopies is prohibited.

F. The intensity of light within a site shall not exceed 10 footcandles within any part of the site and 0.5 footcandles at any property line, except where it abuts a Residential District or residential use, where a maximum of 0.2 footcandles is permitted.

G. The Zoning Hearing Board may approve decorative or architectural lighting as an alternative to shielded fixtures when it can be proven that there will be no off-site glare and the proposed fixtures will improve the appearance of the site.

§27-1926. Short Term Rental Units.

Short Term Rental Units are subject to the following regulations:

1. Zoning Permit Required.

A. A single-family residential dwelling shall require a zoning permit for use as a short-term rental unit, in districts where such use is permitted.

B. The owner(s) of a short-term rental unit shall obtain a zoning permit for each rental unit before placing it in operation.

C. Upon request, the owner(s) shall allow the Zoning Officer to inspect the unit to verify application information.

D. The Zoning Permit shall be good for a period of one year from the date of issuance and shall be renewed annually.

E. Application for a permit shall include:

(1) Description of the unit including address, square footage and extent of the rental unit, the number of bedrooms, maximum occupancy;

(2) Name, address, 24-hour phone number, and signature of the owner.

(3) Name, address, 24-hour phone number, and signature of at least one local person, residing within 30 minutes' travel time of the property, who will be responsible for handling any problems that arise with the property.

(4) Diagram or photograph showing the location and number of parking spaces reserved for use by renters.

(5) Copies of current Lebanon County Hotel Room Excise Tax Certificate and current Pennsylvania Sales and Use Tax Permit.

(6) Proof of general liability insurance on the short-term rental for the full duration of the zoning permit.

(7) A copy of written notice to any homeowners' association or equivalent community board.

(8) Signatures of all owners and the local contact person.

(9) Explanation of the provisions for trash collection, storage, disposal.

2. Short Term Rental Standards.

A. A Short-Term Rental Unit shall not have any outside appearance indicating a change of use from the surrounding residential uses.

B. Overnight occupancy for a short-term rental shall not exceed 2 persons per bedroom, plus 2 additional persons per property, up to a maximum of 12 persons, excluding children under 3 years of age. "Bedroom" is defined as a room or space designed to be used for sleeping purposes with two means of egress, one of which may be a window acceptable under the building code. Space used for eating, cooking, bathrooms, toilet rooms, closets, halls, storage or utility rooms and similar uses shall not be considered bedrooms. Space used or intended for general and informal everyday use such as a living room, den, and sitting room or similar shall not be considered a bedroom.

C. Tenting, camping trailers, or other outdoor overnight sleeping for guests is prohibited, except for lots of at least 1 acre in area in the Agricultural, Forest, and Residential Forest Districts.

D. Any short-term rental unit with capacity for 14 or more overnight guests shall provide proof that the septic system is adequate to handle such flows by having the system approved by the Sewage Enforcement Officer, or by providing a septic permit previously issued by a Sewage Enforcement Officer.

E. The maximum number of day guests allowed at any one time shall be 75% of the overnight occupancy, in addition to the overnight occupants.

F. Minimum parking spaces shall meet requirements for the applicable residential use type, except that for units with overnight occupancy of 11 or more persons shall provide one additional space. Vehicle parking shall only occur in legal parking spaces, and not on lawns or vegetated areas.

G. At least one functioning smoke alarm shall be provided in each habitable floor, and at least one functioning ABC-classed fire extinguisher shall be provided.

H. The owner(s) shall use best efforts to assure that the occupants or guests of the short-term rental unit do not create unreasonable noise or disturbances, engage in disorderly conduct, or otherwise violate provisions of the West Cornwall Township Code or any state law pertaining to noise or disorderly conduct including, but not limited to, notifying the occupants of the rules regarding Short Term Rentals

I. The owner(s) or local contact shall, upon notification that occupants or guests of the Short-Term Rental have created unreasonable noise or disturbances, engaged in disorderly conduct or otherwise violated provisions of the West Cornwall Township Code or state law pertaining to noise or disorderly conduct, promptly use best efforts to prevent a recurrence of such conduct by those occupants or guests.

J. All Short-Term Rentals shall have a clearly visible and legible notice posted within the dwelling unit on or adjacent to the front door containing:

(1) Unit address.

(2) Name and 24-hour phone number of the owner(s) and local contact.

(3) Maximum occupancy.

(4) A building plan showing emergency escape routes.

(5) Maximum number of vehicles and allowable parking locations.

(6) Trash storage and disposal instructions and pick-up day information.

(7) Notification that an occupant or guest may be cited and fined for creating a disturbance or for violating other provisions of the West Cornwall Township Code.

(8) Notification that Short-Term Rental occupants and guests are required to make the dwelling unit available for inspection by the Enforcement Officer upon request.

3. Violations. The Zoning Officer shall enforce these provisions. Violation may result in revocation of the Zoning Permit for a short-term rental unit.

4. Minimum standards. The regulations contained herein are the minimum standards established for short term rental units. Deed restrictions and covenants, and/or Home Owner Association (HOA) rules and regulations may also apply. In the case of a discrepancy or conflict between these zoning district regulations and deed restrictions and covenants or HOA rules and regulations, the most restrictive regulations shall apply.

§27-1927. Roadside Stands.

In the A, RF, F, and R-1 Districts on lots three (3) acres in size or large, transient or temporary road side stands for the sale of "home-grown" or "home-made" products are permitted when located not less than 20 feet from the road cartway and not within the road right-of-way, and may not be in use for more than ninety (90) consecutive calendar days, nor more than one-hundred twenty (120) total calendar days in a year.

Part 20

Environmental Improvements and Energy Conservation Requirements

§27-2001. Intent.

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

§27-2002. Definitions.

The following terms are specifically defined for use within this Part:

Active solar energy system - a solar energy system that requires external mechanical power to move collected heat.

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

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

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

Passive solar energy system - a solar energy system that uses natural and architectural components to collect and store energy without using any external mechanical power.

Perimeter planting - a landscaped planting consisting of trees and shrubs established at less than 3 feet or greater than 6 feet in height, so shall not interfere with any clear sight triangle. Such plantings shall separate streets and vehicular use areas from parking lots, buildings, and other interior improvements. Perimeter plantings shall consist of individual trees or shrubs spaced a

maximum of 50 feet apart to form a linear vegetative border, with grass or ground cover continuously thereunder.

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

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

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

Solar energy system - a complete design or assembly consisting of a solar energy collector, an energy storage facility (where used) and components for the distribution of transformed energy.

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

Wind energy conversion system - a device which converts wind energy to mechanical or electrical supply; commonly referred to as windmills.

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

§27-2003. Requirement for Environmental and Energy Conserving Improvements.

Environmental and energy-conserving improvements shall be required for the following:

A. All new subdivisions and developments.

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

C. Expansion of all buildings or uses except single and two-family dwellings.

D. To separate commercial, industrial, institutional, and other nonresidential uses from adjoining residential uses or residential districts.

E. Around parking lots with 10 or more parking spaces and within the interior of parking lots with 25 or more parking spaces, including parking lots expanded beyond these sizes.

F. Areas between parking lots and buildings.

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

H. New streets.

§27-2004. Environmental and Energy Conserving Standards.

Environmental improvements shall satisfy the following minimum standards:

A. General Standards.

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

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

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

(4) All required trees shall be a minimum 1¾-inch caliper and trees, shrubs, and plants shall be disease resistant, saline tolerant, winter hardy, and of a species suitable for this geographic region.

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

(6) Plantings should not be designed to interfere with southern exposures to solar radiation.

B. Specific Standards.

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

(a) Where commercial uses abut a residential district, the buffer area shall be a minimum of 50 feet for the entire length of the residential district area.
(b) Where industrial uses abut a residential district, the buffer area shall be a minimum of 100 feet and shall be planted with a double-wide dense screen planting (minimum width of 10 feet) for the entire length of the residential district area.

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

(3) *Parking Lots*. Perimeter plantings shall be required around the border of all parking lots containing 10 or more parking spaces. Said plantings shall be a maximum of 10 feet from the edge of the paved parking surface. Interior island plantings shall be required within all parking lots containing 25 or more parking spaces. Interior island plantings shall be provided a) at the ratio of 5 square feet of planting area for each 100 square feet of paved parking and vehicular use area, and b) in locations which will divide and separate the parking lot.

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

(a) Parking lots of 10 or more parking spaces shall be a minimum of 20 feet from the building line of any principal building or structure. The 20-foot setback shall contain appropriate screen plantings.
(b) Building walls over 75 feet in length which face westerly, southwesterly, or northwesterly shall be bordered by a parallel screen planting which is equal in length to the wall length and is located a maximum of 50 feet from the face of the wall.

§27-2005. Solar, Wind, and Alternate Energy Standards.

The use of solar, wind, and alternate energy systems is encouraged within these regulations and permitted within any zoning district. Although the installation of such systems is not mandatory, where they are utilized, the following standards shall apply:

A. Active and passive solar systems, wind energy systems and similar alternate energy systems, including customary energy storage accessories, shall be permitted for the production, collection, movement, distribution, or storage of heated water, air, or other medium which is intended for conveyance to a principal or accessory building. Systems may include the following subject to the requirements contained herein:

(1) Solar panels with a combined glazing area of 65 square feet or less, provided that:

(a) The solar panels shall not extend more than 5 feet into any required yard when attached to a principal structure.
(b) The solar panels shall be a minimum of 3 feet from any property line, whether freestanding or attached.

(2) Solar panels with a combined glazing area in excess of 65 square feet, provided that:

(a) Solar panels attached to a principal structure shall comply with the zoning setbacks prescribed for a principal structure in the applicable zoning district.
(b) Solar panels which are freestanding or attached to an accessory structure shall comply with the accessory structure requirements of Part 19 of this Chapter.

(3) Solar greenhouses attached to principal structures shall meet all yard requirements for a principal structure in the applicable zoning district. Solar greenhouses attached to accessory structures shall meet all yard requirements specified for accessory structures in Part 19 of this Chapter.

(4) Detached solar greenhouses shall meet all yard requirements specified for accessory structures in Part 19 of this Chapter.

(5) Wind energy conversion systems, provided that:

(a) The structure supporting the wind rotor unit shall be located a minimum distance of the tower height (measured from the ground to the top of the rotor) plus 15 feet from any property line or road right-of-way. The height of such structure shall not exceed 75 feet.

(b) Towers may be ground or roof-mounted and shall be securely fastened as per manufacturer's specifications or a demonstrable equivalent to achieve maximum safety and prevent collapse or fall. Any propeller or turning device that reacts to wind velocity shall have a governor to control the speed of revolutions. Such governors may include a rudder that turns the propeller away from the wind, individually spring-mounted paddles that turn away from the wind, or other suitable manufacturer's tested device. Towers shall be locked or secured to prevent unauthorized access, and in no case shall a permanently mounted ladder be affixed less than 10 feet from grade level.

(c) Noise levels shall not exceed 60 dBA as measured at the property line of residentially zoned property, or otherwise shall not exceed 70 dBA.

§27-2006. Maintenance and Protection Assurances.

The improvements required and permitted within this Part shall be maintained and protected to assure their environmental benefits. The following specific requirements shall apply:

A. Maintenance.

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

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

B. Protection.

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

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

§27-2007. Variances.

The following factors shall be considered, in addition to those within §27-2606 of this Chapter, when reviewing petitions for variances to the provisions of Part 20:

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

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

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

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

E. Variance shall consider possible damage to utilities.

§27-2008. Plans and Permits.

1. *Plans*. Plans depicting environmental and energy improvements shall be submitted at the time of application for a building and zoning permit. Information may be included on the required plot plan specified in §27-2403 of this Chapter or submitted on a separate plan. In addition to the information required within §27-2403 of this Chapter, plans shall include:

   A. Location, size, and species of existing plant material.

   B. Delineation of plants to be removed and plants to be retained.

   C. Location, planting size, mature size, and species of all plants within required plantings.

   D. Proposed treatment of all ground surfaces (e.g., paving, grass, gravel, mulch, stone).

2. *Building and Zoning Permits*. A building and zoning permit shall be required for installation, expansion or alteration to any of the environmental improvements and energy systems described within this Part. Applicable procedures of Part 24 of this Chapter shall apply during the processing of such permit applications. Where desired, the Zoning Officer may refer plans to the Lebanon County Conservation District or any other applicable agencies for review and comment prior to formal action on the permit application.

Part 21

Off-Street Parking

§27-2101. Intent.

The regulations concerning off-street parking are intended to ensure that adequate, well designed parking facilities are provided for all new, altered, or expanded buildings and uses. The general intent shall be to require off-street parking spaces, loading and unloading areas, driveway, and accessways to (A) satisfy the minimum standards contained within this Part and (B) be designed to prevent overcrowding and congestion and impairment of traffic circulation and access.

§27-2102. Definitions.

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

Parking space - an open or enclosed area accessible from a street or alley for parking of motor vehicles for owners, occupants, employees, customers or tenants of the principal structure or use. Each parking space shall be not less than 9 feet wide and not less than 18 feet long, exclusive of all drives, curbs, and turning space.

Floor area - the total area of all the floors measured from the exterior faces of the structure or, where set forth in the schedule in Part 21, only the floor area used by a specific use.

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

§27-2103. Requirement for Off-Street Parking Facilities.

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

1. Whenever a structure is constructed or a new use established.
2. Whenever an existing use is changed to a use requiring more parking facilities.
3. Whenever an existing structure or use is altered or enlarged so as to increase the amount of parking spaces required under this Part.

§27-2104. General Standards.

Off-street parking facilities shall satisfy the following general requirements:

1. Off-street parking areas shall have safe access to and from a street; however, no portion of any street or road right-of-way shall be utilized for off-street parking.
2. Off-street parking spaces shall be designed so that the area necessary to maneuver a vehicle in and out of a space does not extend into any street, road right-of-way, alley, or sidewalk.

Parking spaces shall also be designed so that vehicles may have access to and from spaces without moving another vehicle.

3. Off-street parking spaces shall be readily accessible to, and a reasonable distance from, the structures and uses served. Such spaces shall be on the same lot as the principal structure or use, except where otherwise permitted in accordance with this Part.
4. All parking spaces shall be available to patrons, customers, or visitors throughout the hours of operation of the structure or use for which the spaces are provided. Carnivals, displays, promotions, or other events held on parking lots shall not utilize parking spaces required for customers. Adequate additional parking spaces shall be available for the supplemental use.
5. Parking spaces shall be improved and individually delineated in accordance with this Part. Additionally, special purpose spaces and areas such as loading/unloading areas, "handicapped" parking, "visitor only" parking, "limited time" parking and fire and police spaces shall be clearly labeled.
6. Off-street parking requirements will be considered to be met only when actual spaces meeting the requirements of this Part are provided and improved in accordance with this Part. Parking spaces may not thereafter be reduced below the minimum requirements as long as the principal structure or use remains, unless an equivalent number of spaces is provided for use in another approved location.
7. Unless otherwise specifically regulated, improved, hard surface off-street parking for all uses shall be limited to portions of the lot as follows:

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

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

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

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

        (3) Minimum setbacks of 40 feet in Commercial Districts and 100 feet in the Industrial District are maintained in all yards abutting a Residential District boundary, unless the abutting property is already developed with a non-residential use, in which case these setbacks are reduced by 50%.

§27-2105. Schedule of Required Off-Street Parking Spaces.

The minimum number of off-street parking spaces required for a specific use is listed in the following chart. Where appropriate when computing the number of required parking spaces, the Zoning Officer may exclude floor area of structures (e.g., storage, employee lounge, bathroom) which does not bear any relationship to the parking needs of the use.

1. Institutional.

Structure or Use	Parking Spaces Required
Civic and educational, primary and secondary school; library; places for public assembly	1 space for each employee plus 1 space for each 4 seats in assembly room
Governmental; municipal building used for administrative functions	1 space for each 200 sq. ft. of office floor area plus 1 space for each 4 seats in assembly room
Place of worship	1 space for each 6 seats in principal assembly room
Welfare; hospital	1 space per 2 beds plus 1 space for each employee on the largest shift
Medical and dental offices or clinics	1 space per 400 sq. ft. floor area
Special care residential community/retirement housing (individual or combined total, depending upon the use):	
Nursing, home/rehabilitation center	1 space per each 4 personal care units plus 1 space for each employee on the largest shift
Elderly housing complex/retirement home apartments/personal care facility	.5 space for each 4 personal care room or apartment plus 1 space for each employee
Independent living dwellings	2 spaces for each single-family dwelling unit
Administrative offices	1 space for each employee
Support services or uses	See applicable use listing under §27-1805 of this Part for additional parking requirements

2. Residential.

Structure or Use	Parking Spaces Required
One- and two-family dwellings	2 spaces per dwelling unit; must be off-street, but need not be improved with hard surface
Group family dwelling	2 spaces plus those required for resident vehicles
Multi-family residence	2 spaces per dwelling unit
Townhouses	3 spaces per dwelling unit, including 1 space as overflow parking, to be provided in a common parking area
Garden apartments	3 spaces per dwelling unit
Guest home	1 space per guest room, plus 1 space for each for each employee plus 2 spaces for manager/owner(s)

3. Home Occupation /Day Care.

Structure or Use	Parking Spaces Required
Home occupation	In addition to parking required for the residence, 2 spaces for clients or customers if applicable, plus 1 additional space for any assistant; must be off-street, but need not improved with hard surface
Day care home, family	2 spaces plus those required for the residence
Day care home, group	2 spaces plus 1 space for each assistant plus those required for the residence
Day care center	See §27-702.15.C

4. Commercial.

Structure or Use	Parking Spaces Required
Banks and professional offices	1 space per 300 sq. ft. of floor area
Motel, hotel, or boarding house	1 space per guest room or unit
Mortuary or funeral home	1 space per 4 assembly seats but in no case less than 20 spaces

Structure or Use	Parking Spaces Required
Outdoor retail activities, flea markets, etc.	1 space per each 200 sq. ft. of stall space and customer circulation area
Retail stores, service establishments	1 space per 300 sq. ft. of customer area
Sit-down eating places, bars, taverns	1 space per 4 seats
Drive-through, drive-in, and fast food restaurants	1 space per 4 seats plus 10 stacking spaces per drive-through serving window.
Churches, theaters, club, lodge, places of assembly	1 space per 4 seats
Indoor recreation or amusement	1 space per 400 sq. ft. of area used for principal activities
Outdoor amusement or recreation uses	1 space per 600 sq. ft. of area used for principal activities; or 1 space per 4 seats.
Gas station	1 space per pump at stalls plus 1 space per 100 square feet of any accessory convenience store
Auto repair, body shop	1 space per employee plus 2 spaces per garage or equivalent work area
Car wash, self-service	2 spaces per bay/stall, plus 1 space for each employee
Car wash, automatic	10 stacking spaces per drive thru bay, plus 1 space for each vacuum
Golf course	4 spaces for each green plus 50% of the requirement for any associated uses

5. Industrial.

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

Executive offices, sales offices, and outlet stores	1 space per 200 sq. ft. of executive and sales office floor area in addition to parking requirements for manufacturing area
Recycling processing facility	1 space for each vehicle operated by facility plus 1 space for each employee

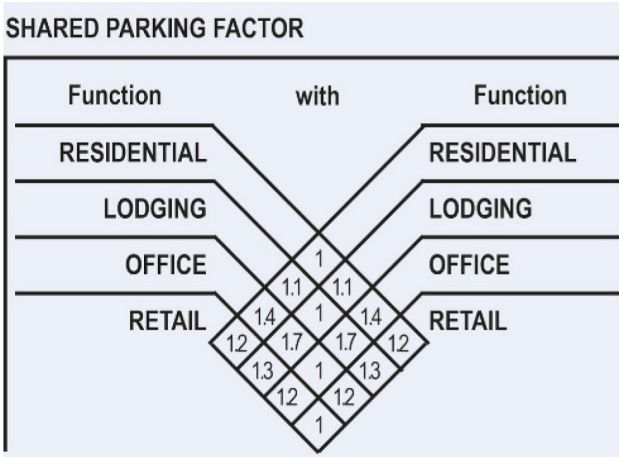
6. Other Structures or Uses.

   A. For a specific use not listed above, the Zoning Officer shall apply a measurement deemed to be most similar to the proposed use or require the applicant to provide a parking study to demonstrate minimum needs.

7. Parking Reductions.

   A. Special Exception. The Zoning Hearing Board may permit a reduction, through a special exception, of the number of parking spaces required for an individual use listed in the table above, provided the applicant can demonstrate, using existing and projected employment, customer, resident or other relevant data, that a reduction in the off-street parking spaces as required by this article is warranted.

   B. Mixed-uses. Multiple uses sharing a parking facility (e.g. a shopping center, a mixed-use building, or off-site shared parking) may reduce the total amount of required parking if the applicant can demonstrate that the peak parking demands associated with the uses are offset during a typical day. The matrix below provides guidance for parking reduction for common use combinations: the combined parking required by all uses is divided by the factor in the matrix. For example, a retail + residence development normally requiring 50 +50 = 100 parking spaces, would instead require 100 / 1.2 = 83 spaces.



§27-2106. Shared Parking Facilities.

1. Multiple uses may provide parking in a common parking lot, provided the total number of spaces in such lot provides for the sum of required parking, except as allowed by other provisions. A right-to-use agreement shall be legally recorded and attached to all lots involved.
2. Where the applicant can demonstrate that adequate off-street parking capacity is not feasible on the same lot as the proposed nonresidential use or structure, the new use or structure may be permitted if the applicant:
   A. Provides written authorization from an adjoining or nearby property owner to allow establishment and/or use of parking facilities meeting the requirements of this Part on that property.
   B. Obtains authorization on said other property to establish and use parking facilities which will be a maximum of 800 feet from the use or building proposed by the applicant.

§27-2107. Access Drives to Parking Areas and Curbing for all Uses Excepting Single and Two-Family Dwellings.

1. The location and width of entrance and exit driveways to paved, hard surface parking facilities for all uses excepting single- and two-family dwellings, shall be planned to interfere as little as possible with the use of nearby property and with pedestrian and vehicular traffic on the nearest streets. The center line of the access driveways on the frontage street shall be at least 80 feet from the right-of-way line of the nearest intersecting street or any other driveway. Where there is more than one driveway to a parking area, the driveways, whenever possible, shall be limited to one-way travel, either as an entrance to or exit from the parking area. Entrances and exits shall be limited to three lanes. The width of such entrances and exits, measured at the street property line, shall conform with the following schedule:
   A. Width in feet:

	Minimum	Maximum
One lane	12	14
Two lanes	20	28
Three lanes	30	40

2. In all cases, the radius of the edge of the driveway apron shall be at least 15 feet so that a car entering or leaving may not obstruct vehicles in other traffic lanes in the driveway or street.
3. Whenever parking spaces are opposite each other and separated by a driveway or aisle, said area shall be a minimum of 20 feet in width.

§27-2108. Driveways and Curbs for Single and Two-Family Dwellings.

Access to the lot shall comply with the following regulations:

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

B. No two such driveways shall be closer to each other than 10 feet, and no driveway shall be closer to a side property line than 5 feet. No flare shall cross an extended side property line.

C. Each driveway shall be not more than 35 feet in width, measured at right angles to the center line of the driveway, except as increased by permissible curb return radii. The entire flare of any return radius shall fall within the right-of-way area.

D. On any corner lot, driveways shall not transact any portion of the clear sight triangle as defined in Part 19 of this Chapter.

§27-2109. Loading and Unloading Space.

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

Gross Floor Area	Loading/unloading Spaces Required
0 to 2,000 sq. ft.	0, provided all loading/unloading can be accomplished onsite without restricting traffic flow or disrupting off-street parking access
2,001 to 10,000 sq. ft.	1 space
10,001 to 50,000 sq. ft.	2 spaces
50,001 sq. ft. and over	3 spaces plus 1 additional space for each 40,000 sq. ft. on excess of 50,000 sq. ft.

§27-2110. Illumination of Parking and Loading Areas.

Parking and loading areas shall be illuminated during evening business hours to protect the public safety but shall follow lighting regulations in Section 27-1925. Parking and loading illumination shall be so designed and located that the light sources are cutoff or fully shielded. Light sources shall not be directly seen from adjoining residences and streets and shall not be of excessive brightness or cause a glare hazardous to pedestrians or drivers. The maximum height of parking lot light sources shall be 20 feet. Lighting shall be extinguished outside business hours.

§27-2111. Improvement to Parking and Loading Areas.

All parking areas, loading areas and access driveways, except for single- and two-family dwellings and home occupations, shall have an asphalt, concrete, or other similar hard surface, in accordance with ordinance requirements of the Township Supervisors. Improved hard surface off-street parking areas for three or more automobiles shall have individual spaces painted or marked. Surface water shall not be permitted to discharge over the public sidewalks or roadways or onto other premises. The maximum grade of the parking area shall not exceed 2 percent in areas of handicap parking spaces and the direct pathway to the building from those handicap parking spaces, and 5 percent in all other areas. Appropriate bumper guards or curbs shall be provided in order to define parking spaces or limits of paved areas and to prevent vehicles from projecting into required yards. The Zoning Officer may require landscaping in accordance with this Chapter. All curbs and bumper guards shall be constructed in accordance with standards established by the Township Supervisors.

§27-2112. Approval of Parking and Loading Plans.

Detailed, scaled drawings of off-street parking and loading areas (except for single-and two-family dwellings) shall be submitted to the Zoning Officer for approval prior to their construction. The drawings shall show each space, dimensions of driveways, aisles and other features required under the provisions of this Chapter.

Part 22

Signs and Advertising Structures

§27-2201. Intent.

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

§27-2202. Area of Sign.

The area of a sign shall be construed to include the entire display surface and background, whether open or enclosed, which encompasses lettering, wording, designs, and symbols, but not including any supporting framework and bracing which is incidental to the display itself. The area shall be determined using the largest visible sign or silhouette area. When the sign consists of individual letters or symbols attached to or printed on a surface, the area shall be considered to be the smallest rectangular shape or shapes which can be drawn together to encompass all of the letters and symbols. All double-faced signs shall be considered as having one sign area, except double-faced "V" signs that have interior angles greater than 45 degrees.

§27-2203. General Regulations.

All signs and/or advertising structures, where permitted under the terms of this Chapter, are subject to the following:

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

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

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

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

(4) Geographical identification and greeting signs erected by civic and service organizations provided that they do not exceed 4 square feet in area and are comprised of the organization's standard emblem or seal.

(5) Integral decorative or architectural features of buildings, except letters, trademarks, moving parts, or moving lights.

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

(7) Temporary signs as described in §27-2204.A of this Chapter.

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

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

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

B. Every sign shall be maintained in a safe, presentable, and good structural condition at all times, including the replacement of defective parts, painting, repainting, cleaning, and other acts required for the maintenance of said sign. The Zoning Officer shall require such maintenance, and in the event the sign owner fails to comply with said requirements, the Zoning Officer shall proceed against him as provided in §27-2401 of this Chapter. Any sign which pertains to a time, event or purpose which no longer applies and has been abandoned, as specified in §27-2204.A of this Chapter, shall be removed by the owner of the sign or the owner of the premises on which the sign is located.

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

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

E. No sign shall be higher than 35 feet from the ground to the highest part of the sign.

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

G. No sign shall be erected that screens traffic signals or signs or utilizes red, green, or amber lights or reflectorized material that creates a flashing action and is so located as to render ineffective any traffic sign or signal. Any sign which resembles an official traffic sign or signal, by way of its appearance or content, shall be prohibited.

H. Unless otherwise provided, no sign shall be painted, pasted, or otherwise affixed to any tree, rock, utility pole, hydrant, bridge, sidewalk, curb, or street.

I. Unless otherwise provided, no portion of any sign shall be erected within or placed on an existing structure in the road right-of-way. Additionally, no portion of any sign shall be erected in the "clear sight triangle" as specified in Part 19.

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

K. No sign shall contain obscene material.

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

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

§27-2204. Signs Permitted in All Districts.

The following signs are permitted in any zoning district:

A. Temporary signs which do not require a permit:

(1) Temporary signs of painters, mechanics, contractors, realtors, and the like not exceeding a total of 16 square feet in area, provided such signs are removed as soon as the work has been completed.

(2) Temporary signs and banners of a noncommercial nature across a public right-of-way are permitted provided (a) permission is obtained from the Township Supervisors, (b) they are erected in a location which will not cause a traffic hazard, (c) they meet safety standards and are maintained, and (d) they are removed when their temporary use is completed.

(3) Temporary signs announcing a campaign, drive, or event of civic, philanthropic, educational, or religious organization. Such signs shall not exceed 12 square feet in area and shall be removed within 48 hours after completion of the campaign, drive, or event.

(4) Temporary signs directing patrons, members, audience, or customers to temporary exhibits, shows, events, or activities (e.g., yard sales, fruit sales, conventions, etc.). Such signs shall not exceed 12 square feet in area and shall be removed within 48 hours after completion of the campaign, drive, or event.

(5) Signs erected in conjunction with a political election provided that all signs are removed within 48 hours after the date of the election.

B. Off-premises directional signs which require issuance of a permit:

(1) Off-premises directional signs which are used to direct patrons, members, audience, customers, clients to service clubs, churches, commercial, industrial,

institutional, or other organizations may be erected subject to the following requirements:

(a) A sign shall indicate only the name of the organization and the direction to the facility.
(b) Except at intersections, no sign shall be placed within 300 feet of another sign associated with the same principal use.
(c) All signs shall be placed within 2 miles of the use and no more than six signs for each principal use may be erected within the borders of the Township.
(d) All signs shall consist of dark lettering on a light background, excluding standard issue signs. The signs shall not exceed 3 square feet in area, and no moving parts, flashing lights, or any type of illumination shall be permitted.
(e) At intersections of public streets, no more than one sign post accommodating all directional signs may be erected per corner. Said posts shall not exceed 6 inches in width and shall not be less than 3 feet nor greater than 8 feet in height above ground. No more than one sign per principal use may be attached to any sign post and no portion of any sign shall be erected within the "clear sight triangle" as specified in Part 19 of this Chapter.
(f) Application for off-premises directional sign permits shall include a map indicating location of placement requests and the landowner's written approval, name to be placed on sign, and distances from the facility to each sign.

C. One name plate for a home occupation, provided that the sign does not exceed 4 square feet in size and identifies only the name of the occupant and title of the occupation. If lighted, the sign shall be illuminated without objectionable glare. No displays or changes in facade shall indicate from the exterior that the building is being used for any purpose other than that of a dwelling.

D. Guest Homes. One freestanding or projecting sign for each road frontage. Sign shall be no larger than 6 square feet in area and shall identify only the name of the guest home and its proprietor(s).

E. One institutional sign and/or one bulletin board for places of worship, schools, day care centers, hospitals, nursing or convalescent homes, special care residential communities, retirement complexes, libraries, museums, social clubs, and similar uses, provided each sign or bulletin board does not exceed 16 square feet in area and is located no closer to a road right-of-way than one-half the depth of the existing front yard or 25 feet whichever is less. If lighted, it shall be illuminated without objectionable glare. Additionally, if such property fronts on more than one street, each street frontage may contain the above-mentioned signs.

F. Subdivision Signs.

(1) *Temporary*. A sign advertising lots for sale, giving prices, dimensions, services, etc., and which shall be removed within 30 days of the sale date of the last lot.

(2) *Permanent*. A sign containing only the name of the development or subdivision and designed to be permanently affixed to the land. One sign per road frontage may be permitted provided the sign is placed at an entrance to the subdivision, is located on the property to be subdivided, and does not exceed 24 square feet in area. No portion of any sign shall be erected within the "clear sight triangle" as specified in Part 19.

§27-2205. Signs in Residential and Agricultural Districts.

The following types of on-premises signs may be permitted in residential and agricultural districts unless otherwise prohibited:

A. Signs for the advertisement of agricultural businesses as follows:

(1) For each property involved in agribusiness, one sign may be erected, provided no sign or portion thereof shall be located closer to the road right-of-way than one-half the depth of the existing front yard or 25 feet, whichever is less.

(a) *Wall or Projecting Sign*. Maximum sign area shall not exceed 16 square feet.
(b) *Freestanding Sign*. Maximum sign area shall not exceed 25 square feet.
(c) *Ground Sign*. Maximum sign area shall not exceed 25 square feet.

B. Signs for nonconforming commercial or industrial uses as follows:

(1) For each property involved in a commercial or industrial use, a total sign area of 30 square feet shall be permitted. No sign or portion thereof shall be located closer to the road right-of-way than one-half the depth of the existing front yard or 15 feet, whichever is less.

(a) *Projecting Sign*. Maximum sign area shall not exceed 12 square feet.
(b) *Freestanding or Ground Sign*. Maximum sign size shall not exceed 16 square feet. Additionally, all ground signs shall be a minimum of 15 feet from the street or road right-of-way.
(c) *Wall or Window Sign*. Maximum sign size shall not exceed 12 square feet.

C. Signs as permitted in §27-2204 of this Chapter.

§27-2206. Signs in Commercial and Industrial Districts.

The following types of signs may be permitted in commercial and industrial districts unless otherwise prohibited:

A. Signs for the advertisement of agribusiness as permitted in §27-2205.A of this Chapter.

B. For individual commercial, office, institutional, and industrial uses, signs shall be limited to a maximum total sign area of 250 square feet per street frontage. All signs shall be on-premises signs, and shall be either wall, projecting, roof, freestanding, or ground signs which comply with the following standards:

(1) One wall sign for each road frontage provided it is attached to the wall of the principal building and projects horizontally not more than 12 inches therefrom

and occupies not more than 15 percent of the total area of the front of the principal building. It shall not project more than 3 feet above the roof line or parapet wall.

(2) One projecting, marquee or roof sign for each road frontage provided it shall not project beyond a vertical plane 2 feet inside the road right-of-way line and does not exceed 20 square feet in area. Said signs shall not exceed a height of 35 feet.

(3) One freestanding or ground sign for each road frontage, provided it does not exceed 60 square feet in area. The freestanding sign shall not extend beyond a vertical plane 2 feet inside the lot from the road right-of-way line and shall not exceed a height of 35 feet. The ground sign shall be a minimum of 15 feet from any street or road right-of-way line.

C. In cases where multiple commercial, industrial or office uses exist as a homogeneous, cooperative unit (e.g., a general shopping district, shopping center or mall, office complex, industrial park, etc.), the identification sign for the entire district, center, mall, complex, or park shall be permitted subject to the following conditions:

(1) Such identification signs shall be freestanding signs, not attached to any building, and shall contain only the name and/or logo of the district, center (mall), complex, or park.

(2) A maximum of two such signs shall be permitted for any one district, center (mall), complex, or park.

(3) The maximum size of the identification signs shall not exceed 250 square feet per road frontage; however, an additional 250 square feet of sign area (per road frontage) may be attached to the identification sign structure and utilized for a listing of individual stores or businesses within the district, center, mall, complex, or park and/or a changeable copy sign. The additional sign area allowed for listing stores and/or businesses shall be located below the identification sign.

(4) Individual signs for each store or business within a shopping district, shopping center (mall), or industrial park shall comply with the requirements of §27-2206.B(1) or §27-2206.B(2).

(5) The height of all signs and their supporting structures shall be a maximum of 35 feet as measured from the ground.

(6) Commercial signs located in the interior of shopping centers (malls), office complexes, etc., are exempt from the maximum size limitations.

D. Signs as permitted in §27-2204 of this Chapter.

§27-2207. Nonconforming Signs.

Any sign erected, constructed, replaced, altered, enlarged, or relocated before the effective date, of this Chapter, that would not otherwise be permitted under the terms of this Chapter, may remain and continue to be used, maintained, and repaired provided:

A. A nonconforming sign shall not be replaced, altered, relocated, or reconstructed except to bring the sign into total compliance with the provisions of this Chapter.

B. A nonconforming sign may be used, maintained, and repaired subject to the following requirements:

(1) Maintenance and repair of a nonconforming sign is permitted when said activities are necessary to maintain the sign in a presentable, functional condition. Maintenance and repair activities shall not include alterations, relocation, or reconstruction but may include: replacement of defective parts, painting, repainting, cleaning, and other acts required for the maintenance of said sign. Prior to the removal of a nonconforming sign for maintenance, repair or message change, a permit shall be secured from the Zoning Officer. Said permit shall allow the applicant to re-erect the repaired or re-messaged nonconforming sign within 30 days of issuance. If the nonconforming sign is not erected within the specified time, it shall lose its nonconforming status and any successive sign shall conform with all applicable Chapter requirements.

(2) Nothing in this Chapter shall prohibit the change in advertising, identifying or directional message of a nonconforming sign so long as the change does not involve any alterations, relocation or reconstruction of the nonconforming sign. Message changes of a nonconforming sign that are a result of a transfer in ownership of the premises on which the principal use is located, excluding contract advertising signs, shall be prohibited and any successive sign shall conform to the Chapter requirements. If the message change requires removal of the sign, a permit shall be secured as in the above subsection.

(3) A nonconforming sign, which has been damaged or destroyed by fire, explosion, accident or calamity, to an extent which is greater than 50 percent of the sign or sign value, may not be repaired except in compliance with the provisions of this Chapter. A nonconforming sign which has sustained less than 50 percent damage of the sign or sign value may be repaired provided:

(a) The repaired sign is virtually unchanged, except for building materials and message, or is less nonconforming than the original sign.
(b) Repair is completed within 60 days from the date of damage. Failure to repair within 60 days shall result in the loss of nonconforming sign rights and any successive sign shall conform with all applicable ordinance requirements.

(4) When a nonconforming sign has been demolished or destroyed by deterioration or removal, or has been moved from its location for reasons other than for an approved repair, maintenance or a change in message, said sign shall not be reconstructed or replaced except in complete conformity with the provisions of this Chapter.

C. A nonconforming sign which pertains to a time, event, purpose, or use which no longer applies, has been abandoned or changed, shall be removed by the owner of the sign or the owner of the premises on which the sign is located.

D. Proposed signs that are associated with a nonconforming use shall conform to the regulations of the district in which the sign is located.

§27-2208. Prohibited Signs.

Off premises commercial signs or advertisement signs of any size, with either a removable portable base or permanent structural base, shall not be erected without a permit issued by the Zoning Officer. Signs or advertisements shall not be located within a public right-of-way or public roadway. Violators' signs will be removed and disposed by the Zoning Officer without advance notice required and with no recourse or compensation to the violating sign owner.

Part 23

Nonconformities

§27-2301. Intent.

1. Within any zoning district established by this Chapter, or any subsequent amendment thereto, there exists:

   A. Lots;

   B. Uses of land;

   C. Structures;

   D. Uses of structures or land and structures in combination;

which were lawful prior to the passage or amendment of this Chapter, but which would be prohibited, regulated, or restricted under the terms of this Chapter or future amendment, and are hereinafter referred to as nonconforming. It is the intent of this Chapter to permit these nonconformities to remain or continue until they are brought into compliance. It is further the intent of this Chapter that non-conformities shall not be used as grounds for adding other structures or additional uses prohibited elsewhere in the same district.

2. Nonconforming uses are declared by this Chapter to be incompatible with permitted uses within the same zoning district. Any extension or enlargement of a nonconforming use of a structure, of land, or structure and land in combination may be permitted only as provided within this Chapter. Extension or enlargement of a nonconforming use by the addition of uses not normally accessory to the existing nonconforming use shall not be permitted.

3. To avoid undue hardship, nothing in this Chapter shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this Chapter and upon which actual construction has been carried on diligently. Additionally, where excavation, demolition, or removal of an existing building has begun preparatory to rebuilding, such activities shall be deemed actual construction provided that work is carried on diligently.

§27-2302. Nonconforming Lots of Record.

1. Following the effective date of adoption of this Chapter, a permitted principal structure and accessory structure(s) may be erected upon any single nonconforming lot of record. Said lot must be in separate ownership and not of continuous frontage with other lots in the same ownership at the time of adoption of this Chapter. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, that are generally applicable in the district. However, yard dimensions and requirements other than those applying to area or width, or both, of the lot shall conform to the regulations for the district in which such lot is located. Variance of any prescribed requirements shall be obtained only through action of the Zoning Hearing Board.

2. If two or more contiguous nonconforming lots held under single ownership have been duly approved by the Township Supervisors and are on record in the office of the Recorder of

Deeds of Lebanon County for no more than 3 years before the date of adoption of this Chapter, such lots may be developed, as recorded, provided that yard dimensions and requirements other than those applying to area or width shall conform to the regulations for the district in which such lots are located.

3. If two or more contiguous nonconforming lots held under single ownership have been duly approved by the Township Supervisors and are on record in the office of the Recorder of Deeds of Lebanon County for more than 3 years before the date of adoption of this Chapter, such lots may be developed, provided that:

   A. The lot area and lot width of all lots is 75 percent or more of the required lot area and width.

   B. All yard, lot coverage, and other applicable requirements of the district can be satisfied.

   C. Contiguous nonconforming lots which cannot satisfy requirements .A and .B of this subsection shall be combined, enlarged or re-subdivided to satisfy requirements in paragraphs .A and .B. No portion of a nonconforming lot shall be sold or used in a manner which further diminishes compliance with the lot area and lot width requirements of this Chapter, nor shall a portion of a conforming lot be sold or used in a manner which creates a nonconforming lot.

§27-2303. Nonconforming Uses of Land.

Where lawful use of land exists at the time of the passage of the Chapter which would not be permitted by the regulations imposed by this Chapter, and where such use involves no principal structure, the use may be continued, provided that:

A. No such nonconforming use of land which is ceased, removed, discontinued or abandoned for a period of 180 consecutive dates shall thereafter be reestablished. This cessation, discontinuance, or abandonment time limit may be extended by an additional 180-day time period where contracts or agreements are being negotiated, provided (1) the property owner makes written application for an extension, citing the reasons necessary for the extension and, the length of extension requested and (2) the Zoning Officer issues a temporary certificate of zoning compliance to register the reasons for extension, the length of extension and the nature of the nonconformity.

B. No principal structures shall be erected in connection with such nonconforming use of land.

C. Expansion of nonconforming uses shall be limited to a maximum aggregate enlargement of 50 percent of the area of land so used, as compared to the land in nonconforming use at the date of adoption of this Chapter. Contiguous land owned at the effective date of this Chapter may be used for expansion of the nonconforming use. However, for purposes of this Chapter, approved streets or road rights-of-way define the limit of expansion of any nonconforming use of land, and such uses shall not extend across said, streets or road rights-of-way.

§27-2304. Nonconforming Structures.

A lawful structure existing at the effective date of adoption of this Chapter that could not otherwise be built due to restrictions on lot coverage, height, yards, its location on the lot, or other requirements concerning the structure, may remain, subject to the following provisions:

A. A nonconforming structure shall not be enlarged or altered in a way which increases its nonconformity, but a structure or portion thereof may be altered to decrease its nonconformity.

B. A nonconforming structure or portion thereof may be extended along established, existing building lines provided:

(1) The extension meets all other applicable yard, lot coverage, and height regulations.

(2) Extension or enlargement along the nonconforming setback shall be limited to a maximum 100 percent increase of the area of land covered by the portion of structure which is in a nonconforming status. Extension or enlargement in a conforming manner shall not be subject to the 100 percent limitation. Any extension or enlargement shall be regulated by other applicable yard, lot coverage and height restrictions.

C. A nonconforming structure which has been damaged or destroyed to any extent by fire, explosion, accident, or calamity may be repaired or reconstructed provided:

(1) The rebuilt structure is unchanged in its original size or location, or is less nonconforming than the original structure.

(2) Repair or reconstruction is commenced within 1 year from the date of damage or destruction. Failure to repair or reconstruct within 1 year shall result in loss of nonconforming rights and any successive structure shall conform with all applicable Chapter requirements.

D. A nonconforming structure which has been demolished or destroyed to any extent by deterioration or removal shall not be reconstructed or structurally replaced, except that:

(1) Any conforming portion of the nonconforming structure may be reconstructed or replaced.

(2) Repairs and maintenance shall be permitted to maintain the nonconforming structure in a safe condition. However:

(3) Restoration and repairs shall be limited to protective exterior improvements.

(4) A maximum aggregate of 50 percent of the structural or weight bearing components of the nonconforming structure may be replaced, during structural alterations, so that repairs and maintenance do not actually involve replacement of the old structure with a new one over any period of time.

E. Should a nonconforming structure be moved for any reason then:

(1) Relocation on part of the same land area previously covered by the structure shall equal or decrease the nonconformity.

(2) Relocation to a previously unoccupied area shall conform to all applicable Chapter requirements.

§27-2305. Nonconforming Uses of Structures or Land and Structures in Combination.

If lawful use involving principal structures or land and structures in combination exists at the effective date of adoption of this Chapter, the use may be continued so long as it remains otherwise lawful, subject to the following:

A. Abandonment of a nonconforming use of a structure (or land and structure in combination) shall remove the nonconforming status of the structure (or land and structure in combination) 8o that the nonconforming use may not thereafter be reestablished. Furthermore, use of the structure (or land and structure in combination) shall thereafter conform with the regulations for the zoning district in which it is located. Abandonment shall be deemed to have occurred when the nonconforming use is ceased, removed or discontinued for a period of 180 consecutive days. However, this cessation, discontinuance or abandonment time limit may be supplemented by an additional 180-day time period where contracts or agreements are being negotiated, provided (1) the property owner makes written application for an extension, citing the reasons necessary for the extension and the length of extension requested and (2) the Zoning Officer issues a temporary certificate of zoning compliance to register the reasons for extension, the length of extension and the nature of the nonconformity.

B. Extension or enlargement of (1) the structure containing the nonconforming use or (2) the area of land used for storage, display or sales of products or materials in combination with the nonconforming use shall be subject to the following:

(1) Expansion of the nonconforming use shall be limited to a maximum aggregate enlargement of 50 percent of the area of land so used at the date of adoption of this Chapter, subject to the requirements that:

(a) The structure containing the nonconforming use may be enlarged to cover 50 percent additional land area (lot coverage).
(b) Expansion may include only the same number of stories existing on the structure at the effective date of this Chapter. Additional stories shall not be permitted.
(c) The area of land used for storage, display, or sales of products or materials in combination with the nonconforming use may be enlarged to cover 50 percent additional land area.
(d) Contiguous land may be used for the maximum 50 percent expansion, provided the land so used was owned at the effective date of this Chapter and expansion does not extend across any street or road right-of-way.

C. Any nonconforming use of a structure (or land and structure in combination) may, as a special exception, be changed to another nonconforming use provided the Zoning Hearing Board finds that the proposed use is equally appropriate or more appropriate to the district than the existing nonconforming use.

D. Where the nonconformity applies to use of structure (or land and structure in combination), removal or destruction of the structure shall eliminate the non-conforming status of the land. Removal or destruction, for the purposes of this subsection, shall include the removal or destruction of an aggregate of 75 percent or more of the structural or weight bearing components of the structure.

§27-2306. Uses under Special Exception Provisions Not Nonconforming Uses.

Any existing use which is permitted as a special exception in a district under the terms of this Chapter (other than a change through Zoning Hearing Board action from one nonconforming use to another nonconforming use not generally permitted in the district) shall not be deemed a nonconforming use in such district. However, expansion, enlargement or change to that existing use shall be subject to the same criteria specified for special exception approval within the district and administrative Sections of this Chapter, although Zoning Hearing Board action shall not be required.

§27-2307. Nonconforming Signs.

Any sign erected, constructed, or placed before the effective date of this Chapter which does not conform to the applicable provisions of Part 22 of this Chapter is a nonconforming sign. No such sign shall be replaced, relocated, or otherwise changed until approval is obtained in accordance with the requirements of Part 22 of this Chapter.

§27-2308. Nonconforming Uses, Activities, Construction, and Other Development in the General Floodplain District.

In addition to the requirements of Part 23 of this Chapter, all nonconforming uses, activities, construction and other development occurring within the General Floodplain (GFP) District shall also comply with the applicable requirements of Part 17 of this Chapter and the Lebanon County Floodproofing Building Code.

Part 24
Administration and Enforcement, Building and Zoning Permits and Certificates of Zoning Compliance, Conditional Uses and Procedures Relating Thereto

§27-2401. Administration, Enforcement and Authority.

1. A Zoning Officer designated by the Township Supervisors shall administer and enforce this Chapter. He may be provided with the assistance of such other persons as the Township Supervisors may direct. The Zoning Officer shall administer this Chapter in accordance with its literal terms, and he shall not have the power to permit any construction, use, or change of use which does not conform to this Chapter.
2. If the Zoning Officer shall find that any of the provisions of this Chapter are being violated, he shall notify in writing the person(s) responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it. He shall have the authority to order discontinuance of illegal uses of land, buildings, or structures; removal of illegal buildings, signs or structures, or illegal additions, alterations, or structural changes; discontinuance of any illegal work in process; or any other action provided by this Chapter to ensure compliance with, or prevent violation of, its provisions.
3. The Zoning Officer is authorized to institute civil enforcement proceedings as a means of enforcement when acting within the scope of his employment.

§27-2402. Building and Zoning Permits Required.

1. No building, structure, sign, or land shall be erected, constructed, reconstructed, altered, converted, removed, moved, added to, used, or the use therein changed unless and until a building and zoning permit is obtained from the Zoning Officer.
2. The permit requirements shall apply to all permanent, temporary, seasonal, part-time, or movable buildings, structures, signs, or uses, unless exempted elsewhere in this Chapter.
3. No building and zoning permit shall be issued by the Zoning Officer except in conformity with the provisions of this Chapter, unless he receives a written order from the Zoning Hearing Board in the form of an administrative review, special exception, or variance as provided by this Chapter.

§27-2403. Application for a Building and Zoning Permit.

Applications for a building and zoning permit shall be filed by the property owner, his authorized agent or an individual with a proprietary interest in the property, said individual to hereafter be known as the applicant. Applications shall be submitted to the Zoning Officer and contain the following:

A. *Building and Zoning Permit Form*. On a form supplied by the Zoning Officer, the applicant shall provide information to describe the size, location, and nature of the proposed building, structure or use. The applicant shall sign the application form to verify the accuracy of the information.

B. *Plot Plan*. All applications for a building and zoning permit shall be accompanied by a plot plan in accordance with the following:

(1) Three copies of the plot plan shall be submitted. In lieu thereof, an 81/2 inch by 11 inch plot plan is acceptable, provided it is suitable for photocopying.

(2) The plot plan shall show, where applicable, size, shape, and dimensions of the lot; size and location of all existing buildings; size, location, and use of all proposed buildings, additions, or alterations; parking lots, parking spaces, driveways, signs, and other site improvements; and other information as may be necessary to determine conformance with this Chapter. The applicant shall sign the plot plan to verify the accuracy of the information.

(3) Engineering, architectural or surveyor's plans may be required by the Zoning Officer where necessary to accurately depict the proposed work on a property.

(4) The Zoning Officer may waive the plot plan requirement where the applicant satisfactorily demonstrates that minimum standards are greatly exceeded.

C. *Other Permit Prerequisites*. At the time of application, the applicant shall produce, where applicable, a valid sewage permit, road encroachment permit, Labor and Industry approval, subdivision approval, or other approval preliminary to issuance of the building and zoning permit.

D. *Application Fee*. All applications for a building and zoning permit shall be accompanied by a fee in accordance with the current schedule of fees resolution adopted by the Township Supervisors.

§27-2404. Incomplete Applications.

When an applicant fails to (A) complete and sign the building and zoning permit application form, (B) submit a plot plan and attest to its accuracy by signature, (C) pay the required application fee, (D) secure and produce other permit prerequisites, or (E) submit other information required by the Zoning Officer, the application for a building and zoning permit shall be deemed incomplete. The Zoning Officer may notify the applicant to request supplemental information to complete the application. Such notice shall prescribe a time period, not to exceed 30 days, for completion of the application by submission of the supplementary information. Failure to complete the application shall result in written disapproval, in accordance with §27-2205.B of this Chapter.

§27-2405. Approval or Disapproval of a Building and Zoning Permit.

After an application has been determined to be complete or the applicant has failed to submit requested information in a timely fashion, the Zoning Officer shall take official action to approve or disapprove the permit application in accordance with the following:

A. *Approval*. When a completed application is found to conform with the provisions of this Chapter, the Zoning Officer shall issue an approved building and zoning permit within 20 days of application completion. Issuance of the permit shall be accompanied by an approved plot plan, where applicable, and a placard for display on the premises during the construction or alteration period. Building and zoning permits are nontransferable and are valid for work authorized therein only for the owner and property so designated.

B. *Disapproval*. When a completed application is found not to conform with the provisions of this Chapter, the Zoning Officer shall disapprove the application for a building and zoning permit within 20 days of application completion. Plot plans submitted with the application shall also be disapproved. Failure to complete the application within the prescribed time period shall also result in disapproval. The disapproval shall be in writing, citing the deficiencies of the application. Appeals from a disapproval by the Zoning Officer shall be taken in the manner set forth in Part 26 of this Chapter.

§27-2406. Revocation of a Building and Zoning Permit.

Permits are issued on the basis of plans and applications approved by the Zoning Officer and authorize only the use, arrangement, and construction set forth in such approved plans.

A. A building and zoning permit shall be revoked, in writing, by the Zoning Officer for any of the following reasons:

(1) When use, alteration or construction does not comply with or exceeds the scope of that authorized by the building or zoning permit.

(2) When information pertinent to the application for a building and zoning permit has been falsified or misrepresented.

(3) When other provisions of this Chapter are violated in conjunction with the use, alteration or construction authorized by the building and zoning permit.

(4) When the original decision of the Zoning Officer did not conform to the requirements of this Chapter.

B. Written revocation shall be provided to the applicant and shall indicate the reasons for such action and an order to cease the unlawful construction, development, use, etc. Additionally, the revocable offenses shall be deemed a violation of this Chapter and subject the violator to the penalties provided by Part 33 of this Chapter.

C. In lieu of revoking the building and zoning permit for the reasons listed in paragraph A, the Zoning Officer may issue a cease-and-desist order in situations where revocation is not immediately necessary and the possibility for compliance exists. The cease-and-desist order shall consist of a written notice to the owner of record which provides information in accordance with §27-3202.B. Activity on the property shall not recommence unless and until compliance is reached and written notice to proceed has been issued by the Zoning Officer. Where appropriate, the Zoning Officer may subsequently revoke the building and zoning permit for noncompliance.

§27-2407. Expiration of a Building and Zoning Permit.

1. An approved building and zoning permit shall expire:
   A. If the work described therein has not begun within 90 days from the date of issuance.
   B. If the work described therein has not been completed within 2 years from the date of issuance.
2. Upon expiration of a building and zoning permit, work shall cease and shall not thereafter commence unless and until a new building and zoning permit is obtained.

§27-2408. Certificate of Zoning Compliance.

The Zoning Officer shall maintain certificate of zoning compliance forms which shall be utilized to record the following:

A. Nonconformities. Owners or occupants of nonconforming uses of land or structures and land in combination shall obtain a certificate of zoning compliance to document wherein the use differs from the provisions of this Chapter. Authorization to renew, change, extend, enlarge, or alter the nonconformity shall not be granted unless and until the specifics of the nonconformity are first recorded on a certificate of zoning compliance and the change or alteration is found to comply with Part 23 of this Chapter. The Zoning Officer may require written documentation to verify the characteristics of the use and the dates of establishment.

B. Approved Uses and Structures. Owners or occupants of uses or structures authorized by approved building and zoning permits may request a certificate of zoning compliance to verify that the use or construction completed is in compliance with the approved permit and the provisions of this Chapter. Similarly, owners or occupants of pre-existing conforming uses or structures may request a certificate of zoning compliance. Upon receipt of such a request, the Zoning Officer shall inspect the premises and approve or disapprove a certificate of zoning compliance.

C. Nothing contained herein shall preclude the Zoning Officer from conducting routine inspections and investigations to determine zoning compliance, nor shall it prevent him from responding to complaints on zoning violations. Furthermore, violations of the conditions, uses, or construction approved within a certificate of zoning compliance shall be a violation of this Chapter, punishable in accordance with Part 33 of this Chapter.

§27-2409. Continuation of Use, Construction, Development, Etc., Deemed Unlawful by Zoning Officer.

Upon written notification by the Zoning Officer of a violation of the terms of this Chapter, all use; construction, development, etc., cited by said notification shall cease immediately and shall not recommence until such time as written compliance is received from the Zoning Officer or the Zoning Hearing Board has granted approval, with or without conditions, of the use, construction, development, etc. Application for appeal does not authorize continuation of said use, construction,

development, etc., until a final legal determination has been made and the appeal period has expired.

§27-2410. Conditional Uses and Procedures Relating Thereto.

1. Waivers.

   A. Any landowner required to apply for and obtain conditional use approval from the Township Board of Supervisors may request a waiver of the conditional use procedures and/or conditional use hearing. Such waiver requests shall be in writing and shall be in writing and shall be submitted to the Board of Supervisors at least 3 days prior the date of a regularly scheduled meeting. The written request for a waiver shall contain pertinent information and shall state the applicant's justification for the approval of such a waiver. A waiver request may only be approved by a majority vote of the Board of Supervisors at a public meeting and shall only become effective when issued by the Township in writing to the applicant.

   B. The Board of Supervisors may approve the waiver of procedures or hearing in total, or they may approve waiver of only a portion of the procedures stipulated herein, at their discretion.

2. *Compliance*. Nothing in this Part shall relieve the owner or his agent, the developer, or the applicant for a conditional use permit, from receiving approval of a subdivision plan in accordance with the Lebanon County Subdivision and Land Development Ordinance.

3. *Conditional Use Objectives*. In acting upon any such proposed use, the Board of Supervisors shall take into consideration the public health, safety, and welfare, the comfort and convenience of the public in general, and of the residents of the immediate neighborhood in particular, and may prescribe appropriate conditions and safeguards as may be required in order that the result of its action may, to the maximum extent possible, further the expressed intent of this Part and the accomplishment of all the following objectives:

   A. All proposed structures, equipment, or material shall be readily accessible for fire and police protection.

   B. The proposed use shall be of such location, size, and character that, in general, it will be in harmony with the appropriate and orderly development of the District in which it is proposed to be situated, and will not be detrimental to the orderly development of adjacent properties in accordance with the zoning classification of such properties.

   C. Vehicular traffic generated from the proposed use shall be carefully considered. Detrimental impacts from increased traffic volumes may warrant special consideration and/or conditions to alleviate negative impacts from that traffic.

   D. In addition to the factors listed above, in the case of any use located in, or directly adjacent to, a residential district:

      (1) The location and size of such use, the nature and intensity of operations involved in or conducted in connection therewith, its site layout, and its relation to access streets shall be such that both pedestrian and vehicular

traffic to and from the use, and the assembly of persons in connection therewith, will not be hazardous or inconvenient to, or incongruous with, said residential district or conflict with the normal traffic of the neighborhood.

(2) The location and height of buildings, the location, nature, and height of walls and fences, and the nature and extent of landscaping on the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings.

4. Conditional Use Procedures.

A. Requests for conditional uses shall be submitted to West Cornwall Township, together with all required fees and charges, which shall be established from time to time by appropriate resolution, in a written application which sets forth the grounds for the request in detail.

B. Upon receipt of a conditional use application and development plan (See subsection .5, below) the following procedure shall be followed:

(1) Within 30 days of the receipt by the Township of a conditional use application, the Township Planning Commission shall review the application together with the development plan and all supporting information and make a recommendation to the Board of Supervisors either to approve or deny the application, setting forth the reasons for its recommendation. The Planning Commission may recommend provisions for additional conditions and safeguards which it believes will render the use consistent with the objectives of this Part.

(2) Within 30 days of receipt of the Planning Commission's recommendation, the Board of Supervisors, after giving notice to the public, shall hold a public hearing on the conditional use application. The public hearing shall be conducted in a form similar to that of a zoning hearing in which the formal rules of evidence do not apply. Written notice of the public hearing shall be conspicuously posted on the affected tract of land at least 7 days prior to the public hearing.

(3) Within 45 days following the adjournment of the public hearing, the Board of Supervisors shall render a final decision to either approve the request, approve the request with conditions, or deny the request. The Solicitor shall correspond with the applicant in writing within 15 days following the final decision.

(4) The decision of the Board of Supervisors shall be accompanied by findings of fact and the conclusions based thereon, together with the reasons therefore.

(5) In approving a conditional use application, the Board of Supervisors may attach such reasonable conditions and safeguards, in addition to those expressed in this Part, as it may deem necessary to implement the purposes of this Part and the Pennsylvania Municipalities Planning Code, 53 P.S. §10101 et seq.

(6) Renewal Requirements.

(a) The Board of Supervisors may issue conditional use permits which are valid for a period of 5 years and subject to renewal at the end of the period.
(b) The Board of Supervisors may require public notice and a hearing for a conditional use permit renewal as they deem necessary. Renewals not requiring public notice and a hearing shall be reissued for a period of 1 year and subject to annual review by the Board of Supervisors.
(c) A conditional use permit renewal may be withheld upon a determination by the Board of Supervisors that the permittee, or his heirs or assigns, has not complied with the terms and conditions of the original conditional use permit. In such case, the permittee shall be granted a period of 60 days to comply with all of the terms and conditions of the original permit, after which the permit may then be reconsidered for renewal. In granting such renewal, the Board of Supervisors may amend the permit and add additional conditions which it deems necessary or desirable to implement the purposes of this Part.
(d) Failure by the permitted to come into compliance within the 60-day period shall be grounds for the permit to be revoked at which time the use shall cease.

(7) The applicant and/or permitted shall bear the burden of proof that the proposed use, or use being considered for permit renewal, meets all of the requirements of this Part, and the terms and conditions of the original conditional use permit.

5. *Development Plan*. A plan for the integrated development of the total area to be covered by the conditional use permit, which shall contain studies, reports, and a scale drawing, which shall accompany and be a part of the conditional use application, and which shall contain or identify the following:

A. The location, boundaries, dimensions, and owners (legal and equitable) of the land.

B. In the case of commercial or industrial development, a general description of the activities to take place including, but not limited to, products being manufactured, services being performed, number of employees, working hours, delivery services, water consumption, sewage generation, and projections for future expansion. For the purposes of this Part, multi-family rental properties or complexes are considered commercial operations.

C. The location, use, and ground area of proposed buildings and structures.

D. The locations, dimensions, arrangements, and proposed uses of all open spaces, yards, streets, accessways, entrances, exits, off-street parking facilities, loading and unloading facilities, pedestrian ways and buffers.

E. The capacity arrangement and controls for all areas to be used for automobile access, parking, loading, and unloading in sufficient detail to demonstrate that satisfactory arrangements will be made to facilitate traffic movement from the street or highway.

F. The character of buffer areas and screening devices to be maintained including the locations, dimensions, plant types, and arrangements of all areas devoted to landscaping and the location and dimensions of non-plant screens.

G. A description of the proposed methods of control of development in sufficient detail to indicate the levels of production of noise, glare, air pollution, water pollution, fire hazards, traffic congestion, and other safety hazards or environmental effects.

H. A description of the methods to be utilized for water supply and treatment; wastewater generation and disposal; refuse generation, storage and disposal; stormwater runoff quantity, quality, management, treatment, and discharge.

I. The names and complete mailing addresses of all adjoining property owners. In addition, applicants for commercial and industrial uses shall provide the names and complete mailing addresses for all property owners within 800 feet of the property boundary.

J. *Environmental Impact Study*. The applicant shall submit a study prepared by a qualified environmental consultant which shall evaluate the proposed site and use, comparing pre-development conditions, development impacts, and projected post-development conditions for the following:

(1) Wetlands.

(2) Steep slopes.

(3) Groundwater quantity and quality.

(4) Woodland impacts.

(5) Soil types and sink hole potential.

(6) Upland stormwater runoff onto the site, stormwater generated from the site (including quantity and quality), effects of runoff to downstream properties and the ultimate receiving water course.

(7) Background noise on the site and in surrounding neighborhoods and the impacts to those noise levels by the proposed use.

(8) Background light and glare on the site and in surrounding neighborhoods and the impacts to those light and glare levels by the proposed use.

(9) The types, quantities and habitat of wildlife present on the site and the effects the proposed use will have on them.

K. Historical resources assessment report.

L. Traffic Impact Study. A study and report prepared by an independent, qualified engineer which addresses the following. Waivers of the requirement' for any of these items may be approved at the discretion of the Township Supervisors based upon the nature and size of the proposed conditional use:

(1) Existing roadway network within 1 mile of the site.

(2) Existing traffic volumes and patterns on the roadway network, including ratings of intersections.

(3) An evaluation of cartways in the road network including widths, speed limits, type of construction, load capacity of the cartway and any bridges in the network, site distance problems, intersection geometry problems, and traffic accident history.

(4) The quantity, type, and daily distribution of traffic being generated by the proposed land use, for all phases of development including, but not limited to, maximum future expansion.

(5) The effect on the existing traffic network by the proposed use including, but not limited to, intersection ratings, congestions, delays, increase in potential for traffic accidents, etc.

(6) An evaluation of the necessary improvements to the local road network to affect no negative impact by the proposed use. This includes the need for road widening, traffic signals, speed limit adjustments, intersection re-alignments, and cartway or bridge improvements to alleviate deficient structural conditions.

M. *Public Utilities Assessment Report*. An evaluation of the existing water, sewer, electric, gas, telephone, and cable television services available to the site including, but not limited to, present capacity, the ability of the appropriate utility company to serve the site and the off-site improvements needed to provide adequate service to the site.

N. *Fiscal Impact Assessment Report*. An evaluation of: (1) the present tax revenues being generated by the site; (2) the future taxes likely to be generated from the site after development; (3) the cost impact to the local school district from new students being generated from the proposed use; (4) the cost impact to the Township for maintenance of new roadways, storm sewers, and utility lines generated by the proposed use; and (5) the cost impact to the local police and fire companies from the proposed use.

O. *Parks and Recreation Assessment Report*. An evaluation of the present parks and recreation facilities within the Township, and the effect on to the parks and recreational facilities including, but not limited to, the demand for additional parks and recreation facilities which will be generated by the proposed use. This report shall also recommend improvements to the existing parks and recreational facilities which may be needed to meet added recreational demand from the proposed use.

6. *Effect of Conditional Use Approval*. Any use for which a conditional use permit may be granted shall be deemed to be a conforming use in the district in which such use is located, provided that such permit shall be deemed to affect only the lot or portion thereof for which such permit shall have been issued.

7. *Fees*. The Board of Supervisors shall establish a fee schedule by resolution for conditional use applications, which schedule may be amended from time to time.

Part 25

Zoning Hearing Board; Establishment and Procedure

§27-2501. Intent.

1. A Zoning Hearing Board shall be established. The membership of the Board shall consist of three residents of the Township appointed by the Township Supervisors. The terms of office of the three member Board shall be 3 years and shall be so fixed that the term of office of one of the members shall expire each year. Members of the Zoning Hearing Board may be removed from office by the Township Supervisors for cause upon written charges and after a public hearing. Vacancies shall be filled by resolution of the Township Supervisors for the unexpired term of the member affected. Members of the Zoning Hearing Board shall hold no other office in the Township.
2. The Township Supervisors may appoint by resolution at least one but no more than three residents of the Township to serve as alternate members of the Zoning Hearing Board. The term of office of an alternate member shall be 3 years. When seated pursuant to the provisions of this Chapter, an alternate shall be entitled to participate in all proceedings and discussions of the Board to the same and full extent as provided by law for Board members, including specifically the right to cast a vote as a voting member during the proceedings, and shall have all the powers and duties set forth in this Chapter and as otherwise provided by law. Alternates shall hold no other office in the municipality, including membership on the Planning Commission and Zoning Officer. Any alternate may participate in any proceeding or discussion of the Board but shall not be entitled to vote as a member of the Board nor be compensated unless designated as a voting alternate member of the Zoning Hearing Board.

§27-2502. Proceedings of the Zoning Hearing Board.

1. The Zoning Hearing Board shall adopt rules necessary to conduct its affairs, in keeping with the provisions of this Chapter and the PMPC, 53 P.S. §10101 et seq.
2. Meetings shall be held at the call of the chairman and at such other times as the Zoning Hearing Board may determine. The chairman, or in his absence, the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings shall be open to the public.
3. The Zoning Hearing Board may employ or contract for and fix the compensation of legal counsel, as the need arises. The legal counsel shall be an attorney other than the Township Solicitor. The Board may also employ or contract for and fix the compensation of experts and other staff and may contract for services as it shall deem necessary. The compensation of legal counsel, experts, and staff and the sums expended for services shall not exceed the amount appropriated by the Township Supervisors for this use.

§27-2503. Hearings, Appeals, and Notice.

1. Appeals to the Zoning Hearing Board concerning interpretation or administration of this Chapter may be taken by any person aggrieved or by any office or bureau of the Board of Supervisors affected by any decision of the Zoning Officer. Such appeals shall be taken within a reasonable time, not to exceed 60 days or such lesser period as may be provided by the rules of the Board, by filing with the Zoning Officer and with the Zoning Hearing Board a notice of appeal specifying the grounds thereof. The Zoning Officer shall forthwith transmit to the Board all papers constituting the record from which the action appealed was taken.
2. The Zoning Hearing Board shall fix a reasonable time for the hearing of an appeal, give public notice thereof, as well as due notice to the parties in interest, and decide the same within 45 days after the hearing. However, where a hearing has been continued (e.g., scheduling further testimony, conducting a site inspection or accepting briefs), the decision shall be rendered within 45 days of the final hearing on the case.
3. Conduct of the Zoning Hearing Board shall be in accordance with Article IX of the PMPC, 53 P.S. §10901 et seq. The concurring vote of two members on a three member Board shall be necessary to reverse any order, requirement, decision or determination of the Zoning Officer, or to decide in favor of the petitioner on any matter upon which it is required to pass under this Chapter, or to affect any variation in the application of this Chapter.

§27-2504. Stay of Proceedings.

An appeal stays all proceedings in furtherance of the action appealed unless the Zoning Officer from whom the appeal is taken certifies to the Zoning Hearing Board after notice of appeal is filed with him, that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life and property. In such case, proceedings shall not be stayed other than by a restraining order which may be granted by the Zoning Hearing Board or by a court of record on application, or notice to the Zoning Officer from whom the appeal is taken and due cause shown.

Part 26

Zoning Hearing Board; Powers and Duties

§27-2601. Authority and Procedures.

The Zoning Hearing Board shall have the authority to hear and decide petitions of appeal, where applicable, for administrative reviews, special exceptions, variances and ordinance challenges. Petitions for appeal and subsequent hearings shall be in accordance with the provisions of the PMPC, and the following:

A. A written petition shall be submitted by the petitioner on the form provided by the Zoning Officer. The petition shall, in addition to information pertaining to the petitioner and property location, specify the type of appeal being taken and the grounds for the appeal. The petition shall be considered complete when, along with the above information, a fee is submitted in the amount set forth by resolution by the Township Supervisors.

B. Notice of the public hearing shall be provided to all interested parties, all property owners adjoining the affected property, and all property owners within 200 feet of the affected property. Furthermore, notice of said hearing shall be advertised according to the PMPC, 53 P.S. §10101 et seq., and conspicuously posted on the affected property at least 1 week prior to the hearing. Continued or reconvened hearings shall not require notice and advertising in accordance with this subsection, provided the time and date of the subsequent hearing is announced at the original hearing.

C. The public hearing shall be held within 60 days from the date of the petitioner's request unless the applicant has agreed to an extension of time. Any party may appear in person or by agent or attorney.

D. The parties to the hearing shall be the Township Supervisors, any person affected by the petition who has made a timely appearance of record before the Board, and any other person, including civic or community organizations. The Board may supply forms and require persons to enter appearances, in writing, in order to become parties.

E. The hearing shall be conducted by the Board or the Board may appoint any member as a hearing officer. The decision or, where no decision is called for, the findings shall be made by the Board; however, the applicant, in addition to the municipality, may, prior to the decision, waive decision or findings by the Board and accept the decision or findings of the hearing officer as final.

F. The chairman, acting chairman or hearing officer presiding shall have the power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant documents and papers, including witnesses and documents requested by the parties.

G. Parties shall have the right to be represented by counsel and have the right to respond and present evidence and argument and cross-examine adverse witnesses

on relevant issues. Formal rules of evidence shall not apply, but irrelevant, immaterial or unduly repetitious evidence may be excluded.

H. The Board or the hearing officer shall keep a taped recording, or a stenographic record, if requested, of the proceedings. The appearance fee for a stenographer shall be shared equally by the petitioner and the Board. The cost of the original transcript shall be paid either by the Board, if the Board or hearing officer orders the transcript; the person appealing the decision of the Board; or the party requesting the original transcript. The cost of additional copies of the original shall be paid by the person requesting such copies.

I. The Board or the hearing officer shall not communicate, directly or indirectly, with any party or his representatives in connection with any issues involved except upon notice and opportunity for all parties to participate; shall not take notice of any communications, reports, staff memoranda, or other materials, except advice from their solicitor, unless the parties are afforded the opportunity to contest the material so noticed; and shall not inspect the site or its surroundings after the commencement of hearings with any party or his representatives unless all parties are given opportunity to be present.

J. The Board or the hearing officer shall render a written decision or findings, if no decision is called for, within 45 days after the last hearing before the Board or hearing officer. Where the petition is contested or denied, the decision shall be accompanied by findings of fact, related conclusions with reference to the provisions of law relied upon and the appropriate reasons for arriving at those conclusions. If the hearing is conducted by a hearing officer and there has been no stipulation that his decision or findings are final, the Board shall make his report and recommendations available within 45 days, and the parties shall be entitled to make written representations thereon to the Board prior to final decision or entry of findings. The Board's decision shall be entered no later than 30 days after the report of the hearing officer. Where the Board fails to render the decision within the period named above or fails to hold the hearing within 60 days from the date of the petitioner's request, the decision shall be deemed to have been rendered in favor of the applicant, unless the applicant has agreed, in writing or on the record, to an extension of time. When a decision has been deemed to be rendered in favor of an applicant because of the Board's failure to meet or render a decision on time, the Board shall give public notice of said decision within 10 days of the last day it could have met to so act. If the Board fails to provide such notice, the applicant may do so. Nothing in this Chapter shall prejudice the right of any party opposing the petition to appeal the decision to a court of competent jurisdiction.

K. A copy of the decision or findings, where no decision is called for, shall be delivered to the applicant personally or mailed to him not later than the day following its date. To all other persons who have filed their names and addresses with the Board not later than the day of the last hearing, the Board shall provide, by mail or otherwise, brief notice of the decision or findings and a statement of the place at which the full decision or findings may be examined.

L. The procedures described herein shall apply to all Zoning Hearing Board hearings, and the following Sections shall further explain when the Zoning Hearing Board has jurisdiction in legal matters and the specific powers and duties of the Zoning Hearing Board for the various appeals permitted by this Chapter and the PMPC, 53 P.S. §10101 et seq.

§27-2602. Jurisdiction of Zoning Hearing Board.

The Zoning Hearing Board shall have exclusive jurisdiction to hear and render final adjudications in the following matters:

A. Substantive challenges to the validity of any land use ordinance, except those brought before the Township Supervisors as curative amendments.

B. Challenges to the validity of a land use ordinance raising procedural questions or alleging defects in the process in enactment or adoption, such challenges to be appealed within 30 days of the effective date of said ordinance.

C. Appeals from the determination of the Zoning Officer (classified as administrative reviews) including, but not limited to, granting, denial or failure to act upon an application for a permit; the issuance of a cease-and-desist order; permit revocation; or the registration or refusal to register a nonconforming use, structure or lot.

D. Appeals from a determination by the Township Engineer or the Zoning Officer with reference to the administration of floodplain regulations contained in this or other Township ordinances affecting land use.

E. Petitions for variances from the terms of this Chapter or from a flood hazard ordinance regulating land use, should such regulations ever be enacted separately, following the guidelines enumerated in this Part.

F. Petitions for special exceptions under this Chapter or a flood hazard ordinance regulating land use, should such regulation be enacted separately, following the guidelines enumerated in this Part.

G. Appeals from the determination of the Zoning Officer or that officer or agency which shall be charged with the responsibility to administer transfers of development rights or performance density provisions under this Chapter.

H. Appeals from the determination of the Township Engineer or Zoning Officer in the determination of land use regulations with reference to sedimentation and erosion control and stormwater management when such regulations are not within the scope of the reviews conducted for subdivisions and land development plans or planned residential developments, as enacted, When such regulations are within the scope of those reviews, appeal is taken to the Township Supervisors pursuant to the enumerated jurisdictions of the Township Supervisors in this Part.

§27-2603. Jurisdiction of the Township Supervisors.

The Township Supervisors shall have exclusive jurisdiction to hear and render final adjudications in the following matters:

A. Establish a schedule of fees and charges for activities required by this Chapter.

B. Applications for approval of subdivisions and land development plans.

C. Applications for curative amendments.

D. Applications for amendments to this Chapter.

E. Appeals from the determination of the Zoning Officer or the Township Engineer in the administration of provisions of law with reference to sedimentation and erosion control and stormwater management insofar as those provisions are within the scope of applications under the subdivision and land development regulations, as enacted. When not within such scope, the appeal is taken to the Zoning Hearing Board pursuant to the jurisdiction of the Zoning Hearing Board enumerated in this Part.

F. Petitions for conditional uses specifically authorized in this Chapter.

§27-2604. Administrative Reviews.

1. The Zoning Hearing Board shall hear and decide appeals, to be classified as administrative review procedures, where it is alleged by the appellant that the Zoning Officer has failed to follow prescribed procedures, has misinterpreted or misapplied a provision of this Chapter, or has otherwise made an error in any order, requirement, decision or determination in the enforcement of this Chapter. An administrative review shall also be utilized by an appellant who desires a determination or interpretation of the meaning or intent of a requirement of this Chapter which has inconclusive or unclear language.
2. After the public hearing on an appeal, the Zoning Hearing Board shall have the authority, so long as such action is in conformity with the terms of this Chapter, to reverse, affirm, or modify, wholly or partly, the order, requirement, decision or determination made by the Zoning Officer.

§27-2605. Special Exceptions.

The Zoning Hearing Board shall hear and decide petitions for special exceptions specifically authorized in this Chapter. Decisions to grant or deny the petition shall be subject to the following:

A. Such use shall be specifically authorized as a special exception in this Chapter.

B. The special exception use shall satisfy all requirements and conditions specified within this Chapter.

C. Where it is deemed necessary to implement the purposes and intent of this Chapter, reasonable conditions and safeguards, in addition to those expressed in this Chapter, may be required by the Board in granting the special exception.

D. The special exception shall be compatible with adjacent and nearby properties and shall not adversely affect the public health, safety, or welfare.

E. The special exception use shall be designed to provide satisfactory arrangement for:

(1) Ingress and egress to property and proposed structures thereon, with particular reference to automotive and pedestrian safety and conveniences, traffic flow and control and the access in case of fire or catastrophe.

(2) Off-street parking and loading areas where required, with particular attention to the items in subparagraph (1), above, the requirements of Part 21 of this Chapter, and the economic, noise, glare, or odor effects of the special exception on adjoining properties in the district.

(3) Refuse and service areas to be located and maintained in a safe and sanitary manner, well screened on three sides. Trash and rubbish shall be stored in covered vermin-proof containers.

(4) Utilities to be located underground where possible and to be compatible with the surrounding area. Availability, ease of access and safety precautions shall be considered.

(5) Screening and buffering with reference to type, dimensions, and character, in accordance with Part 20 of this Chapter.

(6) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect and compatibility and harmony with properties in the district and compliance with Part 22 of this Chapter.

(7) Required yards and other open spaces as specified elsewhere in this Chapter.

§27-2606. Variances.

1. The Zoning Hearing Board shall hear and decide petitions for variances from the terms of this Chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of the Chapter would result in unnecessary hardship. A variance may be granted provided that all of the following findings are made, where relevant, in a given case:

A. That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary hardship is due to such conditions, and not the circumstances or conditions generally created by the provisions of this Chapter in the neighborhood or district in which the property is located.

B. That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of this Chapter and that the authorization of a variance is, therefore, necessary to enable the reasonable use of the property.

C. That such unnecessary hardship has not been created by the petitioner.

D. That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or

permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare.

E. That the variance if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

F. That the variance, if authorized, will not confer on the petitioner any special privilege that is denied by this Chapter to the owners of other lands, structures, or buildings in the same zoning district.

G. That nonconforming use of neighboring lands, structures, or buildings in the same district and permitted or nonconforming use of lands, structures, or buildings in other zoning districts shall not be considered grounds for the granting of a variance.

H. That a variance shall not be granted solely for financial reasons or to facilitate financial gain.

2. In granting a variance, reasonable conditions and safeguards may be attached where it is deemed necessary to implement the purposes and intent of this Chapter.

§27-2607. Ordinance Challenges.

The Zoning Hearing Board shall hear challenges to the validity of the zoning ordinance or map, except as provided by the PMPC, 53 P.S. §10101 et seq. In all such challenges, the Zoning Hearing Board shall take evidence and make a record thereon. At the conclusion of the hearing, the Zoning Hearing Board shall decide all contested questions and shall make findings on all relevant issues of fact.

§27-2608. Expiration or Revocation of a Zoning Hearing Board Decision.

1. The granting or approval of a special exception or variance shall be valid only for the petitioner and the property specified in the petition. Alterations or changes to the use or building authorized by the zoning Hearing Board shall require re-application to the Board. If the special exception or variance has not been implemented within 2 years of the date of the Zoning Hearing Board decision, said approval shall expire and become null and void. If the property affected by the variance or special exception is transferred in ownership prior to the implementation of the variance or special exception, said approval shall immediately become invalid upon such transfer of ownership.

2. The Zoning Hearing Board may revoke approval of a variance or special exception where:

A. The petitioner repeatedly violates conditions or safeguards specified in the Board's decision.

B. The petitioner initiates use or construction contrary to the Board's decision.

C. The petitioner is found to have misrepresented or falsified information pertinent to the Board's decision.

D. The Board's original decision was in error and the revocation is instituted within 30 days of the original decision or prior to substantial reliance thereon by the petitioner.

3. Violation of the conditions or safeguards or use or construction contrary to that specified by the Zoning Hearing Board decision shall be deemed a violation of this Chapter, punishable under Part 33 of this Chapter. Revocation of the Zoning Hearing Board approval shall not preclude the Zoning Officer from instituting civil enforcement procedures or the. Borough from proceeding in a court of law or equity to prevent or remedy violations of this Chapter.

Part 27

Appeals from the Zoning Hearing Board

§27-2701. Appeals from the Zoning Hearing Board.

Any person or persons or agent of the Township aggrieved by any decision of the Zoning Hearing Board may appeal to the Court of Common Pleas. Appeals and time limitations for the filing of said appeals shall be taken in accordance with the PMPC, 53 P.S. §10101 et seq., and other prevailing laws of the Commonwealth of Pennsylvania.

Part 28

Duties of Administrative Official, Zoning Hearing Board, Township Supervisors and Courts on Matters of Appeal

§27-2801. Duties of Administrative Official, Zoning Hearing Board, Township Supervisors and Courts on Matters of Appeal.

It is the intent of this Chapter that all questions of interpretation and enforcement shall be first presented to the Zoning Officer and then the Zoning Hearing Board. Recourse from the decisions of the Zoning Hearing Board shall be to the courts as provided in Part 27. It is further the intent of this Chapter that the duties of the Township Supervisors in connection with this Chapter shall not include hearing and deciding questions of interpretation and enforcement that may arise. The procedure for deciding such questions shall be as stated in this Chapter. Under this Chapter, the Township Supervisors shall have only the duties of (A) considering and adopting or rejecting proposed amendments or the repeal of this Chapter, as provided by law, (B) establishing a schedule of fees and charges as stated in Part 29, and (C) those duties specifically noted in §27-2603 and other Parts of this Chapter.

Part 29

Schedule of Fees, Charges, and Expenses

§27-2901. Schedule of Fees, Charges, and Expenses.

The Township Supervisors shall establish a schedule of fees, charges and expenses and a collection procedure for building and zoning permits, certificates of zoning compliance, appeals, petitions, and other matters pertaining to this Chapter. The schedule of fees shall be posted in the office of the Zoning Officer, and may be altered or amended only by the Township Supervisors.

Part 30

Amendments

§27-3001. Amendments.

1. The regulations, restrictions and boundaries set forth in this Chapter may from time to time be amended, supplemented, changed or repealed. However, no such action may be taken until after a public hearing is held by the Township Supervisors, at which parties in interest and citizens shall have an opportunity to be heard.
2. Notice of the time and place of such hearing shall be published in a newspaper of general circulation once each week for 2 successive weeks. The first publication shall not be more than 30 days and the second publication shall not be less than 7 days from the date of the hearing. If the proposed amendment includes a change to the Official Zoning Map, notice of the public hearing shall be conspicuously posted at sufficient points along the tract to notify potentially interested parties. The affected tract or area shall be posted at least 1 week prior to the date of the hearing.
3. If the amendment is initiated by any parties other than the Township Planning Commission, the Township Supervisors shall submit each such amendment to the Township Planning Commission at least 30 days prior to the hearing on such proposed amendment to provide the Township Planning Commission with an opportunity to submit recommendations.
4. In all cases, the proposed amendment shall be submitted to the Lebanon County Planning Department at least 30 days prior to the hearing for review and comment.
5. If after any public hearing held upon an amendment, the proposed amendment is revised, or further revised, to include land previously not affected by it, the Township Supervisors shall hold another public hearing, pursuant to public notice, before proceeding to vote on the amendment.
6. Within 30 days after enactment, a signed copy of the amendment to this Chapter shall be forwarded to the Lebanon County Planning Department.

Part 31

Provisions of Chapter Declared to Be Minimum Requirements

§27-3101. Provisions of Chapter Declared to Be Minimum Requirements.

In their interpretation and application, the provisions of this Chapter shall be held to be minimum requirements, adopted for the promotion of the public health, safety, or general welfare. Wherever the requirements of this Chapter are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances, deed restrictions, or covenants, the most restrictive or that imposing the higher standard shall govern.

Part 32

Complaints Regarding Violations

§27-3201. Complaint.

Whenever a violation of this Chapter occurs, or is alleged to have occurred, any person may file a formal complaint in writing. Such complaint stating fully the causes and basis thereof shall be filed with the Zoning Officer. He shall record properly such complaint, investigate, and take action thereon as provided by this Chapter. Any person may also report a complaint orally, but such complaint shall not mandate formal investigation on the Part of the Zoning Officer.

§27-3202. Enforcement Notice.

If it appears that a violation of the provisions of this Chapter has occurred, the Zoning Officer shall initiate enforcement proceedings by sending an enforcement notice in the following manner:

A. The enforcement notice shall be sent to the owner of record of the parcel on which the violation has occurred, to any person who has filed a written request to receive enforcement notices regarding that parcel, and to any other person requested in writing by the owner of record.

B. An enforcement notice shall state at least the following:

(1) The name of the owner of record and any other person against whom the Township intends to take action.

(2) The location of the property in violation.

(3) The specific violation with a description of the requirements which have not been met, citing in each instance the applicable provisions of the ordinance.

(4) The date before which the steps for compliance must be commenced and the date before which the steps must be completed.

(5) That the recipient of the notice has the right to appeal to the Zoning Hearing Board within a prescribed period of time in accordance with procedures set forth in this Chapter.

(6) That failure to comply with the notice within the time specified, unless extended by appeal to the Zoning Hearing Board, constitutes a violation, with possible sanctions clearly described.

Part 33

Penalties for Violation

§27-3301. Penalties for Violation.

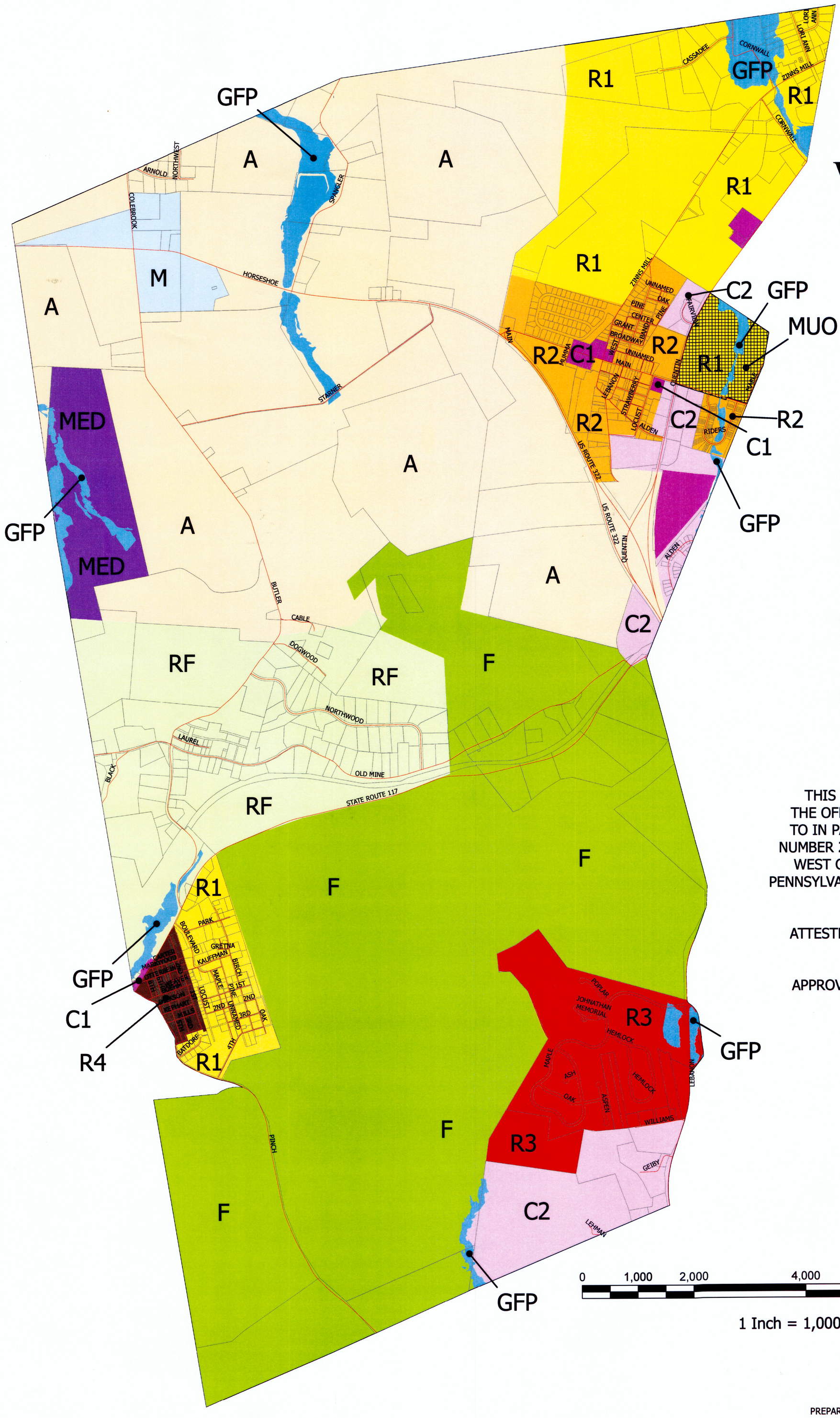
1. Any person, partnership, or corporation who or which has violated the provisions of this Chapter shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Zoning Officer on behalf of the Township of West Cornwall, pay a judgment of not more than $500 per day plus all court costs, including reasonable attorney fees incurred by the Township of West Cornwall as a result thereof.
2. Magisterial district judges shall have initial jurisdiction in proceedings brought by the Zoning Officer in accordance with this Part. No judgment shall commence or be imposed, levied or be payable until the date of the determination of a violation by the magisterial district judge. If the defendant neither pays nor timely appeals the judgment, the Zoning Officer may enforce the judgment on behalf of the Township of West Cornwall pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the magisterial district judge, determining that there has been a violation, further determines that there was a good faith basis for the person, partnership, or corporation violating this Chapter to have believed that there was no violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the magisterial district judge and thereafter each day that a violation continues shall constitute a separate violation.
3. All fines collected for violation of this Chapter shall be paid over to the Township of West Cornwall.
4. The owner or tenant of any building, structure, premises, or part thereof, and any architect, builder, contractor, agent, or other person who commits, participates in, assists in or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided.
5. Nothing herein contained shall prevent the Township, or the Zoning Officer at the request of the Township, from taking appropriate action or proceeding to prevent, restrain, correct, or abate such building, structure, landscaping or land, or to prevent, in or about such premises, any act, conduct, business, or use constituting a violation of this Chapter.

EXHIBIT B

OFFICIAL ZONING MAP

To Proposed Ordinance 2022-9-12

WEST CORNWALL TOWNSHIP
OFFICIAL ZONING MAP



DISTRICTS

- AGRICULTURAL A
- LOW DENSITY RESIDENTIAL R1
- MEDIUM DENSITY RESIDENTIAL R2
- SPECIAL PURPOSE RESIDENTIAL R3
- HIGH DENSITY RESIDENTIAL R4
- RESIDENTIAL FOREST RF
- FOREST F
- NEIGHBORHOOD COMMERCIAL C1
- HIGHWAY COMMERCIAL C2
- MANUFACTURING M
- MINERAL EXTRACTION MED
- MIXED USE OVERLAY MUO

GENERAL FLOOD PLAIN

- ZONE A

*CONSULT FEMA FLOOD INSURANCE RATE MAPS (AS AMENDED) FOR EXACT LOCATIONS.

THIS IS TO CERTIFY THAT THIS IS THE OFFICIAL ZONING MAP REFERRED TO IN PART 2, §27-201 OF ORDINANCE NUMBER 2022-9-12 OF THE TOWNSHIP OF WEST CORNWALL, LEBANON COUNTY, PENNSYLVANIA, ADOPTED 09 - 12 - 2022.

ATTESTED _____
SECRETARY

APPROVED _____
CHAIRPERSON OF THE BOARD OF SUPERVISORS

0 1,000 2,000 4,000 6,000 8,000 Feet

1 Inch = 1,000 Feet

PREPARED BY STECKBECK ENGINEERING AND SURVEYING, INC.